



MITIGATED NEGATIVE DECLARATION

Pine Square Theater Conversion to Residential

250-270 Pacific Avenue

Prepared by:

City of Long Beach
Department of Development Services

INITIAL STUDY

Project Title:

Pine Square Theater Conversion to Residential

Lead agency name and address:

City of Long Beach Development Services
333 W. Ocean Boulevard, 4th Floor
Long Beach, CA 90802

Contact person and phone number:

Scott Kinsey, Planner II
(562) 570-6461

Project location:

250-270 Pacific Avenue
Long Beach, CA 90802

Project Sponsor's name and contact information:

Carlos Losada for Meruelo Group
For Tweedy Properties, LLC
9550 Firestone Blvd., Suite 105
Downey, CA 90241
(562) 951-1636

General Plan:

Land Use Designation (LUD) 7: Mixed Use Districts

Zoning:

Downtown Planned Development District (PD-30, Downtown Core subarea)

Description of project:

The applicants propose to convert the theater space from the closed AMC Pine Square 16-screen movie theater into 69 residential apartment units. 112,079 square feet of new residential space, in two levels, will be created from the existing high-ceilinged one-level theater envelope. The existing 142 residential dwelling units will remain, as well as the existing retail spaces on Pine Avenue, 3rd Street, and Broadway. A small amount of floor area from the theater box offices, approximately 538 square feet, will be converted into new commercial retail space, bringing the total lease-able retail floor area on-site to 37,240 square feet. The 400 on-site parking spaces in the existing three-level subterranean parking garage will be maintained and will provide all parking necessary to meet on-site demands, according to a parking study provided with the project application. The applicants will be required to expand a residents-only parking area within the lower levels of the garage and assign parking spaces to each new dwelling unit, exclusive of other users.

The project also involves an architectural re-facing of the theater levels of the existing building. New openings will be constructed in the exterior walls of the theater envelope for windows, doors, and balconies for the residential units. In addition, a remodel and re-facing of the building's Pine Avenue retail courtyard will be included.

The Pine Square Theater Conversion to Residential project requires the following Planning entitlements:

- Site Plan Review with Planning Commission approval
- Sign Program
- Mitigated Negative Declaration ND-09-08 also will be presented for certification.

Public agencies whose approval is required:

Long Beach City Planning Commission
Long Beach City Council on appeal

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages:

<input type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Population & Housing
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hydrology & Water Quality	<input type="checkbox"/> Public Services
<input checked="" type="checkbox"/> Air Quality	<input type="checkbox"/> Land Use & Planning	<input type="checkbox"/> Recreation
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Transportation & Traffic
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> National Pollution Discharge Elimination System	<input type="checkbox"/> Utilities & Service Systems
<input type="checkbox"/> Geology & Soils	<input checked="" type="checkbox"/> Noise	<input type="checkbox"/> Mandatory Findings of Significance

DETERMINATION:

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis, as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Scott Kinsey
Planner II

2/23/11

Date

EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are supported adequately by the information sources a lead agency cites in the parenthesis following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analysis,” as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration (per Section 15063(c)(3)(D)). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effect were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

I. AESTHETICS

a. Would the project have a substantial adverse effect on a scenic vista?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The subject site is located in downtown Long Beach in an area of tall buildings, mostly four to seven stories, and only one block away from a 312-foot-tall office tower. The nearest significant topographic feature is the landform of Signal Hill. The proposed project would not change the existing height, massing, or building envelope of the subject structure, and therefore will not generate any effects upon scenic vista resources. No Impact is anticipated.

b. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project will be located on a fully developed parcel within the envelope of an existing seven-story building. The site is not near a State Scenic Highway; therefore No Impact is anticipated.

c. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project site is currently developed with a 142-unit apartment building on top of a 16-screen movie theater, above three levels of subterranean parking, for a total of seven stories above grade and a gross area of 510,917 square feet. All proposed work will occur within the envelope of the existing building and will not significantly affect its form, massing, or volume. The proposed conversion of theaters to living space will involve an exterior re-facing of the theater levels to complement the design and scale of the existing building. A new color scheme and materials scheme also will be applied. The project will not significantly degrade the existing visual character of the site or its surroundings. Temporary, less than significant visual impacts during construction are possible. A “Less Than Significant Impact” is anticipated.

d. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The proposed project would include exterior lighting, new building signs, and interior building lights that will be visible through windows at night. All exterior lights will be required by conditions of approval to be shielded appropriately to prevent intrusion of light or glare onto adjacent properties. A “Less Than Significant Impact” is expected.

II. AGRICULTURE RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

a. 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?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

b. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

c. Would the project involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to non-agricultural use?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

For items a. through c.: The project site is not located within an agricultural zone, and there are no agricultural zones within the vicinity of the project. Furthermore, the subject site is located within an area of the City that is developed with commercial and residential land uses. No Impact is expected.

III. AIR QUALITY

The City of Long Beach is located within the South Coast Air Basin, which is subject to some of the worst air pollution in the nation, attributable to its topography, climate, meteorological conditions, large population base, and dispersed urban land use patterns.

Air quality conditions are affected by the rate and location of pollutant emissions and by climatic conditions that influence the movement and dispersion of pollutants. Atmospheric forces such as wind speed, wind direction, and air temperature gradients, along with local and regional topography, determine how air pollutant emissions affect air quality.

The South Coast Air Basin has a limited capability to disperse air contaminants because of its low wind speeds and persistent temperature inversions. In the Long Beach area, predominantly daily winds consist of morning onshore airflow from the southwest at a mean speed of 7.3 miles per hour and afternoon and evening offshore airflow from the northwest at 0.2 to 4.7 miles per hour with little variability between seasons. Summer wind speeds average slightly higher than winter wind speeds. The prevailing winds carry air contaminants northward and then eastward over Whittier, Covina, Pomona and Riverside.

The majority of pollutants found in the Los Angeles County atmosphere originate from automobile exhausts as unburned hydrocarbons, carbon monoxide, oxides of nitrogen and other materials. Of the five major pollutant types (carbon monoxide, nitrogen oxides, reactive organic gases, sulfur oxides, and particulates), only sulfur oxide emissions are produced mostly by sources other than automobile exhaust.

a. Would the project conflict with or obstruct implementation of the applicable air quality attainment plan?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project site is located within the City of Long Beach, which is part of the South Coast Air Basin and under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD's *CEQA Air Quality Handbook* establishes the current guidelines and emission thresholds for assessment of potential air quality impacts. This *Air Quality Handbook* includes a consistency finding to determine whether a project is inconsistent with the assumptions and objectives of the SCAQMD's *Air Quality Management Plan (AQMP)*. In addition, the Southern California Association of Governments (SCAG) has determined that if a project is consistent with the growth forecasts for the subregion in which it is located, it is consistent with the AQMP, and regional emissions are mitigated by the control strategies specified in the AQMP.

The project would not add any new structures that would create substantial employment or housing demands. Since this project is not considered significantly growth inducing, there would be no inconsistencies with either the SCAG growth forecasts or the AQMP and therefore no further analysis is required. A Less Than Significant Impact is expected.

b. Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

Both the State of California and the federal government have established ambient air quality standards for the following air pollutants: carbon monoxide, ozone, nitrogen oxides, sulfur oxides, particulate matter less than 10 and 2.5 microns in diameter, and lead. Ozone is formed by a photochemical reaction between nitrogen oxides and reactive organic gases, and therefore ozone impacts are assessed by evaluating these two sources.

Stationary and mobile on-site vehicles and equipment would include trucks, tractors, and other equipment typical for construction work. Based on the scale of the project, construction worker trips are not anticipated to significantly contribute to traffic emission levels on surrounding roadways. However, construction activities, construction equipment emissions, and worker vehicle trips could result in short term air quality violations. Given the size of the proposed project building and nature of project operations, which would be less intense than the building's

previous use as a movie theater, potential air quality impacts are not considered to be unavoidably adverse in nature and could be mitigated to a less than significant level.

In order to further minimize project construction emissions, all vehicles and equipment would be required to include State-mandated emission control devices pursuant to State emission regulations. Short-term emissions of particulate matter would be further reduced with implementation of the dust suppression measures contained in SCAQMD Rule 403. Additionally, the following mitigation measures are recommended to further reduce emission levels from project construction activities.

Mitigation Measure AQ-1

Prior to the issuance of any permits from the City of Long Beach, the City of Long Beach Building Official (or designee) and the City of Long Beach Director of Public Works (or designee) shall review and approve the final project plans to ensure that the following dust suppression measures, as provided in the SCAQMD *CEQA Air Quality Handbook*, are incorporated.

