

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
STATEMENT OF SUPPORT
ENVIRONMENTAL COMPLIANCE DETERMINATION
321 West Ocean Boulevard and 121 Cedar Avenue (“Mid-Block” Development)
Application No. 1908-14
February 20, 2020**

Project Description

The proposed project (“Mid-Block development”) consists of two new eight-story, approximately 85-foot-high mixed-use residential buildings with a two-level subterranean parking garage below, and smaller at-grade parking garages as well. The buildings, called the North Building and South Building, contain 290 dwelling units each, for a total of 580, and approximately 35,400 sq. ft. of ground-floor retail/restaurant commercial space proposed, with up to 40,000 sq. ft. approved by the previously-approved Civic Center Master Plan. A total of 725 parking stalls are required by code (the Downtown Plan Planned Development District, PD-30), while 885 are currently proposed by the developer. The project’s area totals are 505,576 sq. ft. of building area for the North Building, and 531,688 sq. ft. for the South Building, all on a 3.3-acre site after required dedications (see project plans in File No. 1908-14 for additional information and details). Ten percent (10%) of the proposed residential dwelling units (58 of 580) are required by the *Mid-Block Site Conveyance Agreement Between the City of Long Beach and Plenary Properties Long Beach LLC* to be offered as affordable housing units at the Moderate Area-wide Median Income (AMI) level.

CEQA History

In December 2010, the City prepared a Draft Program Environmental Impact Report (the “Downtown Plan PEIR,” State Clearinghouse No. 2009071006) for the Downtown Plan, and circulated the PEIR for public review. In November 2011, a Final PEIR was prepared and certified by the City Council.¹ The City was the public agency which had the principal responsibility for carrying out or approving the Downtown Plan, and as such was the “Lead Agency” under the California Environmental Quality Act (CEQA) (*State CEQA Guidelines*, Section 15367).

In August 2015, the City prepared a Supplemental Environmental Impact Report (SEIR) for the Civic Center Project (the “Civic Center Project SEIR,” State Clearinghouse No. 2015041054), which was a supplement to the Downtown Plan PEIR. The Draft SEIR was circulated for a 45-day public review period that began August 4, 2015 and concluded on September 17, 2015. A study session to receive public comment on the Draft SEIR was conducted on August 20, 2015. In accordance with Section 15088 of the California Environmental Quality Act (CEQA) Guidelines, the City of Long Beach, as the lead agency, reviewed the comments received on the Draft Supplemental Environmental

¹ Available on City of Long Beach Department of Development Services website under “Final Downtown Plan EIR.” <http://www.longbeach.gov/lbds/planning/environmental/reports/>

Impact Report (Draft SEIR) for the Civic Center Project and prepared written responses to the written comments received. The City Council certified the Civic Center Project SEIR and approved the Civic Center Project on December 15, 2015.²

The SEIR tiers from the Downtown Plan Final EIR. In accordance with CEQA, the SEIR is a focused study of key issues that were not identified at a project level as part of the Downtown Plan PEIR. Specifically, the SEIR addresses issues about which potential impacts were not known at the time of preparation of the Downtown Plan PEIR or for which Downtown Plan PEIR mitigation measures stipulate further analysis on a project-by-project basis. This subject project (Mid-Block development, referred to as the Center Block in the SEIR) is a component of the larger Civic Center Project, the scope of which was summarized in the Civic Center Project Supplemental EIR as follows:

The Civic Center Project involves demolishing existing buildings on the three-block project site and developing a new City Hall, a new Port Building for Harbor Department administration, a new and relocated Main Library, a redeveloped Lincoln Park, a residential development, and a commercial mixed-use development. In total, the project includes six new buildings, three new parking garages, related infrastructure and landscaping, and two new public street extensions of Chestnut Avenue and Cedar Avenue through the project site. Existing buildings that would be demolished include the former Long Beach Courthouse, Long Beach City Hall, and Long Beach Main Library. Demolition of the former courthouse was studied in the Long Beach Courthouse Demolition Project Draft EIR (SCH# 2014051003) that was circulated in October and November of 2014. Construction was anticipated to begin in June 2016 and last approximately seven years, ending by approximately July 2022. The project would export a total of 380,000 cubic yards (cy) of soil and import a total of 68,200 cy of soil. As of the writing of this report, the Civic Block

Specific project components of the larger Civic Center Project are summarized below.

