



CITY OF LONG BEACH

H-3

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 4th Floor Long Beach, CA 90802 Phone: 570.6428 Fax: 570.6205

November 11, 2008

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive supporting documentation into the record, conclude the hearing and declare Ordinance amending the Use District Map of the City of Long Beach from Douglas Aircraft District (PD-19) to Light Industrial (IL) read the first time and laid over to the next regular meeting of the City Council for final reading. (District 5)

DISCUSSION

The four-acre subject site is located near the southwest corner of Conant Street and Clark Avenue. Two vacant buildings occupy the site that were previously used in relation to the nearby McDonnell Douglas/Boeing Aircraft manufacturing facilities that have since ceased operations. Boeing wishes to sell these properties and seeks the zone change and subdivision in order to market the properties for office or light industrial uses (Zoning Map, Exhibit A).

The proposed project consists of a subdivision dividing one lot into two, a lot line adjustment to accommodate 61 additional parking spaces and a Zone Change from Douglas Aircraft (PD-19) to Light Industrial (IL). The applicant is requesting the zone change to light industrial to allow uses not limited to aircraft manufacturing or aircraft related uses. The Light Industrial district allows a wide range of industries whose primary operations occur entirely within enclosed structures and which pose limited potential for environmental impacts on neighboring uses. The emphasis is on manufacturing and small-scale office and commercial.

In summary, staff believes the proposed zone change will have a positive effect on the community by allowing the highest and best use for the site.

On October 16, 2008, the Planning Commission approved, with conditions, requests for a Lot Line Adjustment and Subdivision Map, certified Negative Declaration 12-08 and recommended that the City Council approve a Zone Change from Douglas Aircraft District (PD-19) to Light Industrial District (IL) (Findings and Conditions, Exhibit B).

This letter was reviewed by Assistant City Attorney Mike Mais on October 20, 2008 and by Budget Management Officer Victoria Bell on October 20, 2008.

TIMING CONSIDERATIONS

The Long Beach Municipal Code requires a hearing within 60 days following positive Planning Commission action.

FISCAL IMPACT

There will be no fiscal impact as a result of the recommended action.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



CRAIG BECK
DIRECTOR OF DEVELOPMENT SERVICES

CB:DB:me
C:\Douglas Park South\Alteon\Council Letter 11.11.08.

Attachments: Exhibit A – Zoning Map
Exhibit B – Findings and Conditions
City Council Ordinance

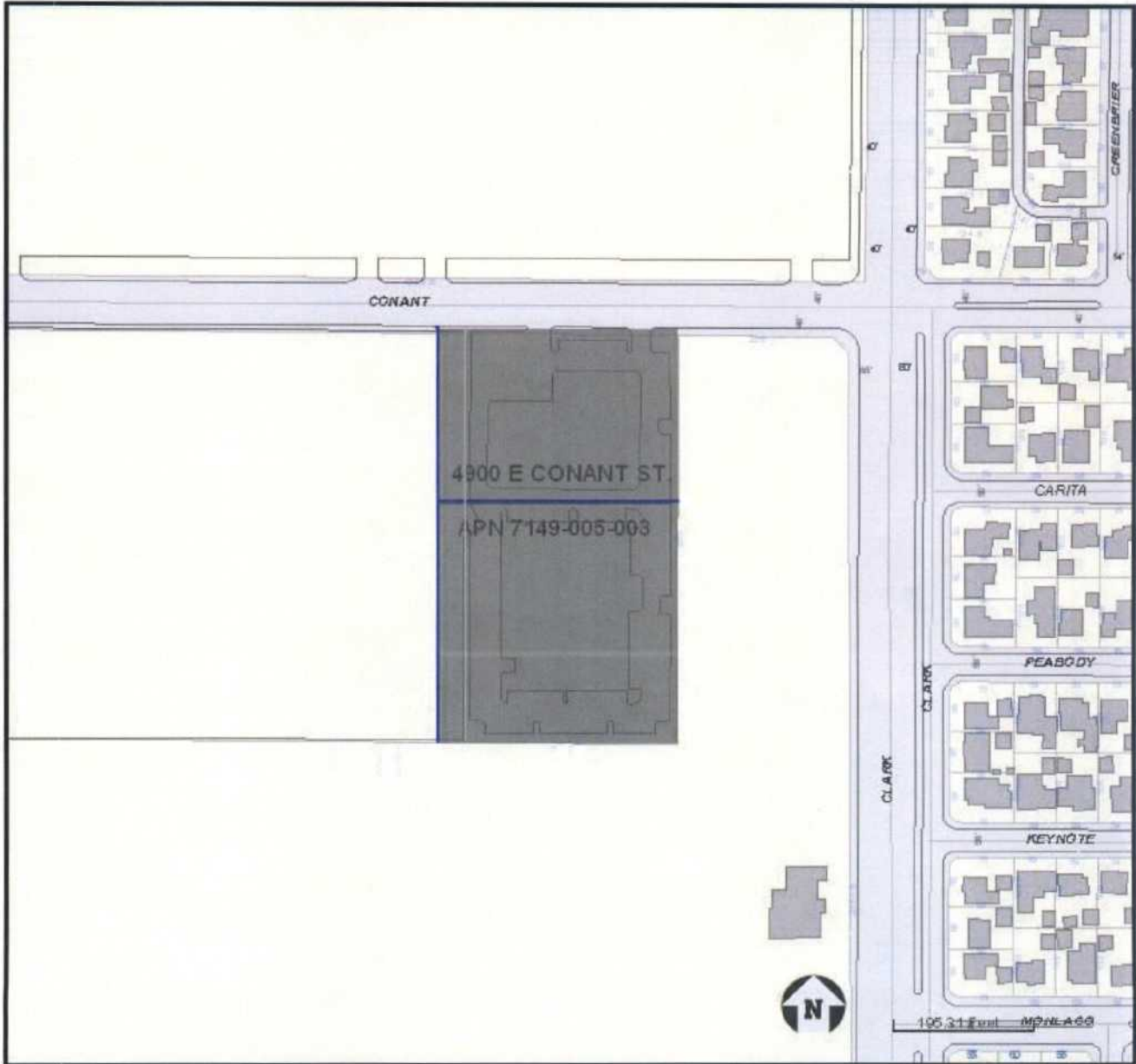
APPROVED:



PATRICK H. WEST
CITY MANAGER



4900 E. CONANT STREET (ALTEON)



Proposed amendment to a portion of Part 17 of the Use District Map.

Zoning Change: from PD-19 to IL

Rezoning Case
RZ-0807-07

Exhibit A

Findings

Application No. 0807-07

ZONE CHANGE FINDINGS

A. THE PROPOSED CHANGE WILL NOT ADVERSELY AFFECT THE CHARACTER, LIVABILITY OR APPROPRIATE DEVELOPMENT OF THE SURROUNDING AREA.

The proposed project consists of a subdivision dividing one lot into two, a lot line adjustment to accommodate 61 additional parking spaces, certification of Negative Declaration 12-08 and a Zone Change from Douglas Aircraft (PD-19) to Light Industrial (IL). The current zone allows for office, research and development and aircraft manufacturing and fixed base operations uses. The applicant is requesting a zone change to allow a broader range of light industrial uses not limited to aircraft manufacturing or aircraft related uses.

The proposed change will not adversely affect the character, livability or appropriate development of the surrounding area in that the existing development blends in with the existing surrounding development and is buffered by green and open space and major arterials along its perimeters. In addition, any changes to the existing structures and site will need to be reviewed for code compliance and approved by the City prior to release of any building permit.

Furthermore, as mentioned above, the current zone allows for light industrial uses. The applicant's request is not to intensify the type manufacturing uses on site but to expand the range to accommodate additional similar light industrial uses.

B. THE PROPOSED PROJECT IS CONSISTENT WITH THE GOALS, OBJECTIVES AND PROVISIONS OF THE GENERAL PLAN.

The proposed project advances the goals, objectives and policies with respect to job generation and economic growth in the area. No additional structures or expansion of the existing structures is requested with this application. However, the request for the expansion of the allowable types of light industrial uses will generate a larger job base and opportunity for businesses to locate in the area. The proposed zone change, subdivision map and lot line adjustment requests will have a positive effect on the community by allowing the highest and best use for the site.

CONDITIONS OF APPROVAL
Application No. 0807-07

1. The final map is to be prepared in accordance with the approved tentative map and shall be recorded with the L.A. County Recorder's Office within thirty-six (36) months from the date of the Planning Commission's approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date) of the tentative map. If the final map cannot be recorded within the thirty-six (36) month period, the subdivider can request a time extension. The time extension request shall be submitted to the Zoning Administrator for review and approval as per Section 21.21.406 of the Long Beach Municipal Code.
2. Unless specifically waived by the Planning Commission, the final map shall be prepared to conform to all conditions, exceptions and requirements of Title 20 (Subdivision Ordinance) of the City of Long Beach. The content and form of the final map, including all proposed property lines, shall be based upon criteria established by the Director of Public Works.
3. All County property taxes and all outstanding special assessments shall be paid in full prior to approval of the final map.
4. Prior to approval of the final map, the subdivider shall deposit sufficient funds with the City to cover the cost of processing the final map through the Department of Public Works. Furthermore, the subdivider shall pay the associated Planning processing fees of the final map.
5. This permit shall be invalid if the owner(s) and applicant(s) have failed to return written acknowledgment of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30 days form the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date).
6. If, for any reason, there is a violation of any of the conditions of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.
7. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Director of Development Services. These conditions must be printed on the site plan or a subsequent reference page.
8. Any future improvements to the existing structures and site require submittal of plans and approval from the applicable City Departments.