- All excavated or graded materials shall be sufficiently watered to prevent excessive dust dispersion. Watering shall occur at least twice daily with complete coverage of the project site, preferably in the late morning and after work is completed in the afternoon. Watering shall be increased whenever wind speeds exceed 15 miles per hour (mph). All grading and earth movement activities shall be suspended whenever wind gusts exceed 25 mph.
- All materials transported on-site or off-site shall be securely covered to prevent excessive dust dispersion.
- Sweep all streets and alleys once per day if visible soil materials are carried to adjacent streets or alleys using water sweepers with reclaimed water.
- Minimize at all times the area disturbed by demolition, clearing, grading, earthmoving or excavation operations.
- All trucks hauling dirt, sand, soil or other loose materials shall be tarped with a fabric cover and maintain a freeboard height of at least 12 inches.
- Wash all trucks and equipment when leaving the project site.
- Limit on-site vehicle speeds to a maximum of 15 mph.
- If importation, exportation and stockpiling of fill material is involved, earth with 5% or greater silt content that is stockpiled for more than two days shall be covered, kept moist, or treated with earth binders to prevent dust dispersion.

Mitigation Measure AQ-2

Prior to the issuance of any permits from the City of Long Beach, the Project Contractor shall provide evidence to the City of Long Beach Building Official (or designee) that all vehicles and equipment to be used on-site incorporate low-emission factors and high energy efficiency. The following measures shall also be implemented throughout project activities to reduce air pollutant emissions:

- Whenever feasible, electricity from temporary power poles on-site shall be utilized rather than temporary diesel or gasoline generators.
- Whenever feasible, on-site mobile equipment shall be fueled by methanol or natural gas (to replace diesel-fueled equipment), or fueled by propane or butane (to replace gasoline-fueled equipment).
- Aqueous diesel fuel or biodiesel, if available, shall be used in diesel-fueled vehicles whenever methanol or natural gas is not available.
- All equipment engines shall be tuned and maintained in accordance with the manufacturer's specifications.
- All vehicles and equipment shall be shut off when not in use and idle for more than five minutes.
- All project activities shall be timed so as to not interfere with peak-hour traffic and to minimize obstruction of through traffic lanes adjacent to the project site. If necessary, a flagperson shall be retained to minimize traffic delays.

While project construction air quality impacts would be less than significant, implementation of Mitigation Measures AQ-1 and AQ-2 would further reduce project construction related air emissions.

Project operations would be typical of a multifamily residential building. Operations would not involve any substantial release of pollutants and is not anticipated to generate substantial, significant additional vehicle trips. Additional vehicle trips from customers of the commercial space could result after project completion, but the increase in trips would not be substantial in number and would not be concentrated in morning or evening traffic demand peak periods. Project operations would not cause any substantial temporary or permanent increase in traffic volumes or involve any activities that would result in substantial pollutants, and no further environmental analysis of project operational air quality impacts is required. A Less Than Significant Impact With Mitigation Incorporated is expected.

c. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

Please see Sections III (a) and (b) above for discussion. Potential short-term construction and long term operational impacts would not be significant due to the nature of operations. The project would not result in any cumulatively considerable pollutant increases. In addition, Mitigation Measures AQ-1 and AQ-2 would further reduce any adverse effects from the less than significant construction related air quality impacts. No further environmental analysis is required. A Less Than Significant Impact is expected.

d. Would the project expose sensitive receptors to substantial pollutant concentrations?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The *CEQA Air Quality Handbook* defines sensitive receptors as children, elderly and sick individuals that are more susceptible to the effects of air pollution than the population at large. Facilities that serve various types of sensitive receptors, including schools, hospitals, and senior care centers, are located throughout the City. Given the project building size and nature of project operations, it is not anticipated that project construction or operations would significantly expose any sensitive receptors to substantial pollutant concentrations. In addition, Mitigation Measures AQ-1 and AQ-2 would further reduce any adverse effects from the less than significant construction related air quality impacts on sensitive receptors. No further environmental analysis is required. A Less Than Significant Impact is expected.

e. Would the project create objectionable odors affecting a substantial number of people?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

Land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Potential sources of odors from construction activities include use of architectural coatings and solvents, and diesel-powered construction equipment. SCAQMD Rule 1113 limits the amount of volatile organic compounds (VOCs) from architectural coatings and solvents, which lowers odorous emissions.

Project construction activities could generate some airborne odors typically associated with vehicles and equipment, such as diesel exhaust. However, project related construction odors would be emitted from localized sources and would not emanate far from the sources. Such odors are therefore considered isolated to the building site and would not disperse significant odor levels beyond the immediate project vicinity. In addition, project operations would not emit any objectionable odors that could affect a substantial number of people. No further analysis of this environmental issue is required. A Less Than Significant Impact is expected.

IV. BIOLOGICAL RESOURCES

a. Would the project have a substantial adverse impact, 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?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

b. Would the project 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?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

c. Would the project 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?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

d. Would the project 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?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

For a, b, c, d, e and f—The proposed project site is located within an urbanized portion of the City, and is surrounded by existing commercial and residential land uses. The site presently consists of the existing seven-story theater and apartment building with subterranean garage. The vegetation on site is sparse and consists of common landscape species. No evidence exists of rare or sensitive species as listed in Title 14 of the California Code of Regulations or Title 50 of the Federal Code of Regulations. The biological habitat and species diversity in the surrounding area is limited to that typically found in highly populated and urbanized Southern California settings.

No substantial impacts will be caused to any candidate, sensitive, or special status species. The project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with any established wildlife corridors, and will not impede the use of native wildlife nursery sites. The project would not conflict with any local policies or ordinances protecting biological resources. The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other habitat conservation plan. No riparian habitats, sensitive natural communities, or federally protected wetlands exist on site or in the vicinity of the site. Therefore the project would not conflict with any local policies, plans, or ordinances protecting biological resources. No Impact is expected.

V. CULTURAL RESOURCES

Some evidence indicates that primitive peoples inhabited portions of the City as early as 5,000 to 2,000 B.C. Much of the remains and artifacts of these ancient peoples were destroyed during the first century of the City's development. The remaining archaeological sites are located predominantly in the southeast sector of the City.

a. Would the project cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

c. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

d. Would the project disturb any human remains, including those interred outside of formal cemeteries?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

For items a. through d.: The project will not involve any excavation, either new or in existing building foundations, nor any grading or soil movement. No archeologic, paleontologic, or geologic features will be disturbed, nor any human remains. The subject building has no historic significance and is not designated as a historic landmark or site, at the municipal, state, or federal level. Neither is the project located in a designated historic district. "No Impact" is expected.

VI. GEOLOGY AND SOILS

a. Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

According to the Seismic Safety Element, earthquake history has shown that the most likely place for surface fault rupture to occur is on an existing fault. The project site is not located within an Alquist-Priolo Earthquake Fault Zone (name changed from Special Study Zone on January 1, 1994) or within a Caution Zone for Essential and Hazardous Facilities, according to Plate 2 of the City's Seismic Safety Element. Therefore, the site is not exposed to significant danger that would result from rupture of a known fault underneath or in the direct vicinity of the project site. Also, project implementation would not significantly increase the exposure of people or structures to potentially substantial adverse effects involving fault rupture. Project activities are not anticipated to result in any significant impacts related to fault rupture. Based on known hazards, and with proper compliance with all building code and seismic safety requirements, a Less Than Significant Impact is expected.

ii) Strong seismic ground shaking?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project site is located in an area of “deep-stiff soil conditions south of Newport-Inglewood Faults” according to Plate 6 of the City’s Seismic Safety Element. According to the analysis of ground shaking potential in the Seismic Safety Element, each of the three major areas of soil conditions found in the City are at nearly equal potential for strong seismicity. According to the Seismic Element,

The intensity of ground shaking, as represented by tabulations of peak ground acceleration versus return period in Appendix D, indicates high seismicity for the Long Beach area. To mitigate the consequences of this high level of seismicity in terms of ground shaking, requires significant design strengthening of structures to resist earthquake loading. One rational means for design, considering the frequency response of structures and the intensity of ground shaking, is the use of response spectrum. An evaluation of response spectrum for the City of Long Beach for each of the three ground shaking zones shown on Plate 6 was made, and the results are tabulated in Appendix E. These values were developed for general information and to define the ground shaking zone only. It is important that individual designs of structures take into account the specific subsurface conditions of a site, and that the response spectra used should be developed on a case-by-case basis.

