



CITY OF LONG BEACH

THE CITY PLANNING COMMISSION

H-1

333 W. Ocean Boulevard Long Beach, California 90802 562-570-6194 FAX 562-570-6068

April 17, 2007

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the supporting documentation into the record, conclude the public hearing, deny the appeal, and sustain the decision of the City Planning Commission to approve the requests for Site Plan Review, Tentative Map, and Standards Variances, and to adopt a resolution with findings of fact, statements of overriding consideration, and a mitigation monitoring program for the Press-Telegram Project at 604 Pine Avenue (Case No. 0510-03). (District 1); and

Declare the ordinance amending the Downtown Planned Development District (PD-30) to change the boundary of the Downtown Core subarea, revise the height limit map, and to create standards for a Height Overlay District read for the first time and laid over to the next regular meeting of the City Council for final reading.

DISCUSSION

The proposed Press-Telegram project site encompasses a city block of approximately 2.5 acres in area, bounded by 6th Street on the south, 7th Street on the north, Pine Avenue on the west, and Locust Avenue on the east. The project consists of 542 residential units, 14,000 square feet of commercial space, 23,000 square feet of office/gallery exhibit space, and 1,186 parking spaces in a mixed-use multi-level complex. The complex includes two 22-story buildings located at the southwest and northeast corners of the project site, and various 4- and 5-story buildings around a 4-story parking podium with two levels of subterranean parking.

In addition to a number of structures, the site is currently developed with two historically significant buildings, the Meeker-Baker Building, a 17,000-square foot office building, which was constructed in 1924 and is a City-designated Historic Landmark; and the Press-Telegram Building, a 94,000-square foot office and manufacturing building constructed in 1924. The project would retain portions of the Meeker-Baker Building, while the remainder of the building would be demolished and replaced with new construction. The façade would be renovated and restored to its original condition. This approach has been approved by the Cultural Heritage Commission. The applicant proposes to retain a majority of the original Press-Telegram building along 6th Street, approximately 40 feet of office space behind the Pine Avenue façade of the 1930 and 1948 additions, while demolishing the remainder of the building that comprises the large complex on the site.

Presently, the zoning standards in PD-30 (Downtown Planned Development District) do not allow the proposed project. The maximum density currently allowed on the subject site is 75 units per acre (189 units) and the maximum height is 100 feet. The proposed project has a density in

excess of 200 units per acre (542 units) and a height of 250 feet. The approval of the project requires amendments to the Downtown Planned Development District (PD-30). In addition to the PD-30 amendment requests, the proposed project requires approval of Standards Variance requests for less than required parking, building setbacks along Pine Avenue and Locust Avenue, and the setback for the subterranean garage along 7th Street and Locust Avenue.

The amendments to PD-30 would change the subarea designation for the subject site from Downtown Mixed Use to Downtown Core, which is immediately adjacent to the subject site to the south. PD-30 divides the downtown area into a number of subareas that vary based on the types of businesses allowed and the development standards. This change would allow the proposed density, as the Downtown Core subarea has no density maximum for buildings exceeding six stories in height. With respect to the height, staff proposed a height overlay district, which would allow a maximum height of 250 feet, subject to meeting performance standards, which consist of either attaining LEED Silver certification, or deed restricting a minimum of 10 percent of the units as workforce housing, defined as housing affordable to households earning up to 150 percent of the County Median Family Income.

In compliance with the Guidelines of the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR 28-05) was prepared for the project, which identified significant unavoidable impacts with respect to aesthetics, air quality, cultural resources, land use and planning, noise, and transportation/circulation. The Planning Commission conducted a study session on September 7, 2006, to review the findings of the Environmental Impact Report.

On November 16, 2006, the Planning Commission conducted a public hearing on the project entitlements, including the proposed amendments to the Downtown Planned Development District (PD-30) (see Attachment 1 - November 16, 2006 Planning Commission Staff Report). After considering testimony and information presented by staff, the Planning Commission voted 3 to 1 to certify the Environmental Impact Report, and continue the hearing on the requests for the other permits in order to allow consideration of an application for a Certificate of Appropriateness by the Cultural Heritage Commission prior to Planning Commission reconsideration. The certification of the Environmental Impact Report was appealed by Long Beach Unified School District, but this appeal has subsequently been withdrawn.

The Cultural Heritage Commission (CHC) conducted a hearing on December 20, 2006, regarding the modifications to the Meeker-Baker Building. After a lengthy discussion, the item was continued to the January 17, 2007 meeting, with a working session to occur on January 10, 2007. At the working session, the Cultural Heritage Commission, the applicant, and staff collaborated to develop conditions of approval designed to preserve as much of the Meeker-Baker Building as possible, and ensure that the new construction adjacent to the Meeker-Baker Building is compatible with the existing building.

At the January 17, 2007 hearing, the Cultural Heritage Commission approved a Certificate of Appropriateness, subject to conditions of approval (see Attachment 2 - Cultural Heritage Commission Staff Report and Conditions of Approval). The conditions include requirements for documentation reports and interpretive plans for the Meeker-Baker building (EIR mitigation measures), retention of additional portions of the Meeker-Baker Building, and compatibility between the Meeker-Baker Building and the new construction.

On February 15, 2007, the Planning Commission conducted a second hearing on the project entitlements and proposed amendments to PD-30 (see Attachment 3- February 15, 2007 Planning Commission Staff Report and Conditions of Approval). Staff recommended approval of the project, but proposed conditions of approval requiring additional parking (1,278 spaces instead of the 1,186 spaces proposed), a larger building setback along Locust Avenue (instead of the 1 foot setback proposed) to provide a buffer between residences and the public sidewalk, and a condition requiring that the two towers be redesigned to provide a minimum building separation of 80 feet along the east and west elevations to reduce the massive appearance of the building, consistent with the standards regulating high-rise development in other areas of the Downtown.

After considering testimony and information presented by staff and the applicant, the Planning Commission voted 4 to 1 to approve the project as submitted by the applicant, removing the proposed conditions requiring additional parking, building setback along Locust Avenue, and the condition requiring additional building separation. The Planning Commission also recommended that the City Council approve the amendments to PD-30, and adopted Findings of Fact, a Statement of Overriding Considerations, and a Mitigation Monitoring Program.

In making the decision, the Planning Commission agreed with staff that the Downtown Core was an appropriate subarea designation for the site, and agreed that the additional height is appropriate, given the location of the site at a prominent intersection in the Downtown area. The Planning Commission disagreed with staff with respect to the number of parking spaces required, as the Commission believed that the shared parking analysis demonstrated that the parking provided would be adequate to meet the demands of the project. With respect to the building massing and setback along Locust Avenue, the Commission felt that the proposed building design was acceptable. Therefore, the proposed conditions requiring additional parking, additional building separation, and a larger setback along Locust Avenue were not included in the conditions approved by the Planning Commission. Three community members representing Willmore City Heritage Association, the West End Community Association, and the Wilsonian Homeowners Association, subsequently appealed the decision of the Planning Commission (see Attachment 4-Appeal Form), citing concerns regarding parking, building massing, and the partial demolition of a historic building. In addition, the appellants believe that the conditions of approval recommended by staff with respect to parking, building separation, and setbacks should be incorporated into the final project approval.

Assistant City Attorney Michael J. Mais reviewed this report on April 4, 2007.

ENVIRONMENTAL ANALYSIS

Environmental Impact Report EIR 28-05 was prepared for the project and certified by the Planning Commission on November 16, 2006. The Planning Commission adopted a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program on February 15, 2007.

TIMING CONSIDERATIONS

The Long Beach Municipal Code requires Planning Commission decisions to be transmitted by the Department of Planning and Building to the City Clerk for presentation to the City Council within 60 days following Planning Commission final action. A 14-day public notice of the hearing is required.