Civic Block

The Civic Block consists of three major components:

- **Port Building.** *The Port Building would be up to 11 stories in height (approximately 164 feet tall), utilizing a concrete frame structure of up to 240,000 gross square feet (gsf).*
- **City Hall Building.** *The City Hall building would be an approximately 270,000 gsf, up to 11-story concrete frame structure (approximately 165 feet tall) that includes office space for City staff and elected officials. Located around and between the City Hall and Port Building would be a 73,000 square foot (sf) Civic Plaza, which would include*

² Available on City of Long Beach Department of Development Services website under “New Civic Center Project SEIR.” <http://www.longbeach.gov/lbds/planning/environmental/reports/>

hardscape and landscape elements appropriate for larger spontaneous gatherings as well as planned events.

- **Port and City Hall Foundations.** *The Port and City Hall buildings would share a common underground parking structure with approximately 509 new spaces of underground parking in a 2 to 2.5 level below grade structure that includes a below grade loading dock. Construction on the Civic Block would begin once the former Long Beach Courthouse building occupying the site is removed.*

Lincoln Park and New Library Block

Improvements to the Lincoln Park and New Library Block consist of two primary components: a new Main Library and a new Lincoln Park.

- **Main Library.** *A new two-story (approximately 42 feet tall) Main Library of up to 92,000 gsf would be constructed utilizing a wood frame structure built on top of the existing Lincoln Parking Garage roof deck. Lincoln Parking Garage would be renovated to include enhancements to the existing parking structure necessary to support the Library.*
- **Lincoln Park.** *After occupation of the new Library, the existing Main Library would be demolished, and the site would be redeveloped into a new Lincoln Park. The new Main Library would be located in the park. The open space area, not including the library footprint, would be approximately 3.17 acres.*

Third and Pacific Block

The project would include construction of a seven-story, multi-family residential complex on this 0.9-acre lot. The structure would have up to 200 residential units and be up to 235,000 gsf. The complex would also include a parking structure with up to two levels below grade and up to three levels above ground partially wrapped by the residential units. Up to 250 parking stalls would be included in this structure and the building would be serviced by at grade loading facilities.

Center Block

After the New City Hall is operational, the existing City Hall structure would be demolished, and a mixed-use project would be developed in its place. The Center Block commercial development would include up to 580 residential units totaling up to 650,000 gsf and up to 32,000 gsf of retail and 8,000 gsf of restaurant space. A 200-room hotel may also be included as component of the project. An underground parking garage would service this parcel with up to 725 new parking spaces and the two buildings comprising the new development would be serviced by at-grade loading facilities. The building adjacent to Ocean Boulevard (the Ocean Lot) would be approximately 85 feet in height and up to seven stories tall. The building

adjacent to Broadway Garage would be approximately 432 feet in height and approximately 36 stories tall.³

Of the above summary, only the “Center Block” component (today known as the Mid-Block development) is the subject of the current requested action and this statement of support/environmental compliance determination. The potential project scope described in the above summary for Center Block has been refined to the project description on page 1 of this statement, and no longer includes any buildings over 8 stories tall, nor any hotel component. The two currently-proposed residential buildings total 235,229 sq. ft. for the North Building and 235,969 sq. ft. for the South Building of net residential floor area, a total of 471,198 sq. ft., which is well within the 650,000 sq. ft. scope analyzed in the SEIR. The remainder of the project, as described above minus the hotel and residential tower component, is essentially unchanged.