As it is important for proper seismic protection to be engineered for each building project on a case-by-case and site-by-site basis, as stated in the Seismic Element, a Less Than Significant Impact can be predicted if this is carried out as required during the design-build phase of this project, in accordance with all applicable building codes.

iii) Seismic-related ground failure, including Liquefaction?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

Per Plate 7 of the Seismic Safety Element, the proposed project is located in an area of low liquefaction potential. The project would be required to be constructed in conformance with all current state and local building codes relative to seismic safety. A Less Than Significant Impact would result.

iv) Landslides?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

Per the Seismic Safety Element, the project site is outside the area where landslides could potentially occur. Therefore, no impact will result.

b. Would the project result in substantial soil erosion or the loss of topsoil?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project site is covered with landscaping, hardscape, and a seven-story commercial/residential building. The project will not involve any new excavation, covering, or exposure of ground surface, and will not result in substantial soil erosion or the loss of topsoil. No Impact will result.

c. Would the project be 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?

According to Plate 3 of the Seismic Safety Element, the project site is located on soil made up of predominately granular nonmarine terrace deposits overlying Pleistocene granular marine sediments at shallow depths. Per Plate 7 of the Seismic Safety Element, the proposed project is located in an area of low liquefaction potential, which does not put it at significant risk for effects such as lateral spreading, differential settlement, earthquake-induced settlement, or sand boils, as these effects coincide with those areas at high risk for liquefaction. The subject building already is constructed and the foundations will not be changed, so the geologic units/soils below the site should not become unstable as a result of the project. With proper adherence to building codes, a Less Than Significant Impact is expected.

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

d. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

Please see VI. (c) above for explanation. Applicable building codes will require the removal of expansive soil, if any is present, to a depth sufficient to eliminate any potential hazards the expansive soil could present to the new structures. A Less Than Significant Impact will result.

e. Would the project 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 wastewater?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

Sewers service is in place for the subject building. Septic tanks or an alternative wastewater disposal system will not be used, and No Impact will result.

VII. HAZARDS AND HAZARDOUS MATERIALS

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

Project implementation involves demolition of the existing movie theater interiors as well as transport and handling of building materials for the proposed residential dwelling units. It is not known whether the existing building contains asbestos or lead-based paint materials. Project operations would only involve the handling and use of typical cleaners and solvents for building maintenance.

The handling and disposal of any hazardous or potentially hazardous materials would be required to comply with SCAQMD Rule 1403 (Asbestos Demolition and Renovation Activities) as well as Long Beach Municipal Code Chapters 8.86 (Hazardous Materials Release Response Plans and Inventory), 8.87 (Hazardous Waste Control), and 8.88 (Hazardous Materials Cleanup). In addition, the project

must comply with California Occupational Safety and Health Administration (CalOSHA) regulations regarding lead-based materials. California Code of Regulations Section 1532.1 requires the testing, monitoring, containment, and disposal of lead-based materials to ensure exposure levels do not exceed CalOSHA standards.

The following mitigation measures are recommended to reduce potential impacts related to the release of asbestos or lead-based materials:

Mitigation Measure HAZ-1

Prior to the issuance of any permit from the City of Long Beach, a lead-based paint and asbestos survey shall be performed by a licensed sampling company. All testing procedures shall follow all applicable State and federal protocol. The lead-based paint and asbestos survey report shall quantify the areas of lead-based paint and asbestos containing materials pursuant to State and federal standards.

Mitigation Measure HAZ-2

Prior to any demolition or construction activities, any on-site structures that contain asbestos must have all asbestos containing material removed according to proper abatement procedures recommended by an asbestos consultant. All abatement activities shall be in compliance with federal OSHA, CalOSHA, and SCAQMD 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, and the location where the asbestos containing material was disposed. The abatement report shall include all 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.

Mitigation Measure HAZ-3

Prior to any demolition or construction activities, a licensed lead-based paint consultant shall be contracted to evaluate all structures 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 federal OSHA, CalOSHA, and SCAQMD 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. All lead-based material shall be taken to a landfill or receiving facility licensed to accept this type of material. Following completion of the lead-based paint abatement, the consultant shall provide a report documenting the abatement procedures used, the volume of lead-based paint removed, and the location where this material was disposed. The abatement report shall include all 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.

Incorporation of Mitigation Measures HAZ-1, HAZ-2 and HAZ-3 would reduce potential impacts related to asbestos and lead-based materials to a less than significant level.

b. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

Please see Section VII. (a) above for discussion. The project will not consist of any land use that could be at risk for upset or accident conditions involving release of hazardous materials into the environment. However, there could be some ground disturbance during construction activities. If surface or near surface contaminants are present on the project site, construction activities could result in dispersion of these contaminants, although it is unlikely, since the project involves no excavation or grading. If appropriate remedial actions are not taken, excavation and transport of such contaminants could potentially result in exposure of workers, residents, or the public to health hazards. The following mitigation measures are therefore recommended for this potential hazard:

Mitigation Measure HAZ-4

Project plans submitted for permit approvals shall include a contingency plan to be implemented in the event that contaminants are suspected or discovered. The contingency plan shall identify the appropriate personnel to be notified, emergency contacts, and a sampling protocol to be implemented. The contractors shall be notified 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 project and identify the person authorized to make that determination.

Mitigation Measure HAZ-5

If contaminants are detected, soil sampling shall be performed and the results forwarded to the appropriate local regulatory agency (Long Beach Certified Unified Program Agency, Los Angeles Regional Water Quality Control Board, or the State Department of Toxic Substances Control). The local regulatory agency would have the responsibility of determining whether any additional investigation or remedial activities would be necessary.

Mitigation Measure HAZ-6

If concentrations of contaminants warrant site remediation, the contaminated materials shall be remediated either before project implementation or concurrent with project implementation. The contaminated materials shall be remediated under the supervision of an environmental consultant licensed to oversee such remediation. The remediation program shall be approved by the appropriate local regulatory agency (Long Beach Certified Unified Program Agency, Los Angeles Regional Water Quality Control Board, or the State 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 remediation activities, including all waste disposal and treatment manifests.

Mitigation Measure HAZ-7

If groundwater contamination is suspected or detected, the applicant shall conduct a groundwater sampling assessment. If contaminants are detected in groundwater at levels that exceed maximum contaminant levels for those constituents in the drinking water, or if the contaminants exceed health risk standards, the results of the groundwater sampling shall be forwarded to the appropriate local regulatory agency (Long Beach Certified Unified Program Agency, Los Angeles Regional Water Quality Control Board, or the State Department of Toxic Substances Control). The appropriate regulatory agency shall then be responsible for determining if any additional investigation or remedial activities are necessary.

Incorporation of Mitigation Measures HAZ-4, HAZ-5, HAZ-6 and HAZ-7 would reduce potential impacts related to soil or groundwater contamination to a less than significant level.

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project will not emit hazardous emissions, or handle hazardous or acutely hazardous waste within one quarter-mile of an existing or proposed school. Any potentially hazardous materials used during the construction phase will be required to be used in accordance with all applicable laws for handling of such materials, and will produce a Less Than Significant Impact at most.

d. Would the project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the State, local agencies and developers to comply with the California Environmental Quality Act requirements in providing information about the location of hazardous materials release sites. The Cortese List does not list the proposed project site as contaminated with hazardous materials. No Impact will result.

e. 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?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project site is not located within an airport land use plan or within two miles of a public or public-use airport. No Impact will result.

f. 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?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project site is not within the vicinity of a private airstrip. No Impact will result.

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

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project will take place mainly within the envelope of an existing building. The project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The project is proposed on a developed lot, and no public streets or highways will be altered or obstructed. No Impact will result.

h. Would the project expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project site is located within an urbanized setting and is not adjacent to wild lands. The project would not expose people or structures to a significant risk of loss, injury or death involving wild land fires. No Impact will result.