FISCAL IMPACT

None.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

LESLIE GENTILE, CHAIR
CITY PLANNING COMMISSION

BY: 

SUZANNE M. FRICK
DIRECTOR OF PLANNING AND BUILDING

SF: GC: CB: db

Attachments:

1. November 16, 2006 Planning Commission Staff Report & Minutes
2. January 17, 2007 Cultural Heritage Commission Staff Report, Minutes and Conditions of Approval
3. February 15, 2007 Planning Commission Staff Report, Draft Minutes and Conditions of Approval
4. Appeal Form
5. Project Plans
6. Findings of Fact, Statement of Overriding Consideration, and Mitigation Monitoring Program
7. EIR 28-05 (provided on CD. Hard copies previously provided to the City Council on November 2, 2006)

Attachment #1

November 16, 2006 Planning Commission Staff
Report & Minutes



CITY OF LONG BEACH

DEPARTMENT OF PLANNING & BUILDING

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • (562) 570-6194 FAX (562)570-6068

ZONING DIVISION

November 16, 2006

CHAIRMAN AND PLANNING COMMISSIONERS
City of Long Beach
California

SUBJECT: Review the adequacy of Environmental Impact Report No. 28-05 in accordance with Section 15204 of the CEQA Guidelines; and

Request to amend the Downtown Planned Development District (PD-30) to change the subarea designation for the subject site from Downtown Mixed Use to Downtown Core, and amend the allowable height from 100 feet to 250 feet; and

Request for approval of Site Plan Review and a Tentative Map to demolish the Meeker-Baker Building and portions of the Press-Telegram Building and construct two 22-story buildings and various 4 to 5 story buildings to develop a mixed-use project consisting of 542 residential units, 14,000 square feet of commercial space, 24,000 square feet of office/gallery space, and 1,186 parking spaces, with the following code exceptions: 1) Less than code-required parking; 2) Building setback of 7'6" along portions of Pine Avenue (instead of 0 feet); 3) Building setback of 2 feet along Locust Avenue (instead of not less than 10 feet); and 4) Parking structure at the property line along Locust Avenue and 7th Street (instead of a setback of 10 feet).

LOCATION: 604 Pine Avenue

APPLICANT: Press-Telegram Lofts
c/o Jim Brophy
100 W. Broadway, #205
Long Beach, CA 90802

RECOMMENDATION

- 1 Adopt the resolution certifying EIR 28-05/ SCH #2006031124; and
2. Continue the hearing on the requests for Site Plan Review, Tentative Map, and Standards Variances in order to allow consideration of an application for a Certificate of Appropriateness by the Cultural Heritage Commission prior to

Planning Commission reconsideration, and direct Staff to prepare amendments to the Downtown Planned Development District.

BACKGROUND

Subject Site and Surrounding Uses

The subject site is approximately 2.5 acres in area, located at the northeast corner of Pine Avenue and 6th Street. The site is bounded by 7th Street to the north, Pine Avenue to the west, 6th Street to the south, and Locust Avenue to the east (see attached location map). The site is within the Downtown Planned Development District (PD-30). The project site is bordered to the south, east, and west by areas within PD-30, and to the north by areas designated for high-density residential uses as part of the Long Beach Boulevard Planned Development District (PD-29). These surrounding areas are built out with a variety of commercial and residential uses, including mixed uses, in buildings generally ranging from one to four stories. Progressing north, east and west, the neighborhoods become more devoted to residential uses, while the downtown area to the south is more commercially oriented with some mixed-use development.

The prominent uses surrounding the subject site include a school located to the north of the site and the Cityplace development, a mixed-use commercial residential project, located immediately to the south of the subject site. The following table provides a summary of the zoning designation, General Plan designation, and existing land use for the site and surrounding area.

	Zoning	General Plan	Existing Land Use
Site	PD-30	LUD # 7 - Mixed Uses	Office/Commercial
North	PD-29	LUD # 7 - Mixed Uses	Commercial & School
South	PD-30	LUD # 7 - Mixed Uses	Residential/Commercial Building
East	PD-30	LUD # 7 - Mixed Uses	Commercial
West	PD-30	LUD # 7 - Mixed Uses	Commercial

Existing Development On-Site

The subject site is developed with the following structures:

- The Meeker-Baker Building, a 17,000 square feet office building, constructed in 1924, which is a City-designated Historic Landmark;

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- The Press-Telegram Building, a 94,000 square feet office and manufacturing building constructed in 1924;
- A 13,000 square feet concrete tilt-up storage building used for storage;
- A 9,000 square feet circulation building used for storage;
- A 2,700 square feet storage building; and
- A 784 square feet fast food restaurant

The Meeker-Baker Building and the Press-Telegram Building are the two prominent structures on the subject site. Following is a more detailed description of these buildings:

Meeker Building. The Meeker Building (also known as the Baker Building) was constructed in 1924. The Building is designed in the Renaissance Revival style and still exhibits elements of that style, including decorative brick and tile work, arched openings, medallions and friezes. The two-story structure occupies a prominent corner of the business district, contributing to its character and continuity. The building was designed in the Renaissance Revival style and still exhibits elements of that style, primarily on the second story. Elements of the original style still existent include decorative brick and tile work, arched openings, medallions, and a frieze with medallions. Some alterations on the corner have damaged the integrity of the building, but the structure remains a representative example of commercial architecture in downtown Long Beach from the 1920's period of development. The building is currently used for retail and restaurant uses along the ground floor, while the second floor has been illegally converted to residential uses. The Meeker-Baker Building was designated as a historic landmark in 1990, based on the building being a representative example of commercial architecture in downtown Long Beach from the 1920's period of development, including both the Renaissance Revival-styled exterior and the interior features, including mahogany woodwork, original glass and mahogany doors with transoms, original double-hung wood frame windows, and high ceiling heights.

Press-Telegram Building. The Press-Telegram Building was designed by noted Long Beach architect H. Horace Austin and constructed in 1924. The Press-Telegram Building is designed in the Art Deco style, and is associated with the production of the city's primary newspaper of record since the 1920s. This four-story building located on a prominent corner is characterized by a symmetrical organization of bays along the primary Pine and Sixth streets elevations, defined by wide brick piers. Each bay is subdivided vertically into three parts by narrow, shallow pilasters topped by capitols and terminating in arches. A blind arcade consisting of shallow arches wraps the main elevations above the bays and below the cornice. Scrolled piano-leg brackets between each bay support the cornice. A dentil moulding runs underneath. The street-level

elevations are similarly divided into eight storefronts on the two streets frontages. The storefront materials are modern anodized aluminum. The primary building material is poured-in-place concrete, faced with brick. A modern louvered aluminum grill covers the fenestration located within the bays, which consists of aluminum casements. Architecturally, the building exhibits the abstracted Italian Renaissance Revival style as it was utilized frequently during the 1920s. The Environmental Impact Report states that the building appears to be ineligible for designation on either the National Register of Historic Places, or the California Register of Historic Resources, but is eligible for designation as a City historic landmark.

The remaining buildings on the site are not determined to be of historical significance.

Existing Zoning Regulations

The site is located within the Downtown Planned Development District (PD-30), and is within the Downtown Mixed Use subarea (see Figure 1). This district includes major street corridors outside of the central core. Uses permitted include a mix of residential and commercial uses, with a maximum residential density of 75 units per acre. As shown in Figure 2, the allowable height on the subject site and the surrounding areas is 100 feet. Based on the current zoning, a maximum of 186 units could be developed on the site, while the applicant is proposing a development consisting of 542 units. The proposed height of the buildings will be 240 feet, whereas the maximum height currently allowed is 100 feet. The following table provides a comparison of the existing zoning regulations to the proposed project.