The Civic Center Project SEIR established 65 mitigation measures that apply to the overall Civic Center Project, including the Mid-Block development that is the subject of this statement and determination. These mitigation measures pertain to aesthetics, air quality, cultural resources, geology and seismicity, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise, traffic and circulation, utilities and service systems, and one other mitigation measure regarding the fumigation of the old City Hall building.

CEQA Guidelines Provisions

Section 15162 of the California Environmental Quality Act (CEQA) establishes when a subsequent Environmental Impact Report (EIR) or Negative Declaration (ND) shall be prepared.

Pursuant to CEQA Guidelines Section 15162, when an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record that additional analysis is required. As stated in the following analysis, the proposed project would be consistent with the adopted Civic Center SEIR, and no new impacts would occur, nor would any known impacts be greater than the levels at which they were analyzed in the certified SEIR. Therefore, no subsequent environmental analysis is warranted under CEQA.

³ Excerpt from pages 2-11 through 2-16 of the Civic Center Project SEIR

CEQA Section 15162:

- (a) **WHEN AN EIR HAS BEEN CERTIFIED OR A NEGATIVE DECLARATION ADOPTED FOR A PROJECT, NO SUBSEQUENT EIR SHALL BE PREPARED FOR THAT PROJECT UNLESS THE LEAD AGENCY DETERMINES, ON THE BASIS OF SUBSTANTIAL EVIDENCE IN THE LIGHT OF THE WHOLE RECORD, ONE OR MORE OF THE FOLLOWING:**
- (1) **SUBSTANTIAL CHANGES ARE PROPOSED IN THE PROJECT WHICH WILL REQUIRE MAJOR REVISIONS OF THE PREVIOUS EIR OR NEGATIVE DECLARATION DUE TO THE INVOLVEMENT OF NEW SIGNIFICANT ENVIRONMENTAL EFFECTS OR A SUBSTANTIAL INCREASE IN THE SEVERITY OF PREVIOUSLY IDENTIFIED SIGNIFICANT EFFECTS;**

The Civic Center SEIR analyzed the Center Block (aka Mid-Block development) as a development that would include up to 580 residential units and up to 40,000 sq. ft. of retail and restaurant space, with an underground parking garage with up to 725 new parking spaces. A 200-room hotel was included as component of the analyzed project as well. The building adjacent to Ocean Boulevard (the South Building under the Mid-Block project description) was included as an 85-foot-tall mid-rise with an approximately 432-foot-tall tower of approximately 36 stories. The building adjacent to Broadway Garage (the North Building in the Mid-Block development) was included at approximately 85 feet tall and up to seven stories.

The current proposal for the Mid-Block development has eliminated the 432-foot-tall, 36-story tower, and the proposed hotel use. Both project buildings are now approximately 85 feet tall and eight stories, with 290 dwelling units each, for a total of 580. Therefore, the project would be consistent with the size, height, location, use, and materials analyzed in the SEIR, with a reduced overall project scope due to the elimination of the tower component and hotel use. *No substantial changes are proposed in the project which will require major revisions of the SEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified environmental effects.*

(2) SUBSTANTIAL CHANGES OCCUR WITH RESPECT TO THE CIRCUMSTANCES UNDER WHICH THE PROJECT IS UNDERTAKEN WHICH WILL REQUIRE MAJOR REVISIONS OF THE PREVIOUS EIR OR NEGATIVE DECLARATION DUE TO THE INVOLVEMENT OF NEW SIGNIFICANT ENVIRONMENTAL EFFECTS OR A SUBSTANTIAL INCREASE IN THE SEVERITY OF PREVIOUSLY IDENTIFIED SIGNIFICANT EFFECTS; OR

The SEIR was prepared, circulated, and adopted in 2014 and 2015, and no changes have occurred related to site or project circumstances that would result in additional environmental impacts. The project scope of the Center Block component (the Mid-Block development) has been reduced from that analyzed in the SEIR. *No substantial changes have occurred with respect to the circumstances under which the project will be undertaken which will require major revisions of the SEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified environmental effects.*