VIII. HYDROLOGY AND WATER QUALITY

The Federal Emergency Management Agency has prepared a new series of Flood Insurance Rate Maps designating potential flood zones (based on the projected inundation limits for breach of the Hansen Dam and that of the Whittier Narrows Dam, as well as the 100-year flood as delineated by the U.S. Army Corps of Engineers), which was adopted in July 1998 and updated in January 2002.

a. Would the project violate any water quality standards or waste discharge requirements?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

While development and operation of the proposed project would involve the discharge of water into the storm drain and sewer systems, the project would not violate any water quality standards or waste discharge requirements. The project site is in a part of the City that is not immediately adjacent to any body of water or major water source. The sewer and storm drain infrastructure that will service the project already is developed and in place. The project will be required to comply with all federal, state and local requirements pertaining to water quality. A Less Than Significant Impact is expected.

b. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project will not alter groundwater recharge in any significant fashion, as the project will be located on an already-developed site and within the envelope of an existing building. No Impact is expected.

c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project will not alter the course of a stream or river, or affect any other drainage pattern, in a manner that would result in substantial erosion or siltation off-site. All storm water collection and discharge infrastructure for the project is in place and no changes will be made. No Impact will result.

d. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project will not alter the existing drainage pattern of the site in a manner that could result in flooding on- or off-site. All storm water collection and discharge infrastructure for the project is in place and no changes will be made. No Impact will result.

e. Would the project create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project will not alter the amount of runoff water from the site. All storm water collection and discharge infrastructure for the project is in place and no changes will be made. Any activities during the construction phase that could impact water quality will be required to comply with the National Pollutant Discharge and Elimination System (NPDES) standards. No grading will be required during the construction phase of this project. A Less Than Significant Impact will result.

f. Would the project otherwise substantially degrade water quality?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project will not affect any bodies of water, rivers, streams, groundwater, or aquifers. All water supply, sewer, and storm water infrastructure to serve the project already is in place and will not be altered. The project will not involve any land use that will create polluted runoff or discharge. The project is not expected to substantially degrade water quality and a Less Than Significant Impact is expected.

g. 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?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The proposed project is located in Flood Zone X, outside the 100-year flood hazard area. No Impact will result.

h. Would the project place within a 100-year flood hazard area structures that would impede or redirect flood flows?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The proposed project is located in Flood Zone X, outside the 100-year flood hazard area. No Impact will result.

i. Would the project 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?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project site is located in Flood Zone X, outside of the 100-year flood plain, and is not located within a Flood Influence Area, as identified on Plate 10 of the Seismic Safety Element. The site is located within the maximum flood inundation limits for assumed breaches of both the Hansen dam and the Whittier Narrows Dam, according to studies by the U.S. Army Corps of Engineers in 1985 and 1986. However, the Seismic Safety Element states that because these dams impound water only during periods of significant infrequent high, seasonal precipitation, the probability of flooding due to coincident seismically induced dam and retention basin failure is considered very low. Also, these studies found that much of the floodwaters resulting from a dam failure when reservoirs are full would be expected to dissipate before reaching Long Beach. Therefore the project will not expose people or structures to a significant risk of loss involving flooding, and a Less Than Significant Impact will result.

j. Would the project result in inundation by seiche, tsunami or mudflow?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

According to Plate 11 of the Seismic Safety Element, the project site is not within a zone influenced by the inundation of seiche or tsunami. The Seismic Safety Element does not address inundation by mudflow. However, the project site is in an area of flat terrain with insignificant elevation change and is not located near any hills, mountains, or other topographic features that could generate a mudflow during times of heavy rain or seismic disturbance. The project site is located outside the identified hazard areas for landslides, which is a hazard related to mudflows. No Impact would result.

IX. LAND USE AND PLANNING

a. Would the project physically divide an established community?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project is located on a developed lot, within the envelope of an existing seven-story theater and apartment building. The project will not physically divide an established community. No Impact is expected.

b. Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project requires the following Planning entitlements: Site Plan Review with Planning Commission Approval, and a Sign Program. Acquisition of these entitlements is necessary for project development as proposed. The project will be in compliance with the Land Use Element of the General Plan, and with the Downtown Planned Development District (PD-30), which is the specific plan for downtown Long Beach that supersedes the normal Zoning Regulations. The project is not located within the jurisdiction of the Local Coastal Program. The

project will not conflict with the Redevelopment Plan, and is not located in a historic district or any other special studies or overlay district. Upon entitlement approval, the project will not conflict with any of these plans adopted for the purpose of avoiding or mitigating an environmental effect. A Less Than Significant Impact is expected.

c. Would the project conflict with any applicable habitat conservation plan or natural communities conservation plan?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The proposed project would be developed in a built-out urban environment. No habitat conservation plan or natural communities conservation plan would be affected by the project and no conflict would occur. No Impact is expected.

X. MINERAL RESOURCES

Historically, the primary mineral resource within the City of Long Beach has been oil and natural gas. However, oil and natural gas extraction operations have diminished over the last century as the resource has become depleted. Today, extraction operations continue, but on a reduced scale compared to past levels.

a. 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?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project site does not contain any oil extraction operations, and thus project development would not have a negative impact on this resource. No other mineral resources are known to exist on the site, thus “No Impact” is expected.

b. Would the project 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?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project site is not located in a locally important mineral resource recovery site as detailed on the General plan, PD-30, or any other land use plan, nor would the proposed development impair resource recovery from other sites that are delineated in any general, specific, or land use plan to be of importance in this area. No Impact is expected.

XI. NOISE

Noise is defined as unwanted sound that disturbs human activity. Environmental noise levels typically fluctuate over time, and different types of noise descriptors are used to account for this variability. Noise level measurements include intensity, frequency, and duration, as well as time of occurrence.

Some land uses are considered more sensitive to ambient noise levels than other uses due to the amount of noise exposure and the types of activities involved. Residences, motels, hotels, schools, libraries, churches, nursing homes, auditoriums, parks and outdoor recreation areas are more sensitive to noise than are commercial and industrial land uses.

The City of Long Beach uses the State Noise/Land Use Compatibility Standards, which suggests a desirable exterior noise exposure at 65 dBA Community Noise Equivalent Level (CNEL) for sensitive land uses such as residences. Less sensitive commercial and industrial uses may be compatible with ambient noise levels up to 70 dBA. The City of Long Beach has adopted a Noise Ordinance (Long Beach Municipal Code Chapter 8.80) that sets exterior and interior noise standards.

a. Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

Project construction activities would involve various types of short-term noise impacts from trucks, tractors, and other types of equipment. Noise produced by such equipment will vary depending upon the type of equipment required, duration of equipment operations, and maintenance levels. These short-term noise levels could range in decibels from approximately 70 dBA to 90 dBA.

All project construction activities must be done in compliance with the City's Noise Ordinance (Long Beach Municipal Code Section 8.80). The project would not alter the Noise Ordinance provisions or be exempt from local noise controls. Per the Municipal Code, construction activities are limited to the hours of 7:00 AM to 7:00 PM on weekdays and federal holidays, and 9:00 AM to 6:00 PM on

Saturdays. Construction activity on Sundays is prohibited unless the City's Noise Control Officer approves a special permit. Per Long Beach Municipal Code Chapter 8.80.130, it is unlawful for any person to willfully make or continue, or cause to be made or continued, a loud, unnecessary or unusual noise which disturbs the peace and quiet of any neighborhood or which causes any discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area.

Noise levels from the proposed project demolition and construction activities are not anticipated to be adverse due to the limited duration and daytime hours of all such activities. However, due to the project's close proximity to existing wildlife habitat, which are considered to be sensitive receptors for noise impacts, the project could result in short term adverse impacts to these natural resources. The following mitigation measures are therefore recommended to address potential demolition and construction related noise impacts:

Mitigation Measure NOISE-1

All project activity shall be in full compliance with the restrictions on permitted hours as set forth in Long Beach Municipal Code Chapter 8.80.202. No project activities shall be allowed on Sundays.

Mitigation Measure NOISE-2

The project contractors shall equip all equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturer's specifications, as documented in the project plans and verified by the City Building Official.

Mitigation Measure NOISE-3

The project contractors shall place all stationary equipment in a manner to ensure that emitted noise is directed away from sensitive receptors nearest the project site, as documented in the project plans and verified by the City Building Official.

Mitigation Measure NOISE-4

The project contractors shall locate equipment staging in areas that will create the greatest distance between project-related noise sources and noise-sensitive receptors nearest the project site during all project activities, as documented in the project plans and verified by the City Building Official.

Mitigation Measure NOISE-5

Electrical power shall be used to run air compressors and similar power tools.

Mitigation Measure NOISE-6

All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.

Mitigation Measure NOISE-7

For all noise-generating activity on the project site, additional noise attenuation techniques shall be employed to reduce noise levels. Such techniques shall include, but not be limited to, the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between the project site and nearby sensitive receptors.