Code Standard	Existing PD-30 Requirement	Proposed Project	Complies with Standard?
Building Height	100 feet	240 feet	No
Setbacks	0 feet required, subject to standards	0-34 feet	No
-Pine Avenue	10 feet	10 feet	Yes
-6 th Street	10 feet	15 feet	Yes
-7 th Street	10 feet	0-1 foot	No
-Locust Avenue	10 feet		
Average Unit Size	900 square feet	900 square feet	Yes
Density	75 units per acre 81,300 square feet (150 square feet per unit)	217 units per acre 67,650 square feet (125 square feet per unit)	No
Usable Open Space			No
Parking	1,324 spaces	1,186 spaces	No

Figure 1-PD-30 Subarea Map

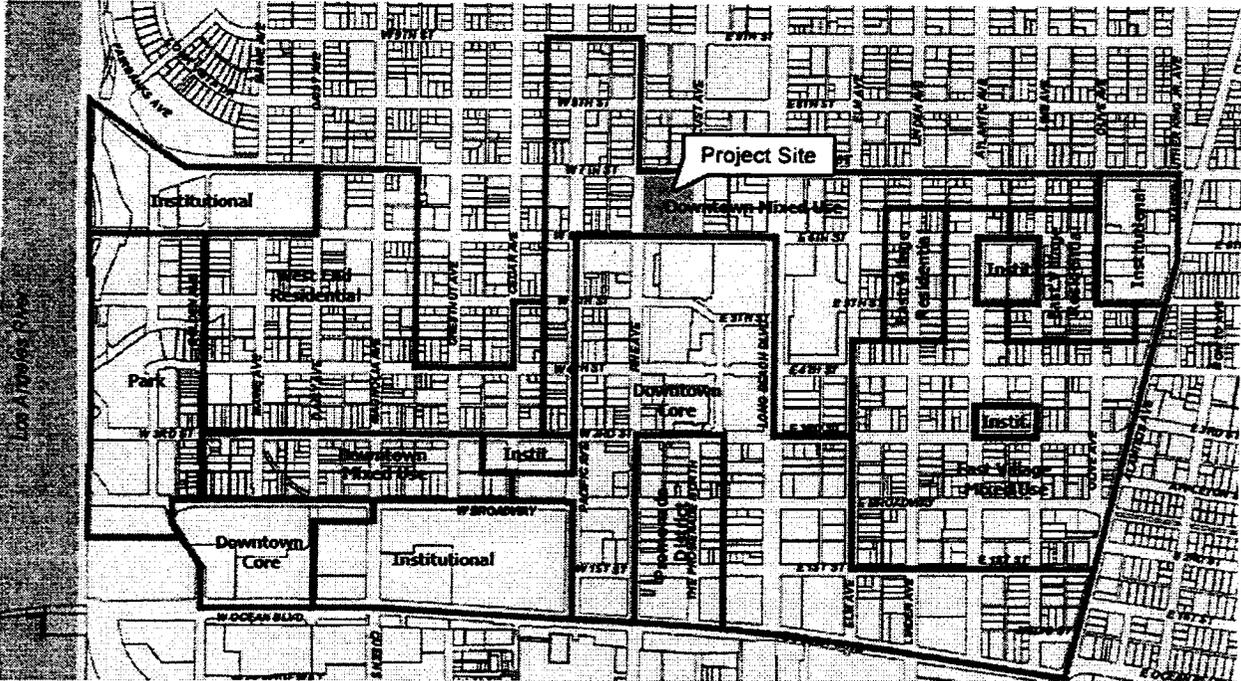
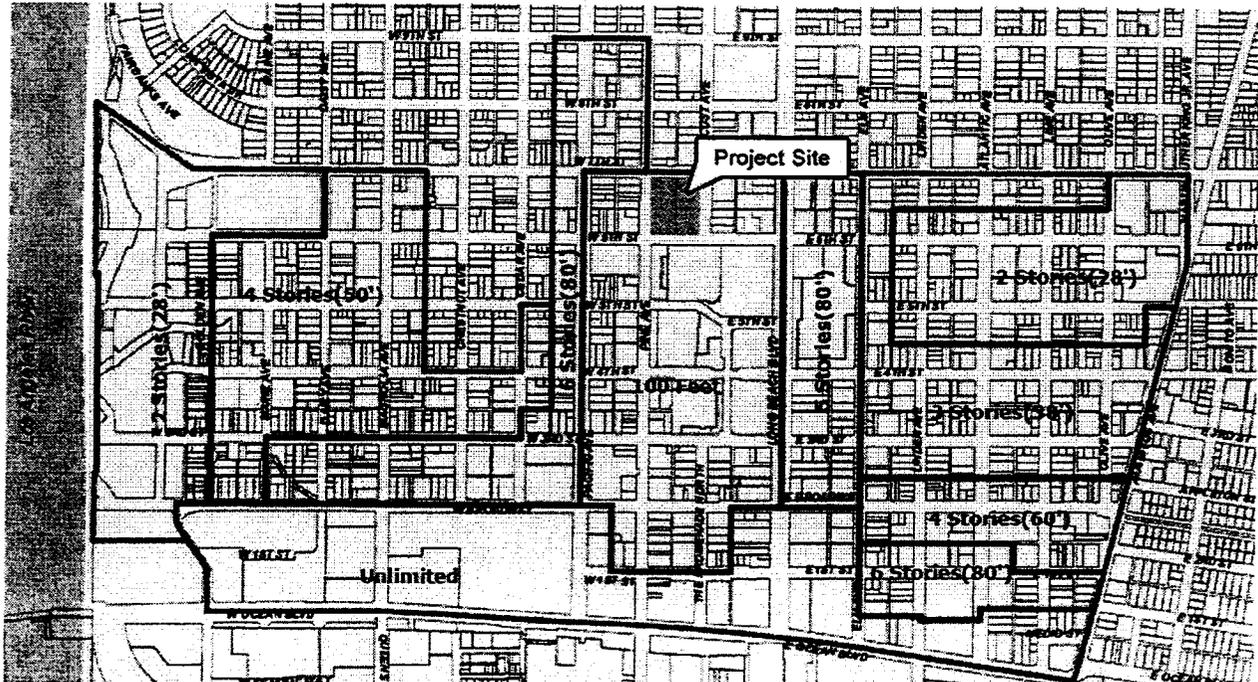


Figure 2- PD-30 Height District Maps

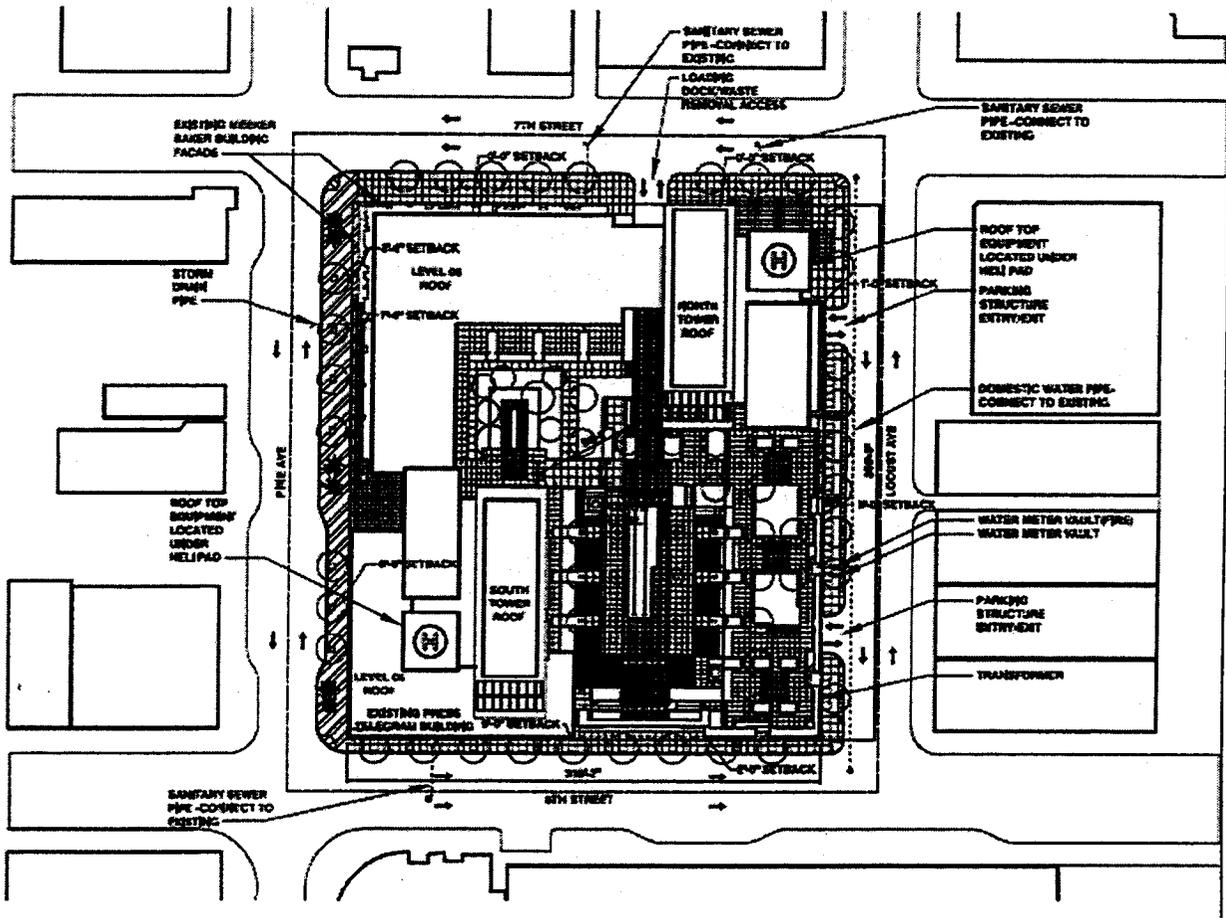


Proposed Project

The proposed project consists of 542 residential units, 14,000 square feet of commercial space, 23,000 square feet of office/gallery exhibit space, and 1,186 parking spaces. The proposed buildings would be approximately 250 feet high, with a proposed residential density of approximately 200 units per acre.