9. One tree shall be provided for each four (4) parking spaces. The trees may be clustered, but a minimum of one cluster for each one hundred feet (100') of parking row or double row shall be provided. Trees shall be of a species that provides a broad canopy.
10. All fences in parking areas shall be landscaped with vines or other landscaping material approved by the Director of Development Services. The landscaping shall be planted and allowed to grow in a manner which shields the property behind the fence from public view.
11. Prior to the issuance of a building permit, the applicant must submit complete landscape and irrigation plans for the discretionary approval of the Director of Development Services. The landscaping plan shall include drought tolerant street trees to be installed consistent with the specifications of the Street Tree Division of the Department of Public Works. Approved root guards shall be provided for all street trees.
12. Where feasible, all landscaped areas shall be planted with drought tolerant plant materials. All landscaped areas shall be provided with water conserving automatic irrigation systems designed to provide complete and adequate coverage to sustain and promote healthy plant life. The irrigation system shall not cause water to spray or flow across a public sidewalk.
13. All landscaped areas must be maintained in a neat and healthy condition, including public parkways and street trees. Any dying or dead plant materials must be replaced with the minimum size and height plant(s) required by Chapter 21.42 (Landscaping) of the Zoning Regulations. At the discretion of city officials, a yearly inspection shall be conducted to verify that all irrigation systems are working properly and that the landscaping is in good healthy condition. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by City Council.
14. All parking lots shall be illuminated with lights directed and shielded to prevent light and glare from intruding onto adjacent sites. The light standards shall not exceed the height of the principal use structure or one foot (1') for each two feet (2') of the distance between the light standard and the nearest property line, whichever is greater. All lights shall be illuminated to the applicable standards of the Illuminating Engineers Society.
15. All parking spaces shall be clearly marked by pavement painting. Compact and handicapped parking spaces shall be marked additionally by pavement painting and signage indicating the type of space as required by Chapter 10.34 (Parking for Handicapped Persons in Public Places) of the Long Beach Municipal Code. All aisles with only compact spaces shall provide a sign at the aisle entrance stating that only small cars are permitted. Final parking plan require approval from the Bureau of Building and Safety.
16. Wherever a parking lot adjoins a public street, a solid, compact evergreen hedge three feet (3'-0") in height shall be provided.

- a. The hedge shrubs shall not be less than two feet (2') tall when planted; and
 - b. The hedge shrubs are planted not more than two feet (2') on center.
Alternatively, a combination planter/hedge or berm/hedge may be used, provided:
 - c. The planter or berm is at least eighteen inches (18") high; and
 - d. The shrubs, when planted, are at least one foot (1') high.
17. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, fences and the perimeter of the site (including all public parkways).
 18. Any graffiti found on site must be removed within 24 hours of its appearance.
 19. All parking areas serving the site shall provide appropriate security lighting with light and glare shields so as to avoid any light intrusion onto adjacent or abutting residential buildings or neighborhoods pursuant to Section 21.41.259. Other security measures may be required to be provided to the satisfaction of the Chief of Police.
 20. The Director of Development Services and the Department of Public Works are authorized to make minor modifications to the approved preliminary plans or any of the conditions if such modifications shall achieve substantially the same results, as would strict compliance with said plans and conditions.
 21. Prior to issuance of a building permit, please contact Mike Zukoski at (562) 570-2038 for information on utility easements.
 22. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action, or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach.
 23. The applicant shall complete the following to the satisfaction of the Director of Public Works:
General Requirements:
 - a. The final map shall be based upon criteria established by the Director of Public Works.
 - b. Prior to final map approval, the Subdivider shall obtain utility clearance letters for any public entity or public utility holding any interest in the

subdivision as required by the Subdivision Map Act.