Incorporation of Mitigation Measures NOISE-1 through NOISE-7 would reduce potential construction-related noise impacts to a less than significant level. Project operations are not anticipated to result in adverse noise levels since these activities would be consistent with typical multi-family residential and commercial land uses and would be similar to uses surrounding the project site in downtown Long Beach. The project will be located in an urban environment with significant noise sources, mostly from automobiles, cargo trucks, and transit vehicles. The operation of the project will not significantly contribute to this noise level. Since no significant noise impacts are anticipated from project operations, no further analysis of project operations is required.

b. Would the project result in exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The proposed project could expose persons to periodic ground borne noise or vibration during grading and construction phases. However, this project will not involve any grading, excavation, or foundation work, and it is not expected to produce significant excessive ground-borne vibration or ground-borne noise levels. A Less Than Significant Impact is expected.

c. Would the project create a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project site is located in downtown Long Beach on the block bounded by Pine Avenue, Broadway, Pacific Avenue, and 3rd Street. Automobile traffic is the main source of existing ambient noise levels in the project vicinity. The project itself, as a permanent land use, will not be a significant source of noise. The project will not substantially increase ambient noise levels above those in the vicinity. Slightly elevated amounts of automobile traffic may, at times, be a direct or indirect result of the project, and may cause an insubstantial increase in traffic noise. A Less Than Significant Impact is expected.

d. Would the project create a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

Project demolition and construction would involve noise levels typically associated with construction activities. A temporary noise level increase in areas surrounding the project site may occur during this phase of the project, but the issue has been addressed in XI (a) as **mitigation measures NOISE-1 through NOISE-7** and would be mitigated to levels deemed to have a Less Than Significant Impact with Mitigation Incorporated.

e. 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?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The site of the proposed project is not located within an airport land use plan, or within two miles of a public or public-use airport, thus No Impact will occur.

f. 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?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The proposed project is not located within the vicinity of a private airstrip. No Impact will result.

XII. POPULATION AND HOUSING

The City of Long Beach is the second largest city in Los Angeles County and the fifth largest in California. At the time of the 2000 Census, Long Beach had a population of 461,522, which was a 7.5 percent increase from the 1990 Census. According to the 2000 Census, Long Beach had 163,088 housing units, with a citywide vacancy rate of 6.32 percent. As of January 1, 2010, the California Department of Finance estimated the population of Long Beach at 494,709.

a. Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes or businesses) or indirectly (for example, through extension of roads or other infrastructure)?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project may directly induce new population growth through the construction of 69 new dwelling units, though the occupants of these units could come from within Long Beach as well as from other areas. According to the Southern California Association of Governments (SCAG) 2007 Regional Housing Needs Allocation (RHNA), the existing jobs/housing ration is “jobs-rich,” resulting in a net deficit of housing. This project would provide more housing units to meet the housing need. According to the City’s Housing Element of the General Plan, a clear need for additional housing exists in the City as well, due to overcrowding and overpayment conditions. This project would contribute to relief of these identified problems. In any case, the population growth resulting from 69 downtown apartment units is not expected to be substantial. A Less Than Significant Impact is expected.

b. Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project will not displace any existing housing and would not necessitate the construction of replacement housing elsewhere. The area to be converted into apartment units currently consists of unused movie theaters. No Impact is expected.

c. Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project will not displace any people in a manner necessitating the construction of replacement housing elsewhere. The area to be converted into apartment units currently consists of unused movie theaters. No Impact is expected.

XIII. PUBLIC SERVICES

Fire protection would be provided by the Long Beach Fire Department. The Department has 23 stations in the City. The Department is divided into bureaus of Fire Prevention, Fire Suppression, the Bureau of Instruction, and the Bureau of Technical Services. The Fire Department is accountable for medical, paramedic, and other first aid rescue calls in the City.

Police protection would be provided by the Long Beach Police Department. The Department is divided into bureaus of Administration, Investigation, and Patrol. The City is divided into four Patrol Divisions: East, West, North and South.

The City of Long Beach is served by the Long Beach Unified School District, which also serves the City of Signal Hill and a large portion of the City of Lakewood. The District has been operating at or over capacity during the past decade.

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 any of the public services:

a. Fire protection?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

b. Police protection?

- | | | | |
|---|---|--|------------------------------------|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less Than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> Less Than Significant Impact | <input type="checkbox"/> No Impact |
|---|---|--|------------------------------------|

c. Schools?

- | | | | |
|---|---|--|------------------------------------|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less Than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> Less Than Significant Impact | <input type="checkbox"/> No Impact |
|---|---|--|------------------------------------|

d. Parks?

- | | | | |
|---|---|--|------------------------------------|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less Than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> Less Than Significant Impact | <input type="checkbox"/> No Impact |
|---|---|--|------------------------------------|

e. Other public facilities?

- | | | | |
|---|---|--|------------------------------------|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less Than Significant with Mitigation Incorporated | <input checked="" type="checkbox"/> Less Than Significant Impact | <input type="checkbox"/> No Impact |
|---|---|--|------------------------------------|

For items a. through e.: The proposed project consists of 69 new apartment units within the space previously occupied by a movie theater on a developed parcel. Existing services are provided as noted above and will continue to be provided in the same manner. The project, considered on its own, is not expected to generate the need for new or physically altered government facilities. The cumulative effect of this and other housing developments in downtown Long Beach may generate future needs for new or physically altered government facilities; however, it is not foreseen whether the construction of these facilities due to cumulative effects would generate significant environmental impacts. Regarding e. for other public facilities, it is not expected that the operational levels of any City libraries will be affected by this project. A Less Than Significant Impact is expected to result from this project on its own.

XIV. RECREATION

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The existing neighborhood and regional parks are not expected to experience substantial physical deterioration resulting from the addition of 69 new dwelling units in downtown Long Beach. A Less Than Significant Impact is expected.

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project does not include recreational facilities and does not require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. While demands on local downtown parks may increase from the addition of 69 new dwelling units, a Less Than Significant Impact is expected.

XV. TRANSPORTATION/TRAFFIC

Since 1980, Long Beach has experienced significant population growth, which is expected to continue into the future. Inevitably, growth will generate additional demand for travel. Without proper planning and necessary transportation improvements, this increase in travel demand could result in gridlock on freeways and streets, and jeopardize the tranquility of residential neighborhoods.

a. Would the project cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The City of Long Beach Department of Public Works, Traffic Engineering Division prepared a traffic study for this project. The study found that traffic generation during the p.m. peak hour would be less than 40 trips per hour based on the ITE Trip Generation Manual. This would be a 713% reduction from the trip generation projected for the movie theaters. The analysis concludes that the project will not generate any significant traffic impacts, and a Less Than Significant Impact is expected (see **Appendix A – Department of Public Works Traffic Study**).

b. Would the project exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

Please see XV (a) for explanation. The proposed project will not result in a volume of trips that would exceed the established level of service standards of the surrounding streets and intersections. A “Less Than Significant Impact” is expected.

c. Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The proposed project would have no impact upon air traffic patterns and is unrelated to aviation. “No Impact” is expected.

d. Would the project substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

Access to the project site would be provided from 3rd Street, Pacific Avenue, and Broadway for vehicle traffic. The project will not change the existing street pattern and the City Traffic Engineer must review and approve all traffic-related aspects of this project to ensure that no substantial hazards are created. As such, No Impact is expected.

e. Would the project result in inadequate emergency access?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

Emergency access to the project site would be provided as required by the Fire Department, resulting in adequate emergency access. This is a requirement of the entitlement and plan check process, and the project would not be approved without review and approval by the Fire Department. Any decision made by the Fire Department to modify emergency access requirements for this project would maintain the minimum standards required by the Fire Department for provision of emergency services; therefore, the proposed project would cause “No Impact” in regards to emergency access.

f. Would the project result in inadequate parking capacity?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The firm Carl Walker, Inc. prepared a shared parking study for the project to analyze the parking capacity and parking needs that will be generated by the proposed project (see **Appendix B – Carl Walker Inc. Parking Study**). The study states:

Shared parking is defined as parking that can serve more than one single land use, without conflict. Shared parking is generally applied to mixed-use developments, or downtown developments composed of several different land uses (e.g., retail, office, residential) that are significantly integrated. Using the shared parking model reduces

the amount of parking needed for a mixed-use development (or other groupings of adjacent land uses) as the effect of sharing parking requires fewer spaces than the sum of the parking needed for the individual land uses...