(3) NEW INFORMATION OF SUBSTANTIAL IMPORTANCE, WHICH WAS NOT KNOWN AND COULD NOT HAVE BEEN KNOWN WITH THE EXERCISE OF REASONABLE DILIGENCE AT THE TIME THE PREVIOUS EIR WAS CERTIFIED AS COMPLETE OR THE NEGATIVE DECLARATION WAS ADOPTED, SHOWS ANY OF THE FOLLOWING:

(A) THE PROJECT WILL HAVE ONE OR MORE SIGNIFICANT EFFECTS NOT DISCUSSED IN THE PREVIOUS EIR OR NEGATIVE DECLARATION;

The SEIR was prepared, circulated, and adopted in 2014 and 2015, and no information indicates that new significant impacts would occur that were not previously analyzed. The SEIR found that significant impacts would occur in the areas of Air Quality, Cultural Resources, and Noise. All other potential impacts were determined to be mitigated to a less than significant level in the SEIR analysis. The mitigation measures will remain in effect for the proposed project. Due to the current proposal's conformance to the scope of the project analyzed in the SEIR, *no new significant environmental effects would occur.*

(B) SIGNIFICANT EFFECTS PREVIOUSLY EXAMINED WILL BE SUBSTANTIALLY MORE SEVERE THAN SHOWN IN THE PREVIOUS EIR;

The SEIR was prepared, circulated, and adopted in 2014 and 2015, and no information indicates that new significant impacts would occur that were not previously analyzed. The SEIR found that significant impacts would occur in the areas of Air Quality, Cultural Resources, and Noise. All other potential impacts were determined to be mitigated to a less than significant level in

the SEIR analysis. The mitigation measures will remain in effect for the proposed project. Due to the current proposal's conformance to the scope of the project analyzed in the SEIR, *no substantial increase in the severity of previously identified environmental effects would occur.*

(C) MITIGATION MEASURES OR ALTERNATIVES PREVIOUSLY FOUND NOT TO BE FEASIBLE WOULD IN FACT BE FEASIBLE, AND WOULD SUBSTANTIALLY REDUCE ONE OR MORE SIGNIFICANT EFFECTS OF THE PROJECT, BUT THE PROJECT PROPONENTS DECLINE TO ADOPT THE MITIGATION MEASURE OR ALTERNATIVE; OR

The SEIR found that significant impacts would occur in the areas of Air Quality, Cultural Resources, and Noise. All other potential impacts were determined to be mitigated to a less than significant level in the SEIR analysis. The adopted mitigation measures will remain feasible and in effect for the project, as there has been no change or increase in the project scope that would create any new significant environmental effects, or a substantial increase in the severity of previously identified environmental effects. *No mitigation measures previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project.*

(D) MITIGATION MEASURES OR ALTERNATIVES WHICH ARE CONSIDERABLY DIFFERENT FROM THOSE ANALYZED IN THE PREVIOUS EIR WOULD SUBSTANTIALLY REDUCE ONE OR MORE SIGNIFICANT EFFECTS ON THE ENVIRONMENT, BUT THE PROJECT PROPONENTS DECLINE TO ADOPT THE MITIGATION MEASURE OR ALTERNATIVE.

The SEIR found that significant impacts would occur in the areas of Air Quality, Cultural Resources, and Noise. All other potential impacts were determined to be mitigated to a less than significant level in the SEIR analysis. The adopted mitigation measures will remain feasible and in effect for the project, as there has been no change or increase in the project scope that would create any new significant environmental effects, or a substantial increase in the severity of previously identified environmental effects. As the project scope essentially has not changed, *no new mitigation measures or alternatives which are considerably different from those analyzed in the SEIR would substantially reduce one or more significant effects of the project.*