- c. All required facilities required by the Department of Public Works not in place and accepted prior to final map approval must be guaranteed by instrument of credit or bond to the satisfaction of the Director of Public Works.
- d. Unless approved by the Director of Public Works, easements shall not be granted to third parties within areas proposed to be granted, dedicated, or offered for dedication to the City of Long Beach for public streets, alleys, utility or other public purposes until the final map filing with the County Recorder. If easements are granted after the date of tentative map approval and prior to final map recordation, a notice of subordination must be executed by the third-party easement holder prior to the filing of the final map filing.

Off-Site Improvements:

- e. The property owner shall dedicate six feet of right-of-way to create a 10-foot wide parkway (four feet existing plus 6 feet new) behind the curb along Conant Street adjacent to the project site. The City will work with the property owner concerning any impacts this dedication will have on existing or proposed parking spaces.
- f. The Subdivider shall be responsible for the maintenance, repair and replacement of off-site improvements abutting the project boundary during construction of the on-site improvements until final inspection of the on-site improvements by the City. Any such off-site improvements found damaged by the construction of the on-site improvements shall be repaired or replaced by the Subdivider to the satisfaction of the Director of Public Works.
- g. The Subdivider shall remove unused driveways and replace with full-height curb, curb gutter and sidewalk to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete. The size and configuration of all proposed driveways serving the project site shall be subject to review and approval of the City Traffic Engineer. Contact the Traffic and Transportation Bureau at (562) 570-6331 to request additional information regarding driveway construction requirements.
- h. The Subdivider shall provide for the resetting to grade of existing manholes, pullboxes, and meters in conjunction with required off-site improvements to the satisfaction of the Director of Public Works.
- i. The Subdivider shall replace all traffic signs and mounting poles damaged or misplaced as result of construction activities to the satisfaction of the City Traffic Engineer.

- j. The Subdivider shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
- k. All drainage across the subdivided land parcels and across the adjusted lot line shall be eliminated or the necessary easements for the drainage recorded on the subdivision map.
- l. Lot 2 is not adjacent to a public right-of-way. Access to a public right-of-way must be created on the subdivision map with an easement.
- m. The Subdivider shall submit a drainage plan and related storm drain plans with hydrology and hydraulic calculations showing building elevations and drainage pattern and slopes for review and approval by the Director of Public Works prior to final map approval.
- n. Prior to approving an engineering plan, all projects greater than 1 acre in size must demonstrate coverage under the State Construction General NPDES Permit. To meet this requirement, the applicant must submit a copy of the letter from the State Water Resource Control Board acknowledging receipt of the Notice of Intent (NOI) and a certification from the Subdivider or engineer that a Storm Water Pollution Prevention Plan (SWPPP) has been prepared. Should you have any questions regarding the State Construction General NPDES Permit, or wish to obtain an application, please call the State Regional Board office at (213) 266-7500 or visit their website for complete instructions at www.waterboards.ca.gov/stormwtr/construction.html. Left-click on the Construction General Permit 99-08-DWQ link.

Long Term Maintenance:

- o. The Subdivider and successors shall be responsible for the maintenance of the site drainage system and for the operation and maintenance of the private sewer connection to the public sewer in the abutting public right-of-way, and for the maintenance of the sidewalk, parkway, street trees and other landscaping, including irrigation, within and along the adjacent public right-of-way. Such responsibilities shall be enumerated and specified in the project "Conditions, Covenants and Restrictions", and a recorded copy of said document shall be provided to the Director of Public Works.
- 24. Separate building permits are required for miscellaneous structures such as, but not limited to, landscape, irrigation, signs, fences, retaining walls, trash enclosures, flagpoles, and pole mounted yard lighting foundations.
 - 25. Show Fire Service Lines. (sprinkler) If there is one line servicing both buildings, a deed or service agreement shall be drawn up identifying who is responsible for those lines.

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE USE DISTRICT MAP OF THE CITY OF LONG BEACH AS SAID MAP HAS BEEN ESTABLISHED AND AMENDED BY AMENDING PORTIONS OF PART 17 OF SAID MAP FROM DOUGLAS AIRCRAFT DISTRICT (PD-19) TO LIGHT INDUSTRIAL DISTRICT (IL)

The City Council of the City of Long Beach ordains as follows:

Section 1. Environmental documentation having been prepared, certified, received and considered as required by law, and the City Council hereby finding that the proposed change will not adversely affect the character, livability or appropriate development of the surrounding area and that the proposed change is consistent with the goals, objectives and provisions of the General Plan, the official Use District Map of the City of Long Beach, as established and amended, is further amended by amending portions of Part 17 of said Map to rezone the subject property from Douglas Aircraft District (PD-19) to Light Industrial District (IL). Those portions of Part 17 of said map that are amended by this ordinance are depicted on Exhibit "A" which is attached hereto and by this reference made a part of this ordinance and the official Use District Map.