Using the Urban Land Institute (ULI) shared parking model, and considering both drive ratios and captive market ratios, Carl Walker, Inc. predicts that the 400 on-site parking spaces will be adequate to meet the needs of the existing residential units (162 spaces), the proposed residential units (92 spaces), and the commercial retail space (141 spaces). A Less Than Significant Impact is expected.

g. Would the project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The project site is located on Pine and Pacific Avenues, both of which are served by Long Beach Transit bus lines. Additionally, the Metro Blue Line runs on Pacific Avenue and the downtown transit mall, with bus and Blue Line stops, is one block south of the project site. The project will not make any physical changes to street infrastructure, such as bus turnouts or bus stops, and will not cause the removal of any bicycle racks. The project will not conflict with adopted policies, plans, or programs supporting alternative transportation. No Impact will result.

XVI. UTILITIES AND SERVICE SYSTEMS

a. Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

b. Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

c. Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

d. Would the project have sufficient water supplies available to serve the project from existing entitlement and resources, or are new or expanded entitlement needed?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

e. Would the project result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

f. Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

g. Would the project comply with federal, state, and local statutes and regulations related to solid waste?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

For items a. through g.: The proposed project will not place an undue burden on any utility or service system. The project would be developed in an urbanized setting with all utilities and services in place. The surrounding utility and service systems will adequately accommodate the proposed development. With regard to (g), the proposed project would be required to comply with all statutes and

regulations related to solid waste. All impacts are expected to be Less Than Significant.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The proposed project would be located within an established urbanized setting. Although the project would involve a brief disruption of an established setting, No Impact will occur to any known sensitive species, plant or animal community, or any important examples of the major periods of California history or prehistory.

b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The proposed project involves construction 69 new dwelling units within the envelope of an existing seven-story building consisting of an unused movie theater and 142 apartment units above. It will be located on a developed site and would not have impacts that would be cumulatively considerable. A Less Than Significant Impact will result, as any cumulative effects of this project, when viewed in connection with past, present, and probable projects, would not be substantial.

c. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

- Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

The proposed project would not have environmental effects that would cause substantial adverse effects upon human beings, either directly or indirectly. The project, as a whole, may cause a temporary decrease in air quality as a result of construction, but once constructed, the air quality and noise impacts generated by the land use and those who utilize the site would have a Less Than Significant Impact on people in and around the site. Furthermore, the mitigation measures for specific items outlined in this document would serve to diminish any effects that may otherwise be significant to levels below a threshold of significance.

MITIGATION MONITORING PLAN
Mitigated Negative Declaration ND 09-08

Pine Square Theater Conversion to Residential
250-270 Pacific Avenue

III. AIR QUALITY

Mitigation Measure AQ-1

Prior to the issuance of any permits from the City of Long Beach, the City of Long Beach Building Official (or designee) and the City of Long Beach Director of Public Works (or designee) shall review and approve the final project plans to ensure that the following dust suppression measures, as provided in the SCAQMD *CEQA Air Quality Handbook*, are incorporated.

- All excavated or graded materials shall be sufficiently watered to prevent excessive dust dispersion. Watering shall occur at least twice daily with complete coverage of the project site, preferably in the late morning and after work is completed in the afternoon. Watering shall be increased whenever wind speeds exceed 15 miles per hour (mph). All grading and earth movement activities shall be suspended whenever wind gusts exceed 25 mph.
- All materials transported on-site or off-site shall be securely covered to prevent excessive dust dispersion.
- Sweep all streets and alleys once per day if visible soil materials are carried to adjacent streets or alleys using water sweepers with reclaimed water.
- Minimize at all times the area disturbed by demolition, clearing, grading, earthmoving or excavation operations.
- All trucks hauling dirt, sand, soil or other loose materials shall be tarped with a fabric cover and maintain a freeboard height of at least 12 inches.
- Wash all trucks and equipment when leaving the project site.
- Limit on-site vehicle speeds to a maximum of 15 mph.
- If importation, exportation and stockpiling of fill material is involved, earth with 5% or greater silt content that is stockpiled for more than two days shall be covered, kept moist, or treated with earth binders to prevent dust dispersion.

Monitoring Phase: Prior to issuance of any permits from the City of Long Beach
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure AQ-2

Prior to the issuance of any permits from the City of Long Beach, the Project Contractor shall provide evidence to the City of Long Beach Building Official (or designee) that all vehicles and equipment to be used on-site incorporate low-emission factors and high energy efficiency. The following measures shall also be implemented throughout project activities to reduce air pollutant emissions:

- Whenever feasible, electricity from temporary power poles on-site shall be utilized rather than temporary diesel or gasoline generators.
- Whenever feasible, on-site mobile equipment shall be fueled by methanol or natural gas (to replace diesel-fueled equipment), or fueled by propane or butane (to replace gasoline-fueled equipment).
- Aqueous diesel fuel or biodiesel, if available, shall be used in diesel fueled vehicles whenever methanol or natural gas are not available.
- All equipment engines shall be tuned and maintained in accordance with the manufacturer's specifications.
- All vehicles and equipment shall be shut off when not in use and idle for more than five minutes.
- All project activities shall be timed so as to not interfere with peak-hour traffic and to minimize obstruction of through traffic lanes adjacent to the project site. If necessary, a flagperson shall be retained to minimize traffic delays.

Monitoring Phase: Prior to issuance of any permits from the City of Long Beach
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

VII. HAZARDS AND HAZARDOUS MATERIALS

Mitigation Measure HAZ-1

Prior to the issuance of any permit from the City of Long Beach, a lead-based paint and asbestos survey shall be performed by a licensed sampling company. All testing procedures shall follow all applicable State and federal protocol. The lead-based paint and asbestos survey report shall quantify the areas of lead-based paint and asbestos containing materials pursuant to State and federal standards.

Monitoring Phase: Prior to issuance of any permits from the City of Long Beach
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure HAZ-2

Prior to any demolition or construction activities, any on-site structures that contain asbestos must have all asbestos containing material removed according to proper abatement procedures recommended by an asbestos consultant. All abatement activities shall be in compliance with federal OSHA, CalOSHA, and SCAQMD 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, and the location where the asbestos containing material was disposed. The abatement report shall include all 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.

Monitoring Phase: Prior to issuance of any permits from the City of Long Beach
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure HAZ-3

Prior to any demolition or construction activities, a licensed lead-based paint consultant shall be contracted to evaluate all structures 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 federal OSHA, CalOHSA, and SCAQMD 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. All lead-based material shall be taken to a landfill or receiving facility licensed to accept this type of material. Following completion of the lead-based paint abatement, the consultant shall provide a report documenting the abatement procedures used, the volume of lead-based paint removed, and the location where this material was disposed. The abatement report shall include all 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.

Monitoring Phase: Prior to issuance of any permits from the City of Long Beach
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure HAZ-4

Project plans submitted for permit approvals shall include a contingency plan to be implemented in the event that contaminants are suspected or discovered. The contingency plan shall identify the appropriate personnel to be notified, emergency contacts, and a sampling protocol to be implemented. The contractors shall be notified 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 project and identify the person authorized to make that determination.

Monitoring Phase: Prior to issuance of any permits from the City of Long Beach
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure HAZ-5

If contaminants are detected, soil sampling shall be performed and the results forwarded to the appropriate local regulatory agency (Long Beach Certified Unified Program Agency, Los Angeles Regional Water Quality Control Board, or the State Department of Toxic Substances Control). The local regulatory agency would have the responsibility of determining whether any additional investigation or remedial activities would be necessary.

Monitoring Phase: Throughout project activities
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure HAZ-6

If concentrations of contaminants warrant site remediation, the contaminated materials shall be remediated either before project implementation or concurrent with project implementation. The contaminated materials shall be remediated under the supervision of an environmental consultant licensed to oversee such remediation. The remediation program shall be approved by the appropriate local regulatory agency (Long Beach Certified Unified Program Agency, Los Angeles Regional Water Quality Control Board, or the State 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 remediation activities, including all waste disposal and treatment manifests.

Monitoring Phase: Throughout project activities
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure HAZ-7

If groundwater contamination is suspected or detected, the applicant shall conduct a groundwater sampling assessment. If contaminants are detected in groundwater at levels that exceed maximum contaminant levels for those constituents in the drinking water, or if the contaminants exceed health risk standards, the results of the groundwater sampling shall be forwarded to the appropriate local regulatory agency (Long Beach Certified Unified Program Agency, Los Angeles Regional Water Quality Control Board, or the State Department of Toxic Substances Control). The appropriate regulatory agency shall then be responsible for determining if any additional investigation or remedial activities are necessary.

Monitoring Phase: Throughout project activities
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

XI. NOISE

Mitigation Measure NOISE-1

All project activity shall be in full compliance with the restrictions on permitted hours as set forth in Long Beach Municipal Code Chapter 8.80.202. No project activities shall be allowed on Sundays.