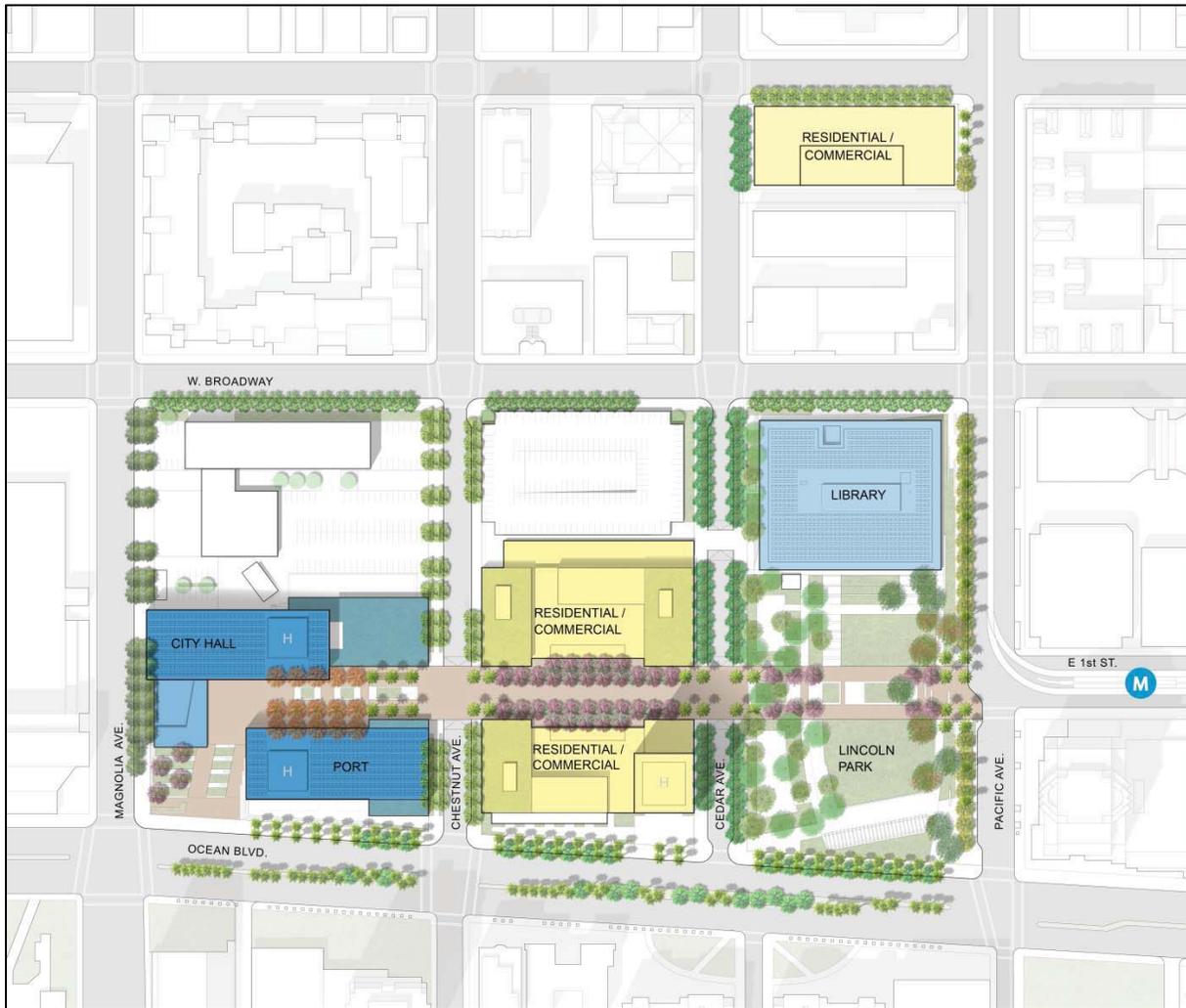


Figure 1. Overall Civic Center Project conceptual plan. Excerpt from page 2-9, Figure 2-6 of Civic Center SEIR.