Section 2. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 3. The City Clerk shall certify to the passage of this ordinance by the City Council and cause it to be posted in three conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first day after it is approved by the Mayor.

I hereby certify that the foregoing ordinance was adopted by the City

1 Council of the City of Long Beach at its meeting of _____, 2008,
2 by the following vote:

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Ayes: Councilmembers: _____

Noes: Councilmembers: _____

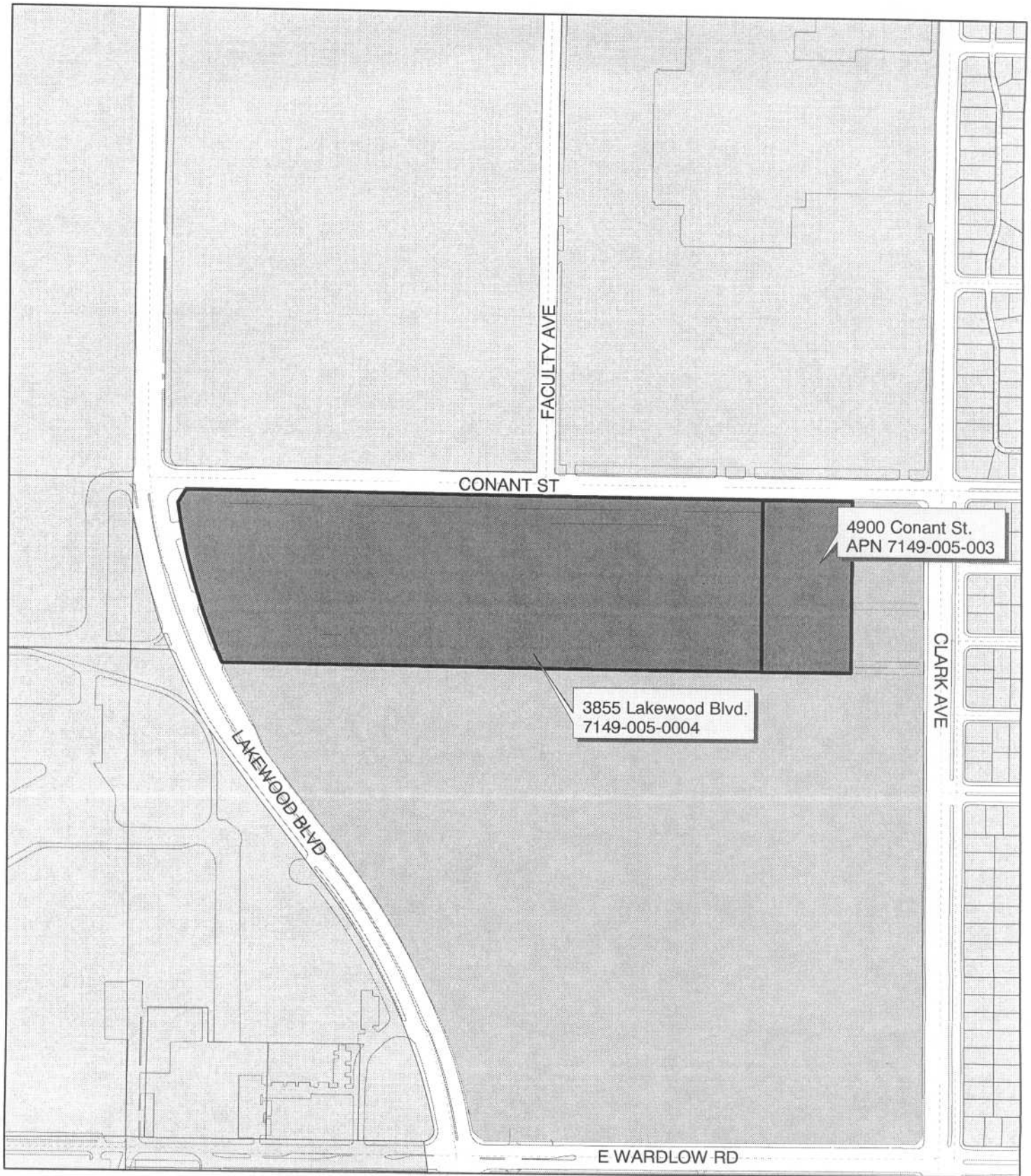
Absent: Councilmembers: _____

City Clerk

Approved: _____

Mayor

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664



Proposed amendment to a portion
of Part 17 of the Use District Map.



Zoning Change: from PD-19 to IL

Rezoning Case
RZ-0807-07

Exhibit A