The applicant is proposing to demolish the Meeker-Baker Building with the exception of the façade along 7th Street and Pine Avenue. In addition, the applicant plans demolish portions of the Press-Telegram building while retaining and reusing portions of the existing building. The new construction consists of two 22-story buildings located at the southwest and northeast corners of the project site, and various 4 and 5 story buildings around a 4-story parking podium with two levels of subterranean parking (see Figure 3). Access to the parking will be provided via two entry points along Locust Avenue, while loading access is provided from 7th Street. The applicant is proposing to certify the building under the Leadership in Energy and Environmental Design (LEED) standards for green buildings. The applicant intends to obtain Gold certification, the second highest level under LEED.

Figure 3- Proposed Site Plan



Historic Structures and Adaptive Reuse

As discussed previously, two existing buildings on the site are of historic interest, the Meeker-Baker Building, a City-designated historic landmark located at the northwest corner of the site (see Figure 3), and the Press-Telegram Building, occupying much of southwest corner of the site. Figure 4 shows the year built for each portion of the Press-Telegram Building, as well as the proposed plan for demolition and reuse. As shown, the applicant proposes to retain a majority of the original building along 6th street, approximately 40 feet of office space behind the Pine Avenue façade of the 1930 and 1948 additions, while demolishing the remainder of the Press-Telegram building. The applicant proposes to restore the retained portions of the building to their original condition.

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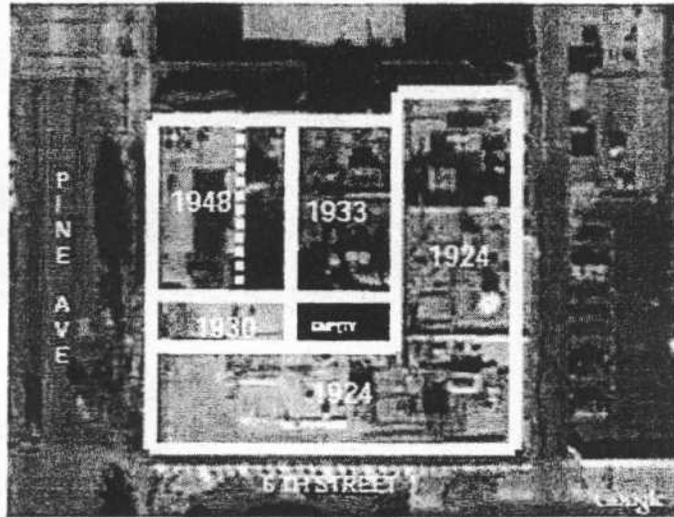
With respect to the Meeker-Baker Building, the applicant proposes to retain only the façade of the building, while the remainder of the building will be demolished and replaced with new construction. The façade will be renovated and restored to its original condition.

Since the applicant is proposing to demolish the Meeker-Baker Building, a designated historic landmark, the Cultural Heritage Commission must approve a Certificate of Appropriateness. In evaluating requests for Certificates of Appropriateness, the Commission reviews the consistency of the proposed project with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*. The Cultural Heritage Commission cannot act on the project until the Environmental Impact Report is certified. However, the Commission reviewed the project as a discussion item at their October 18, 2006 hearing, and expressed significant concerns with respect to removal of the Meeker-Baker Building, as well as concerns regarding the height and massing of the new structures in relation to the Meeker-Baker and Press-Telegram buildings. The lack of resolution of the Cultural Heritage Commission concerns complicates consideration of this matter by the Planning Commission, as will be discussed subsequently in this report.

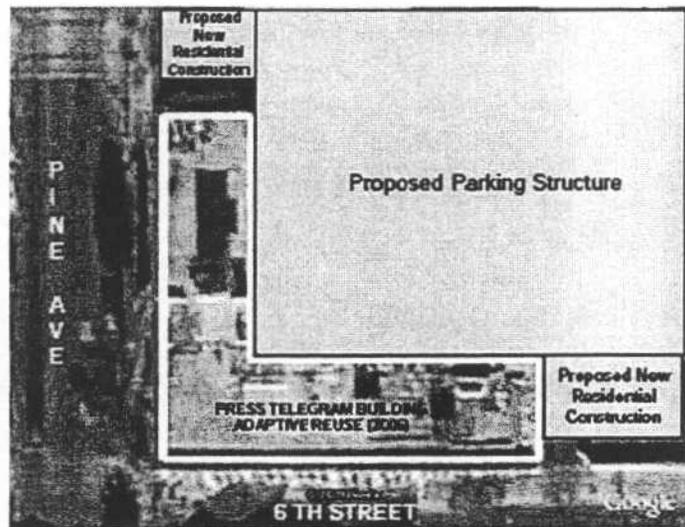
Residential Component

Approximately 75 percent (408) of the residential units will be located within the two 22-story towers, while the remaining units will be located within the 4-5 story structures throughout the site, including the reuse of portions of the Press-Telegram Building. The units will have open floor plans, and range in size from approximately 600 square feet to 2,000 square feet, with a majority of the units having a floor area of less than 900 square feet. However, the average unit size exceeds the 900 square feet required in the PD-30. The proposed units at the ground floor along Pine Avenue, 6th Street, and 7th Street will consist of a ground floor commercial space with a residential unit above.

Figure 4- Proposed Reuse of the Press-Telegram Building



Press-Telegram Building Construction and Expansion Chronology



Proposed Demolition and Reuse of the Press-Telegram Building

Commercial Component

The basement level and ground floor of the Press-Telegram Building is proposed for use by California State University Long Beach's Center for Community Engagement and the Arts Council of Long Beach, and will consist of approximately 20,000 square feet of office space and 3,000 square feet of gallery/exhibit space. The new building behind the façade of the Meeker-Baker Building will contain 8,000 square feet of commercial space, while the remaining 6,000 square feet of commercial space will be located at the ground floor level along Pine Avenue, 6th Street and 7th Street, and attached to residential units above as "shopkeeper" units.

Building Design

As shown on the Site Plan in Figure 3, the proposed development will consist of two-rectangular-shaped 22-story buildings at the northeast and southwest corners of the site, above a four-story parking podium wrapped by 4 to 5-story residential uses. The parking podium is broken up in two locations, the corner of 7th Street and Locust Avenue, and mid-block along Pine Avenue. At these two locations, the 22-story buildings extend all the way to ground level. The break in the podium along Pine Avenue is set back which allows for the Press-Telegram building to remain prominent along Pine Avenue. The break along 7th Street and Locust Avenue provides a more modest setback, yet allows the tall building to reveal itself at the corner, providing a break in the podium.

The two 22-story buildings are oriented such that the longer building frontages face east and west, while the smaller frontages face north and south. The horizontal distance between the two buildings is approximately 40 feet, while the diagonal dimension is 86 feet. The buildings appear long in the north-south dimension relative to space between the buildings. The towers are designed in a contemporary style, with window wall and painted concrete the primary building materials. The design attempts to break up the massing by dividing the buildings lengthwise north to south, and using window wall for half of the building and a more solid concrete wall with punched openings for the other half. The design uses varied window openings, sizes, and placement in the solid portions in an effort to provide visual interest to the elevation.

The smaller 4 and 5-story structures developed around the podium are also contemporary in style and utilize brick, precast concrete, and storefront windows as the primary materials. The buildings are complementary in scale, proportion, and materials with the existing Meeker-Baker and Press Telegram buildings.