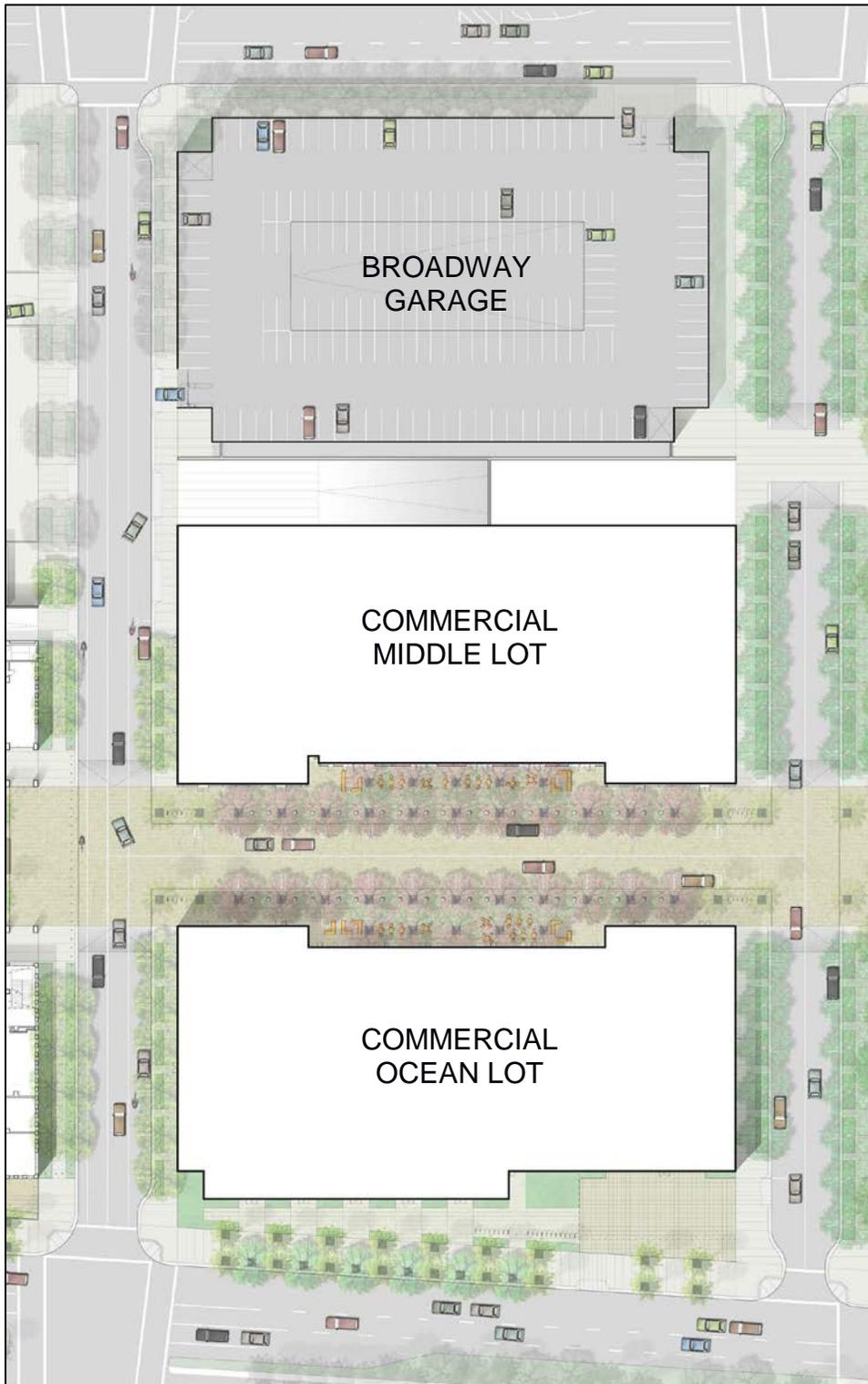


Figure 2. Civic Center "Center Block" concept plan from Civic Center SEIR. Excerpt from page 2-34, Figure 2-15 of Civic Center SEIR. "Commercial" in figure refers to the fact that the site is set aside for private development, not to a restriction on land use.