Monitoring Phase: Throughout project activities
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure NOISE-2

The project contractors shall equip all equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturer's specifications, as documented in the project plans and verified by the City Building Official.

Monitoring Phase: Throughout project activities
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure NOISE-3

The project contractors shall place all stationary equipment in a manner to ensure that emitted noise is directed away from sensitive receptors nearest the

project site, as documented in the project plans and verified by the City Building Official.

Monitoring Phase: Throughout project activities
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure NOISE-4

The project contractors shall locate equipment staging in areas that will create the greatest distance between project-related noise sources and noise-sensitive receptors nearest the project site during all project activities, as documented in the project plans and verified by the City Building Official.

Monitoring Phase: Throughout project activities
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure NOISE-5

Electrical power shall be used to run air compressors and similar power tools.

Monitoring Phase: Throughout project activities
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure NOISE-6

All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.

Monitoring Phase: Throughout project activities
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

Mitigation Measure NOISE-7

For all noise-generating activity on the project site, additional noise attenuation techniques shall be employed to reduce noise levels. Such techniques shall include, but not be limited to, the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between the project site and nearby sensitive receptors.

Monitoring Phase: Throughout project activities
Enforcement Agency: Department of Development Services
Monitoring Agency: Department of Development Services

LIST OF PERSONS CONSULTED:

David Roseman, City Traffic Engineer
Amir Kasmai, Senior Transportation Engineer
Craig Chalfant, Planner

REFERENCES:

California Environmental Quality Act (CEQA) Guidelines
City of Long Beach General Plan, Land Use, Housing, and Seismic Safety Elements
Long Beach Municipal Code, Chapter 8.80 (Noise) and Title 21 (Zoning Regulations)

APPENDICIES

Appendix A – Department of Public Works Traffic Study
Appendix B – Carl Walker, Inc. Parking Study

ATTACHMENTS:

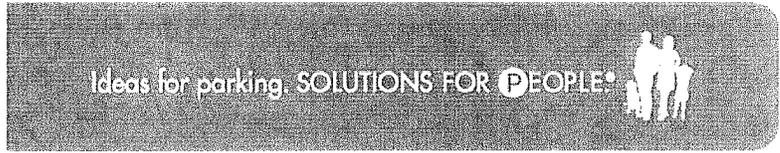
Attachment A – Vicinity Map
Attachment B – Site Plan

APPENDIX A

Traffic Study, 250 Pine Avenue Pine Square Theater Conversion to Residential

The Traffic Engineering Division has completed a review of the traffic impact characteristics of the proposed project. Our evaluation indicates that the estimated trip generation by the existing 16 movie theaters on a regular weekday is about 325 trips during the PM peak hour based on the rates published in the ITE Trip Generation manual, 8th Edition. Traffic volumes expected from new proposed 69 apartment units would be less than 40 trips during the PM peak period using the same Trip Generation handbook. Conversion of the existing 16 movie theaters into new proposed 69 apartment units would decrease the estimated trip generation by 713%. It is concluded that the proposed project would not generate any additional traffic impact. In fact, the conversion of the movie theater to new apartment building would significantly reduce traffic impact on the surrounding intersections.

Amir Kasmai, P.E.
Senior Transportation Engineer
Public Works/ Engineering Bureau
562/570-6759



November 15, 2010

Mr. Carlos Losada
Project Manager
Merona Enterprises, Inc.
9550 Firestone Blvd. Suite 105
Downey, CA. 90241

Re: Request for Parking Consulting Services – Shared Parking Study

Dear Mr. Losada,

In June 2010, **Carl Walker, Inc. (Carl Walker)** was retained by Merona Enterprises to provide a shared parking study for the Pacific Court Apartments and Pine Square project. The projects are located in downtown Long Beach. The development is anticipated to add 69 residential units within the current AMC Theater's box. The designated scope of services for this project was set as follows:

1. Review the anticipated land uses and parking characteristics for the Pacific Court Apartments and Pine Square projects using parking demand standards from the Urban Land Institute, including a review of code requirements for the City of Long Beach. Make adjustments as necessary to account for any "unique" parking demands of the development.
2. Develop a shared parking model, including parking accumulation graphs, projecting anticipated parking occupancies for both weekdays and weekends throughout a twelve month period. The model will show projected parking accumulations from January through December to account for possible seasonal variations in parking demand.
3. Provide a brief letter report summarizing the results of the shared parking analysis and documenting any parking demand reductions supported by the analysis compared to the standard City of Long Beach parking requirements.

This report represents the draft deliverable for this project.

Parking Required by Code

The Pacific Court Apartments and Pine Square development currently includes the following land uses (excludes AMC Theater which is closing):

Residential Units (142 Total)

One-bedroom:	87 units
Two-bedrooms:	55 units

Retail Space

19,400 square feet

Ready-to-Eat Restaurant Space

7,665 square feet

Night Club Space

6,300 square feet

On-Site Parking (400 Total)

233 Public spaces

167 Reserved residential spaces

The Pacific Court Apartments and Pine Square development is currently anticipated to add the following land uses in the AMC Theater space:

Residential Units (69 Total)

Loft/Studio Apartments (greater than 451 S.F.): 55 units

Two Bedroom Townhouse: 9 units

Two code documents currently dictate how much parking is required for the additional 69 residential units, as well as how parking will be provided: Chapter 21.41 of the city zoning code and the code for Downtown Planned Development District 30 (PD-30). Based on Chapter 21.41 of the zoning code, the development would be required to provide the following additional parking:

Future Residential Units (69 Total)

	<u># of Units</u>	<u>Parking Required per Unit</u>	<u>Required Parking</u>
Studio ¹ /One Bedroom:	55 units	1.5 spaces per unit	83 spaces
Two-bedroom:	9	2 spaces per unit	18 spaces
Guest Parking:	N/A	1.0 space per 4 units	18 spaces
<i>Total Requirement:</i>			119 spaces

Notes

¹: Assumes studios greater than 451 s.f.

Fractional spaces are rounded up to the closest whole number per code.

This does not include any reductions in parking based on assumptions for drive ratios, captive market, etc. While existing city code does provide the option to reduce parking requirements based on shared parking, no other parking reductions are identified (without the approval of the planning commission). However, any on-street parking provided around the development could be counted toward the guest parking requirement. The PD-30 code does not provide any stated reductions in standard parking requirements.

Shared Parking Review

Shared parking is defined as parking that can serve more than one single land use, without conflict. Shared parking is generally applied to mixed-use developments, or downtown developments composed of several different land uses (e.g., retail, office, residential) that are significantly integrated. Using the shared parking model reduces the amount of parking



needed for a mixed-use development (or other groupings of adjacent land uses) as the effect of sharing parking requires fewer spaces than the sum of the parking needed for the individual land uses. However, since the additional residential parking spaces must be reserved for residents only, the spaces will not benefit from shared parking calculations.

However, there are important factors that impact parking demand that should be addressed. Among these factors are drive ratios (the ratio of people driving in single occupancy vehicles to the land use versus using another form of transportation). These factors will vary from development to development, and will depend on many variables such as parking fees, transportation options, traffic issues, etc. For example, if other transportation options are available and convenient, parking demand should be lower than predicted by the ULI Shared Parking model. Based on information from the U.S. Census Bureau's 2005 American Community Survey, approximately 12% of Long Beach households do not own a vehicle. There are accessible mass transit options within one-eighth of a mile of the development, including light rail and buses. Therefore, this report conservatively assumes a vehicle ownership ratio of 88% for the new residential units - or assumes that 12% of residents will not own a vehicle (or park the number of vehicles assumed in the demand ratios).

ULI Projections

Using the provided land use data, as well as the vehicle ownership ratio previously detailed, the ULI shared parking model would calculate a preliminary peak residential parking demand of 99 resident parking spaces at 9:00 p.m. for a weekday (89 residents and 10 guests). It is important to remember that the utilization of reserved residential parking eliminates the utilization of shared parking with other land uses at this development.

The parking ratios used in the ULI shared parking model are slightly different than the parking ratios contained in the Long Beach zoning code. ULI and City of Long Beach parking ratios are as follows:

<u>Land Use</u>	<u>ULI Parking Ratio</u>	<u>Long Beach Zoning Parking Ratio</u>
Residential		
Residential Units	1.5 spaces per unit (rental)	1.5 – 2.0 spaces per unit
Guests	.15 spaces per unit	.25 spaces per unit

Incorporating city parking ratios into the ULI shared parking model increases the projected parking need to 119 resident parking spaces at a 9:00 p.m. peak (101 residents and 18 guests). The city's code does not factor in reductions due to vehicle ownership, utilization of public transportation, walking, or another means other than a single occupant vehicle or carpool.