Required Project Entitlements

Planned Development Amendment

The maximum density allowed on the subject site is 75 units per acre and the maximum height is 100 feet. The applicant is proposing a project with a density of 200 units per acre and a height of 250 feet, which would require approval of an amendment to the Downtown Planned Development District (PD-30). The applicant is requesting that the subarea designation for the subject site be changed from Downtown Mixed Use to Downtown Core (refer to Figure 1 for the subarea boundaries), which is immediately adjacent to the subject site to the south. This change would allow the proposed density since the Downtown Core subarea has no density maximum for buildings exceeding six stories in height. In addition, the applicant is requesting that the height limit for the site be changed from 100 feet to 250 feet (refer to Figure 2 for the height limit map).

Site Plan Review

The applicant applied for Conceptual Site Plan Review in October 2005, and Site Plan Review in July 2006. Staff has been working with the applicant since October 2005 to resolve the issues related to building design, treatment of the historic buildings, and compliance with the zoning regulations. Based on the plans submitted, the Planning Commission must decide on the following issues:

- ***Noncompliance with the Zoning Regulations.*** As discussed above, the proposed project does not conform to the height and density allowed for the subject site, and would require an amendment to the Downtown Planned Development District (PD-30). In addition, the project requires Standards Variance requests for parking and setbacks. Finally, the proposed project does not meet the requirements for open space and privacy standards, and would require that the Planning Commission waive these requirements. The specific Standards Variance requests and requests for waiver of development standards, along with the Staff recommendation on these requests, are discussed subsequently.

Regarding the request to change the subarea designation from Downtown Mixed-Use to Downtown Core, the site is located along Pine Avenue, which is the main activity hub for the central part of the Downtown area, and a potential anchor for the northern part of Downtown. Therefore, staff believes that the amendment to the subarea designation would be consistent with the intent of the Downtown Planned Development District and the Downtown Core subarea.

With respect to the amendment to the height limit, the applicant has requested that the height limit for the site be changed from 100 feet to 250 feet. As an alternative to amending the height limit, Staff would support the creation of a height overlay area for the subject site, whereby additional height would be allowed provided the development met certain performance standards, including Leadership in Energy and Environmental Design (LEED) certification. Staff is also pursuing this strategy for the remaining areas of the Downtown through the visioning process that is ongoing.

- ***Adaptive Reuse of the Press-Telegram and Meeker-Baker Buildings:*** The current proposal includes demolishing all but the façade of the Meeker-Baker Building and portions of the existing Press-Telegram building, as opposed to an adaptive reuse of the entire building. Staff does not support this approach, and recommends preservation and adaptive reuse of the existing building similar to the approach taken with other historic buildings along Pine Avenue including the Walker Building and Kress Building. As discussed previously, the Cultural Heritage Commission reviewed the proposed project as a discussion item at their October 18, 2006 hearing, and expressed significant concerns with respect to the demolition of the Meeker-Baker Building, as well as concerns with respect to the size and mass of the building in relation to the Meeker-Baker and Press-Telegram buildings.
- ***Building Height and Massing.*** Careful consideration should be given to the proportions of the building height to the horizontal building dimension should be proportioned so that the building appears tall and slender, and the design should provide space between the taller building elements equivalent to the horizontal dimension of the building.
- ***Meaningful Building Articulation.*** Substantial breaks in the building or open space at the ground level should be incorporated to avoid the appearance of a “super block” development.
- ***Pedestrian Orientation at the Ground Floor.*** The ground floor of the building should be developed with active pedestrian uses, including restaurants, retail sales, personal services uses, lobbies, and public plazas and outdoor dining areas.

Tentative Map

To allow for sale of the proposed residential units, the project requires approval of a tentative map for condominium purposes.

Standards Variance

Approval of the project would require granting of the following Standards Variance requests; the Planning Commission must decide if these standards should be waived:

- ***Less than code-required parking:*** The proposed project will provide 1,186 parking spaces. Based on staff's calculation, the proposed project would require 1,324 parking spaces, resulting in a shortfall of 138 spaces. Calculating the parking for the project is difficult since the parking requirements for residential units are calculated based on the number of bedrooms, while the proposed residential units have open floor plans. Therefore, to calculate the residential parking, staff reviewed the proposed floor plans to determine which units could reasonably support two bedrooms or more, and calculated the parking at a ratio of two spaces per unit. The remaining units were calculated at 1.5 spaces per unit. In addition, the garage contains 580 tandem spaces (290 tandem pairs), which are allowed in PD-30 provided that they are assigned to the same 1-bedroom equivalent unit and that the parking ratio is calculated at 2 spaces per unit instead of 1.5 spaces.

With respect to the commercial space, the new construction at the ground floor behind the Meeker-Baker Building façade, as well as the new ground floor construction along Pine Avenue and 6th Street is proposed to be commercial space, and that was calculated at a ratio of 1 space per 200 square feet of commercial space. The reuse of the ground floor and basement of the Press-Telegram building will consist of approximately 24,000 square feet of office and gallery/exhibit space; the parking ratio used for these uses was 1 space per 250 square feet of space. The breakdown of the required parking spaces is as follows:

Land Use	Units/Floor Area	Parking Ratio	Required Spaces
Unit "A" <750 s.f.*	146	2 spaces/unit (tandem)	292
Unit "B1" 701-900 s.f.*	144	2 spaces/unit (tandem)	288
Unit "B2" 901-1,200 s.f.*	141	1.5 spaces/unit	221
Unit "C" 1,201-1,350 s.f.**	79	2 spaces/unit	158
Unit "D" Large >1350 s.f.**	20	2 spaces/unit	40
Unit "D" Small 1,000-1,200 s.f.*	12	1.5 spaces/unit	18
Guest Spaces	542	1 space/4 units	136
Commercial Space (Meeker Baker Building, Pine Avenue, 6 th Street)	14,718	1 space/200 s.f.	74
Office Space (Ground floor and Basement of Press-Telegram Building)	20,300	1 space/250 s.f.	81
Gallery/Exhibit Space (Ground floor and Basement of Press-Telegram Building)	3,800	1 space/250 s.f.	16
Total Required			1,324
Total Provided			1,186
Shortfall			138

* Parking calculated at the ratio for 1-bedroom units

** Parking calculated at the ratio for 2-bedroom units.

At this point, Staff is unable to make a recommendation with respect to the Variance request until completion of a parking demand study. The applicant is in the process of preparing a parking demand study, which will provide information regarding whether the proposed number of parking spaces will meet the parking demand for the proposed uses. This study is a required mitigation measure in the Environmental Impact Report to address the potential shortfall in parking. In addition, the City Traffic Engineer and City staff must review the study prior to formulating a recommendation on the request for a Standards Variance.

- *Building Setback of 7 feet 6 inches on Pine Avenue (instead of 0 feet):* PD-30 requires buildings fronting on Pine Avenue to have a zero setback, subject to

development standards, which exist to avoid the construction of large expanses of blank wall along the street frontage. The applicant is proposing to have a setback of 7 feet 6 inches for the new construction, which occurs along 115 feet of the Pine Avenue frontage. While not meeting the required setback, the proposed setback allows for the Meeker-Baker Building façade and the preserved Press-Telegram Building to remain the prominent structures along the Pine Avenue street frontage. Therefore, Staff is in support of this Variance request.

- *Building Setback of 2 feet along Locust Avenue (instead of not less than 10 feet):* The applicant is proposing "stoop-oriented" townhouse units along Locust Avenue with a setback of 2 feet from the Locust Avenue Property line. Staff believes that the proposed setback of 2 feet is not adequate to allow for the provision of "stoops" while also providing a meaningful separation between the dwelling units and pedestrians on Locust Avenue. Therefore, Staff does not support this request.
- *Parking Structure at the Property Line along Locust Avenue and 7th Street (instead of a setback of 10 feet):* The applicant is proposing to construct the subterranean parking garage at the property line along 7th Street and Locust Avenue. PD-30 requires a setback of 10 feet along 7th Street and Locust Avenue.

Along 7th Street, the existing building (the Meeker-Baker Building) is constructed to the property line. As a matter of functionality, allowing the construction of the parking garage to the property line will allow for the maximum number of spaces to be provided while not altering the appearance of the existing street frontage, since the existing building is currently developed with no setback. Therefore, Staff would support this request provided that the Meeker-Baker Building can be maintained.