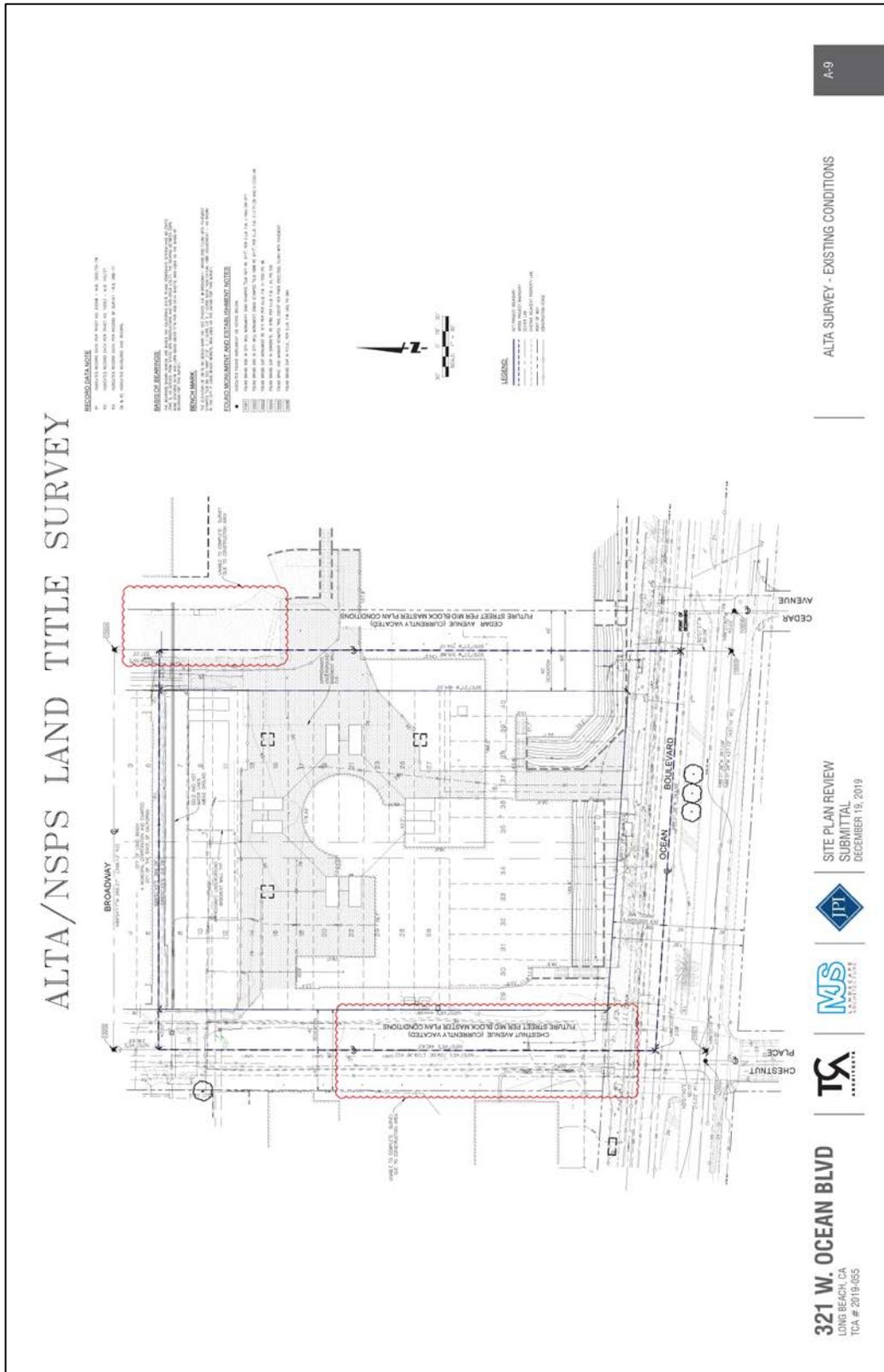


Figure 3. Existing conditions at the Mid-Block Development site.