The ULI projections do not take into consideration the number of bedrooms per unit. Rather, based on ULI's studies, their calculations consider whether the unit is owned or leased. Since these units will be leased, the calculations provide for 1.5 spaces per unit. Based on ULI calculations, the 69 additional residential units will generate a total demand of 99 spaces (89 residents and 10 visitors).

An estimate of 92 reserved on-site parking spaces would appear to provide a conservative estimation of anticipated shared parking demand for this phase of the development and



would be recommended by **Carl Walker**. However, any on-street parking provided around the development could be counted toward the guest parking requirement. Reserving the additional 92 spaces would increase the total number of reserved residential spaces to 259 (167 currently reserved + 92 additional spaces). After reserving all of the necessary residential spaces, 141 parking spaces will be available to accommodate the public parking needs of the development.

Based on the calculation of parking requirements utilizing the ULI shared parking model, the non-residential component of the development would require approximately 133 parking spaces at peak occupancy (weekend in December at 8pm). See Table 1.

Table 1 – Peak Occupancy Utilizing ULI Shared Parking Model

Land Use	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM	12:00 AM
Community Shopping Center (<400,000 sq. ft.)	48	45	40	38	34	27	19	8	0
Regional Shopping Center (400,000 to 600,000 sq. ft.)	0	0	0	0	0	0	0	0	0
Super Regional Shopping Center (>600,000 sq. ft.)	0	0	0	0	0	0	0	0	0
Fine/Casual Dining	0	0	0	0	0	0	0	0	0
Family Restaurant	15	19	22	22	20	12	10	8	5
Fast-Food Restaurant	15	16	22	21	14	9	6	4	3
Nightclub	2	4	25	46	65	84	84	84	84
TOTAL ACCUMULATION	80	84	109	127	133	132	119	104	92

The ULI model takes into consideration drive ratios and captive market ratios for both employees and visitors based on individual land uses. These ratios were based on U.S. Census data for Long Beach, regional transit data, and parking ratios attained from comparable parking studies. Based on the ULI peak parking requirement of 133 it would appear that the development, after reserving 92 additional residential parking spaces, will have sufficient public parking to accommodate projected demand.

Thank you very much for providing **Carl Walker** with this opportunity to be of service. Please let me know if you have any questions or concerns.

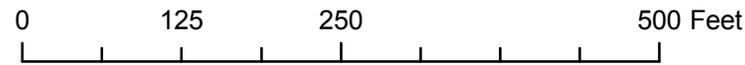
Sincerely,

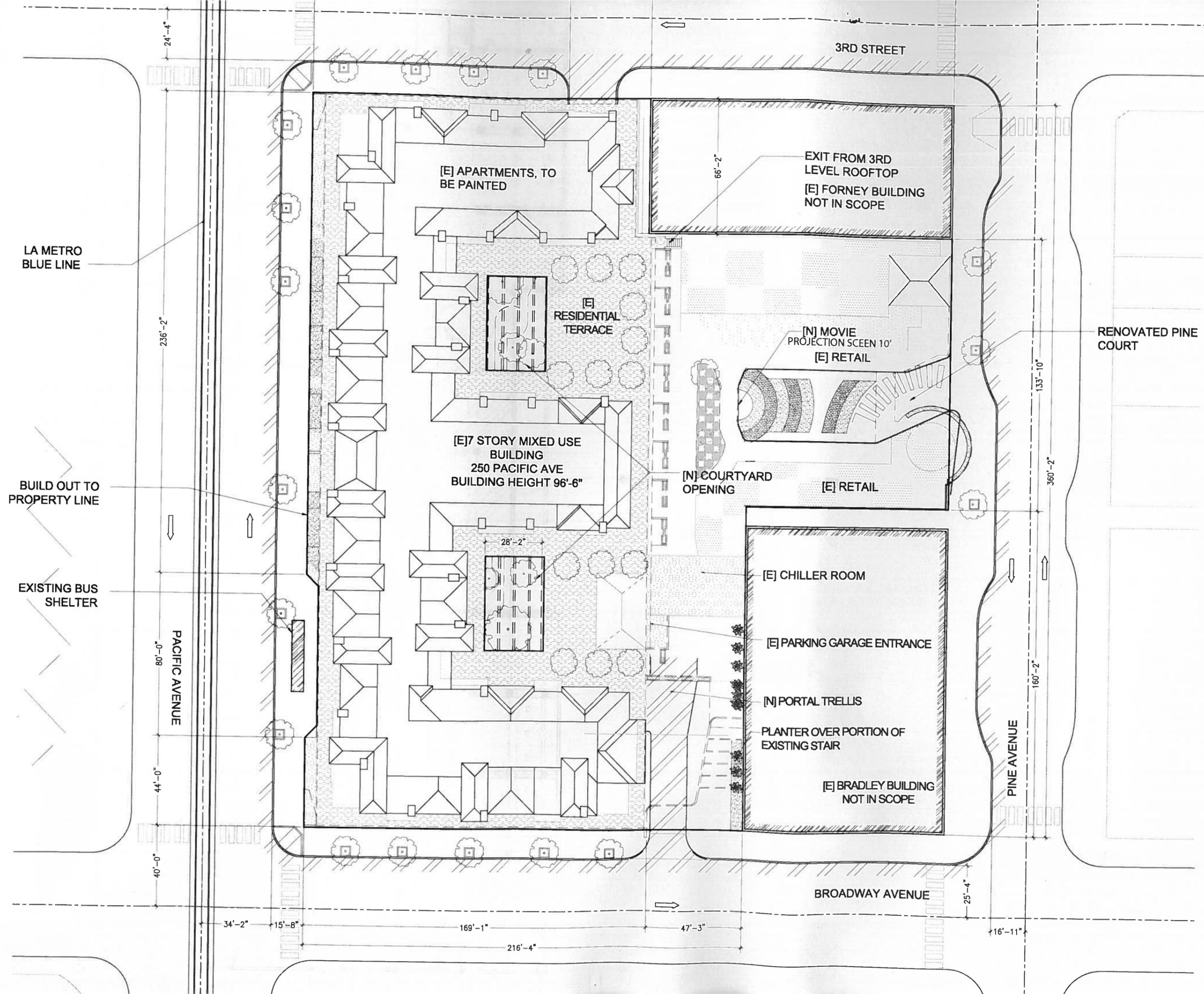


Michael Robertson
Project Manager
Carl Walker, Inc.



Subject Site:
 250-270 Pacific Avenue
 Attachment A





- BEACH.
- NYLON SYN PERMEABLE HEAT GAIN
- LAWN ENCLOSED PEOPLE WAITING
- LAWN USED FOR MOVIES, MULTIMEDIA
- LAWN CAN BE USED FOR GROUP MEETINGS
- LAWN HAS FACILITIES FOR YOGA + TAI CHI
- MOVABLE FURNITURE SEATED EVENT STORAGE
- LAWN ENCLOSURE PROVIDES AN INCREASING COMMUNITY
- COURTYARD ART EXHIBIT
- THE COURT FOR THE DO PATRONS FOR OPEN AIR ENTERTAINMENT SIDEWALKS, BICYCLING A POTENTIAL IN THE LONG TERM

LA METRO BLUE LINE

BUILD OUT TO PROPERTY LINE

EXISTING BUS SHELTER

PACIFIC AVENUE

3RD STREET

RENOVATED PINE COURT

PINE AVENUE

BROADWAY AVENUE

[E] APARTMENTS, TO BE PAINTED

[E] RESIDENTIAL TERRACE

[E] 7 STORY MIXED USE BUILDING
250 PACIFIC AVE
BUILDING HEIGHT 96'-6"

EXIT FROM 3RD LEVEL ROOFTOP
[E] FORNEY BUILDING NOT IN SCOPE

[N] MOVIE PROJECTION SCEN 10'
[E] RETAIL

[N] COURTYARD OPENING

[E] RETAIL

[E] CHILLER ROOM

[E] PARKING GARAGE ENTRANCE

[N] PORTAL TRELLIS

PLANTER OVER PORTION OF EXISTING STAIR

[E] BRADLEY BUILDING NOT IN SCOPE

24'-4"

236'-2"

80'-0"

44'-0"

40'-0"

34'-2"

15'-8"

169'-1"

216'-4"

47'-3"

16'-11"

133'-10"

360'-2"

160'-2"

25'-4"

66'-2"

28'-2"