The area along Locust Avenue will consist of entirely new construction. Construction of a subterranean garage at the property line would not affect the appearance of the proposed street frontage, as the garage will be underground. Granting a variance from the setback requirement would allow the applicant to provide additional parking that would not be available if the required setback of 10 feet was met. Therefore, staff would support this request provided the ground plane is addressed with landscaping, and the ground floor uses are set back from the property line.

Waiver of Development Standards

- ***Open Space:*** PD-30 allows the Planning Commission to waive this development standard. The proposed project provides 49,500 square feet of common open space, and 18,150 square feet of private open space, whereas PD-30 required 40,650 of private open space and 40,650 square feet of common open space (150 square feet per unit, half private and half common open space). Staff has supported requests to waive the open space requirement in the past provided that the total open space meets the requirement. In the case of the subject site, 67,650 square feet is provided while 81,300 square feet is required. Therefore, Staff does not support the waiver request, and recommends that the development provide the required open space of 81,300 square feet. Depending on the quality and configuration of the open space, Staff may support a waiver of the amount of private open space provided the total open space meets the requirement.
- ***Privacy Standards.*** PD-30 allows the Planning Commission to waive this development standard. The privacy standards in PD-30 require that primary windows of units be a minimum of 8 feet from the property line. However, the Meeker-Baker Building and Press-Telegram Building are both constructed to the property line; therefore, the units proposed for these buildings will not meet the required privacy standard. However, Staff believes that retention of the buildings is more important than the privacy standard, and that other measures, including window treatment, can ensure that privacy can be maintained for these units. Therefore, Staff would support this waiver request.

ENVIRONMENTAL REVIEW

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, an Environmental Impact Report (EIR 28-05) has been prepared for the proposed project. Following are the significant unavoidable impacts identified in the EIR. If the project is approved, the Planning Commission must adopt a Statement of Overriding Considerations (SOC) for these impacts:

- ***Aesthetics (Section 4.1 of the EIR):*** The proposed high-rise structures would cast shadows onto adjacent properties, particularly in the wintertime when shadows are most extreme. Because shadows from the project would fall on sensitive residential and school uses for more than three hours during the winter months, shadow impacts would be significant and unavoidable.

- ***Air Quality (Section 4.2 of the EIR)*** : During construction of the project, air pollutant emissions would exceed South Coast Air Quality Management District (SCAQMD) construction thresholds for ozone precursor NOx. Construction-related emissions are also expected to exceed the LST thresholds for NOx, and exhaust particulate matter (PM10). Because emissions cannot feasibly be reduced to below SCAQMD thresholds, temporary construction impacts would be significant and unavoidable.

- ***Cultural Resources (Section 4.3 of the EIR):***
 - The proposed Press-Telegram Mixed Use Development Project would involve the partial demolition of the Press-Telegram Building. This would result in a significant adverse impact on a historic resource. Impacts would be significant and unavoidable.

 - The proposed Press-Telegram Mixed Use Project would involve the partial demolition of the Meeker Building. These proposed activities would result in a significant adverse impact to a historic resource. Impacts would be significant and unavoidable.

 - Cumulative impacts to historic resources are considered significant and unavoidable.

- ***Land Use and Planning (Section 4.6 of the EIR):*** The proposed Press-Telegram project would implement a number of City of Long Beach planning goals and policies. However, the demolition of most of the Meeker (aka Baker) Building and much of the Press-Telegram Building, would be inconsistent with the General Plan's goals and policies related to preservation of historic resources. In addition, the project does not meet the District's open space requirements, making it inconsistent with Policy 4.10 of the Open Space and Recreation Element. This is considered a significant and unavoidable impact.

- ***Noise (Section 4.7 of the EIR):*** Project construction would intermittently generate high noise levels and groundborne vibrations on and adjacent to the site. These noise levels would affect sensitive receptors near the project site. This is considered a significant and unavoidable impact.

- ***Transportation and Circulation (Section 4.10 of the EIR):*** Project-generated traffic, in combination with cumulative traffic growth, would result in a significant impact at 1 of 42 study area intersections (Magnolia Avenue/6th Street) based on

City of Long Beach significance criteria. Mitigation is available for that impact, but physical constraints make expansion of the roadway cross-section difficult. Therefore, the project and cumulative impact at the Magnolia Avenue/6th Street intersection would be significant and unavoidable.

CURRENT ACTION REQUESTED

The applicant is requesting approval of the aforementioned project entitlements. In order to approve these requests, the Planning Commission must conclude that the subject request is consistent with the required findings set forth by the Zoning Regulations. Staff does not believe that the project plans are developed to the point where a decision on the project is appropriate, but the applicant wishes to move forward with a hearing at this time.

Given the comments and concerns expressed by the Cultural Heritage Commission at the October 18 hearing regarding the demolition of the Meeker-Baker building, as well as the building height and massing in relation to the Meeker-Baker and Press-Telegram buildings, and the specificity of the project plans, approval of the project is problematic.

Therefore, Staff believes that the most appropriate course of action is to allow the Cultural Heritage Commission to take formal action prior to the Planning Commission acting on the entitlements, while also allowing Staff and the applicant additional time to resolve the remaining issues related to parking and building design. To allow action by the Cultural Heritage Commission, the Environmental Impact Report must be certified, while the entitlement requests can be continued while the Cultural Heritage Commission reviews the project. Although Staff would prefer that the Planning Commission continue the hearing on the entitlement requests, Staff is seeking feedback from the Commission regarding the proposed amendments to PD-30, the project design, and the requests for Standards Variances and waivers of development standards.

However, if the Planning Commission believes that the project is developed to a point where approval is appropriate, the Commission can direct staff to prepare the amendments to the Downtown Planned Development District (PD-30) and findings and conditions for approval of the project. If the Planning Commission were to approve the project, the applicant would still be required to obtain a Certificate of Appropriateness from the Cultural Heritage Commission (CHC). If the CHC denies the Certificate of Appropriateness, the Planning Commission would hear the request on appeal subsequent to approving the project entitlements. Staff would prefer that the Planning Commission allow the CHC to act prior to approval of the other entitlements, so that all

requests, including an appeal of the Certificate of Appropriateness, could be addressed at the same time.

Alternatively, if the Commission is not in favor of the project, Staff can prepare findings and conditions for denial of the project. In any of the three scenarios, Staff is requesting that the Planning Commission certify the Environmental Impact Report, while withholding adoption of the Statement of Overriding Considerations until the project returns for formal action on the entitlement requests.

PUBLIC HEARING NOTICE

Three hundred ninety-two (392) notices of Public Hearing were mailed on November 1, 2006, to those property owners within the three hundred feet mailing radius provided by the applicant. In addition, the elected representative of the First Council District was notified as well as the Downtown Long Beach Associates. A notice of public hearing was also published in the Press-Telegram on November 2, 2006.

CONCLUSION

Staff believes that the project has the potential to be an asset to the Downtown area. Given the historic character of the buildings on the project site, coupled with new high-quality designed buildings, the site could serve as an anchor to the northern part of the Downtown area. However, given the unresolved issues related to preservation of the historic structures, building design, and parking, Staff believes that the most appropriate course of action is to certify the Environmental Impact Report, continue the hearing on the remaining entitlements, and allow the Cultural Heritage Commission to act on a request for a Certificate of Appropriateness. This course of action would, while also providing the Cultural Heritage Commission with an opportunity for formal action prior to a Planning Commission hearing, would also ensure that the Planning Commission acts on all entitlement requests, including a potential appeal of the Certificate of Appropriateness, at the same time. In addition, continuing the hearing on the entitlement requests would provide an opportunity for Staff and the applicant to resolve the remaining issues on the project. Therefore, while Staff has prepared three recommendations for the project, the preferred recommendation would be 2a., as discussed below.

RECOMMENDATION

1 Adopt the resolution certifying EIR 28-05/ SCH #2006031124; and

Chairman and Planning Commissioners

Case No. 0510-03

November 16, 2006

Page 20

- 2a. Continue the hearing on the requests for Site Plan Review, Tentative Map, and Standards Variances in order to allow consideration of an application for a Certificate of Appropriateness by the Cultural Heritage Commission prior to Planning Commission reconsideration, and direct Staff to prepare amendments to the Downtown Planned Development District; **OR**
- 2b. Continue the hearing on the requests for Site Plan Review, Tentative Map, and Standards Variances and direct staff to prepare amendments to the Downtown Planned Development District, and findings and conditions for **approval** of the project and return the application for Planning Commission action; **OR**
- 2c. Continue the hearing on the requests for Site Plan Review, Tentative Map, and Standards Variances and direct staff to prepare findings for **denial** of the project and return the application for Planning Commission action.

Respectfully submitted,

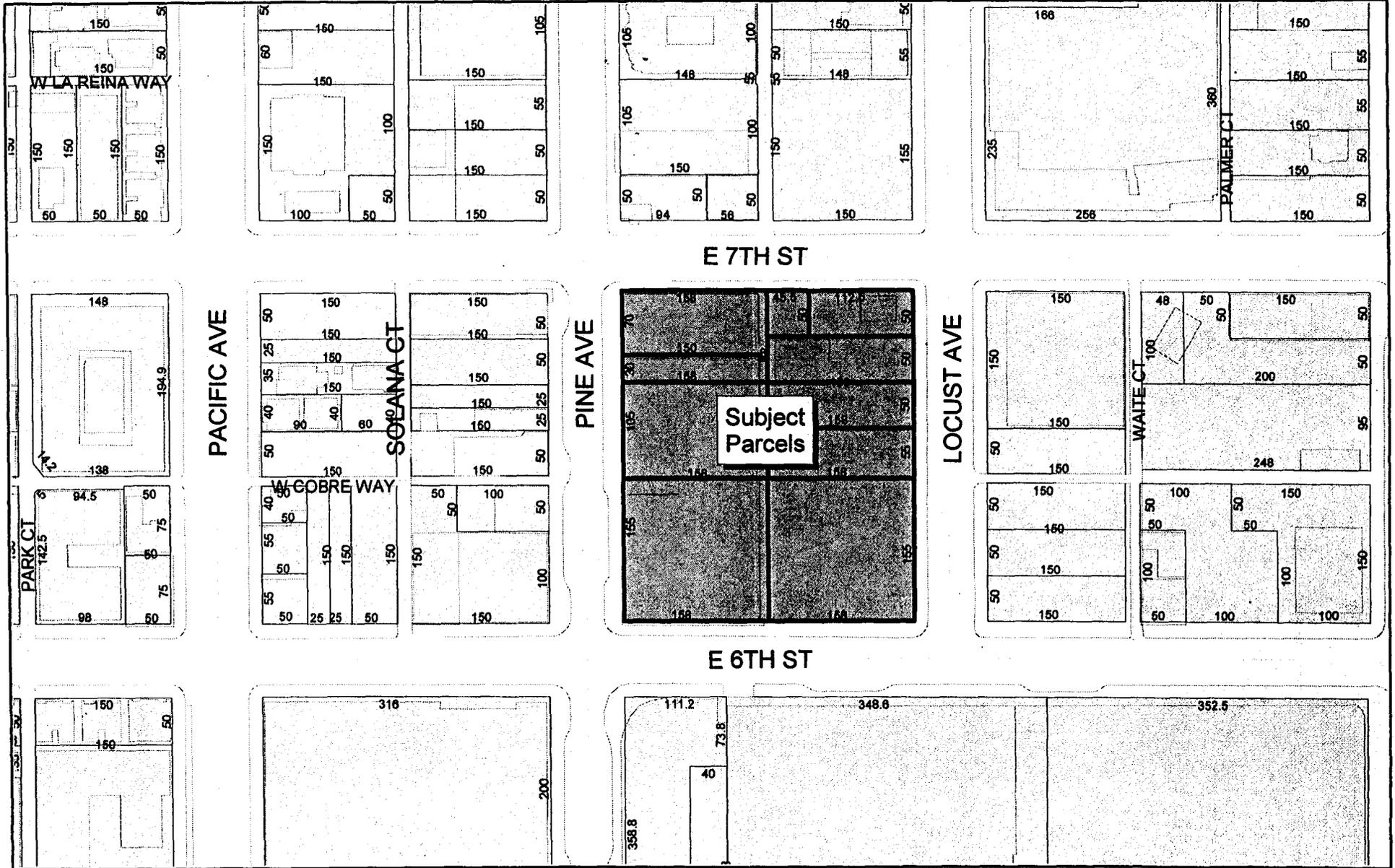
SUZANNE M. FRICK
DIRECTOR OF PLANNING AND BUILDING

By: 
DEREK BURNHAM
PLANNER

Approved: 
CAROLYNE C. BIHN
ZONING OFFICER

Attachments:

- 1. Location map;
- 2. Plans
- 3. EIR 28-05



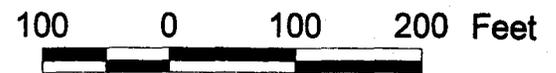
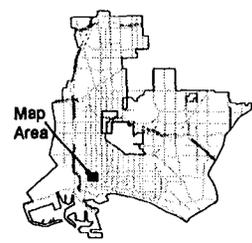
E 7TH ST

E 6TH ST

Subject
Parcels



SUBJECT PROPERTY:
 604 Pine Ave.
 Case No. 0510-03
 Council District 1
 Zone: PD-30 Downtown Mixed Use



Scale = 1:1,800



OFFICE OF THE PRESIDENT
CALIFORNIA STATE UNIVERSITY, LONG BEACH
1250 BELLFLOWER BOULEVARD
LONG BEACH, CALIFORNIA 90840-0115
562/985-4121

March 20, 2006

Councilmember Bonnie Lowenthal
City Hall Office, 14th floor
Civic Center Plaza
333 West Ocean Boulevard
Long Beach, CA 90802

RE: Press Telegram Loft Project

Dear Councilmember Lowenthal:

This letter is to voice my support for the Press Telegram Loft Project. This project addresses many of the goals outlined in the Long Beach Strategic Plan 2010, e.g., adding 33,000 new housing units and to place that housing downtown and along major transportation corridors.

I understand the five goals of this project are to provide the following:

1. Distinctive and recognizable architecture
2. LEED Certification
3. Quality construction
4. Housing designed for middle-income residents
5. 60 units reserved for CSULB tenure-track faculty

Providing housing for this City's middle-income residents is essential to local employers seeking qualified personnel. Additionally, I understand that the developer and CSULB are discussing a Center for Community Engagement as well as housing for 60 University professors.

This sounds like a cohesive project that aligns itself with the direct needs of the City of Long Beach and deserves our support. I encourage your support for this project and for all that it will give back to this City for generations to come.

Sincerely,


F. King Alexander
President

c: ~~Gerald R. Miller, City Manager, City of Long Beach~~
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyn C. Bin, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC



CALIFORNIA STATE UNIVERSITY, LONG BEACH

OFFICE OF THE ACADEMIC SENATE

March 29, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

This letter serves to convey my support for the development of the Press Telegram Lofts. The changing landscape downtown creates an opportunity to advance our city's vision for the future. The Lofts project would provide homes for middle-income working professionals and connect downtown with CSULB.

The "affordability crisis" for southern California home buyers is no secret; in fact, according to the latest numbers, only 15% of southern Californians can afford to own their own home. Furthermore, 15.8% of the Long Beach housing stock is considered overcrowded or extremely overcrowded. We are out of raw land to build single-family residences. Projects such as the Press Telegram Lofts provide the perfect alternative by creating higher density housing in a vibrant, appealing location. Most important, while other local projects target luxury buyers, the Lofts will be created for middle-income individuals.

From my perspective as Chair of the Academic Senate at CSULB, the fact that this project would provide 60 units to attract new faculty members to CSULB is particularly exciting. The high cost of housing has become one of our biggest challenges in recruiting and retaining new faculty. Furthermore, I believe the University and the community benefit when our faculty are able to live and work in Long Beach. As a final bonus, the project provides space for a link with the CSULB Center for Community Engagement, the University Art Museum and the LB Council for the Arts for community-based arts programming and exhibitions. The planned display of community arts in a storefront gallery is an exciting addition that will encourage foot traffic along upper Pine Avenue.

This project serves this community's needs and aligns itself with our vision for the future. I encourage your support for this project for the future of Long Beach.

Sincerely,

A handwritten signature in cursive script that reads "Margaret L. Merryfield".

Dr. Margaret L. Merryfield, Chair, Academic Senate

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
✓Carolyn C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC



CALIFORNIA STATE UNIVERSITY, LONG BEACH

DEPARTMENT OF ECONOMICS

April 17, 2006

Ms. Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Boulevard, 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

I am writing to support October Five Development's plan to preserve the historic Press Telegram building and convert the building to a high-rise, high-density condominium use. Over the years, I have had the opportunity to appear before the council in formal settings as well as in study sessions. On these occasions, I have offered my view on a number of issues related to the city's economy. Several of these issues are addressed in the plan presented by October Five Development. They are:

Need for Housing: While the City Council has been forward thinking in entitling approximately 4,000 housing units, for-sale and for-rent within the downtown area, there remains a critical need to provide more housing in Long Beach.

Need for Higher Density: Long Beach, like many established cities, is almost built-out. The region's critical need for housing has driven up land values causing housing prices to appreciate. Higher land costs imply that land be used more intensively. Stated differently, Long Beach should increase, where appropriate, residential building height and density. The failure to do so results in higher densities in a residential housing stock that was never intended to support higher density. Such overcrowding leads to many undesirable consequences that are all too familiar.

So that I am clear, I am not advocating raising density in established R-1 neighborhoods. However, locations within the downtown as well as along our transportation corridors could support higher structures to provide more housing units. While the Press Telegram building is in close proximity to other high rise buildings and easily blends into the

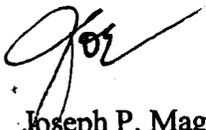
downtown, I encourage you and your fellow councilmember to consider a broad-based strategy to address the city's housing needs.

Need for Workforce Housing: For the downtown to develop the vibrancy that you and others envision, we need about 10,000 permanent, high-income households residing in the downtown area. The October Five proposal addresses the critical need of workforce housing. These households will add to the overall purchasing power of downtown residents. More importantly, the ability of the city, the university, and private sector employers to attract quality workers is contingent on the city and region's ability to provide housing.

Housing and Job Growth: The availability of housing is crucial if we are to grow our job base. Over the last forty years, we have witnessed the movement of jobs from our urban centers to the region's housing centers. For cities like Long Beach, it is essential that they re-examine their land use policies to assure that they can effectively compete for jobs.

If you have any questions, please contact me at 562.985.8136.

All the best,



Joseph P. Magaddino, Ph.D.
Chair and Professor of Economics

cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, OCTOBERfive development, LLC.





CALIFORNIA STATE UNIVERSITY, LONG BEACH

CENTER FOR COMMUNITY ENGAGEMENT

March 14, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

This letter serves to extend my support for the development of the Press Telegram Lofts. The changing landscape in the Downtown creates opportunity to advance our City's vision for the future while capitalizing on some of our greatest assets. This project centers itself around providing homes for our City's working class and connecting the downtown with CSULB.

As you may have recently read, only 15% of southern Californians can afford to own their own home. Furthermore, 15.8% of the Long Beach housing stock is considered to be overcrowded or extremely overcrowded. We really can't build single-family residences; we are out of raw land. So the only way we're going to be able to come close to meeting our housing requirements is to go to higher density housing, and in my opinion, the perfect place is downtown. While other local projects have focused on luxury buyers, Press Telegram Lofts will be created for the individual of middle income.

In addition the forward looking approach of providing 60 units to attract new faculty members to the CSULB is particularly appealing. At present it is becoming more and more difficult to attract strong faculty due to the cost of housing in our area, which is out of reach of most new faculty. In addition the project provides space for a link with the CSULB Center for Community Engagement, the University Art Museum and the LB Council for the Arts to house space for community based arts programming and exhibition. The planned display of community arts in a storefront gallery in the downtown corridor is an exciting addition that will encourage foot traffic along upper Pine Avenue.

This project stands out as the greatest contributor of serving this community's needs and aligns itself with our vision for the future. I encourage your support this project for the future of Long Beach.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patricia D. Rozee', written over a horizontal line.

Dr. Patricia D. Rozee
Director, Center for Community Engagement

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC



CALIFORNIA STATE UNIVERSITY, LONG BEACH

OFFICE OF ACADEMIC AFFAIRS

March 14, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

I am writing to encourage your support for the Press Telegram Lofts Project. The changing landscape in the Downtown creates opportunity to advance our City's vision for the future while capitalizing on some of our greatest assets. This project centers itself around providing homes for our City's working class and connecting the downtown with CSULB. As Provost of the university, I would like to emphasize the importance this partnership has for California State University, Long Beach.

As you know well, Long Beach faces a severe housing crisis. Only 15% of southern Californians can afford to own their own home. In Long Beach, those who cannot afford to buy homes include our most important civil servants – nurses, teachers, firemen and police officers. California State University, Long Beach is also severely impacted by this crisis. Each year, young faculty resign from our university to take positions in less desirable campuses where they can afford housing, and others cannot afford to accept our offers of new positions. All University of California campuses and many CSU's have been able to provide faculty housing or are in the process of developing it. Projects like this one are an important way for us to make sure that our faculty will live and be involved in the city.

I am also very excited about the link with the CSULB Center for Community Engagement, the University Art Museum and the LB Council for the Arts, which will house space for community based arts programming and exhibition. These are important aspects of our campus commitment to collaboration with the community, and will help the university to contribute more meaningfully to the downtown revitalization and cultural life.

Bonnie Lowenthal, Councilmember
Page Two
March 22, 2006

This project stands out as the greatest contributor of serving this community's needs and aligns itself with our vision for the future. I hope that this creative project will be approved and become a centerpiece of the city's future.

Sincerely,



Dee Abrahamse
Interim Provost and Senior Vice President
for Academic Affairs

c: ✓Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC



Hyatt Regency Long Beach
200 South Pine Avenue
Long Beach, CA 90802-4553 USA

Telephone: 562.491.1234
FAX: 562.432.1972

March 14, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

The development of the Press Telegram Lofts is a positive step for Long Beach and one that I fully support. The recent redevelopments in Downtown have had an overwhelmingly positive effect on the community. However, we are still in desperate need of housing for the middle-income and first-time home buyers.

This project takes further measures to enhance the Downtown by including The Center of Community Engagement for CSULB, a permanent home for the Arts Council for Long Beach, and will provide 60 units for new tenure-track University professors.

The Press Telegram Lofts will enhance the currently underutilized city block by including owner operated Live/Work spaces which will serve to drive pedestrian traffic North on Pine Avenue. As a local business owner, my success is directly affected by an active pedestrian friendly landscape.

This project serves to fill the gap in home ownership for middle-income earning individuals and this will further diversify our Downtown. I appreciate your support for the PT project and the continued redevelopment of our Downtown.

Sincerely,

A handwritten signature in black ink, appearing to read "L. J. Chi".

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC



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Sincerely,

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Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyn C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC



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March 14, 2006

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Civic Center Plaza
333 West Ocean Blvd., 14th Floor
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Sincerely,

A handwritten signature in black ink, appearing to be "G. Miller", written over a horizontal line.

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC



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March 14, 2006

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Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC





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200 South Pine Avenue
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FAX: 562.432.1972

March 14, 2006

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City Hall Office
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Long Beach, CA 90802

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Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC





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March 14, 2006

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RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

The development of the Press Telegram Lofts is a positive step for Long Beach and one that I fully support. The recent redevelopments in Downtown have had an overwhelmingly positive effect on the community. However, we are still in desperate need of housing for the middle-income and first-time home buyers.

This project takes further measures to enhance the Downtown by including The Center of Community Engagement for CSULB, a permanent home for the Arts Council for Long Beach, and will provide 60 units for new tenure-track University professors.

The Press Telegram Lofts will enhance the currently underutilized city block by including owner operated Live/Work spaces which will serve to drive pedestrian traffic North on Pine Avenue. As a local business owner, my success is directly affected by an active pedestrian friendly landscape.

This project serves to fill the gap in home ownership for middle-income earning individuals and this will further diversify our Downtown. I appreciate your support for the PT project and the continued redevelopment of our Downtown.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carl Jupp".

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC



Onisko & Scholz, LLP

CERTIFIED PUBLIC ACCOUNTANTS

KIM JOSEPH ONISKO MA. CPA
PAUL P. SCHOLZ MS. CPA
DEANNA K. ONISKO, CPA
TAMMY L. JOHNSON, CPA

5000 E. SPRING STREET SUITE 200
LONG BEACH, CALIFORNIA 90815-5215

TELEPHONE (562) 420-3100
FACSIMILE (562) 420-3232

March 22, 2006

Carolyn C. Bihn
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

I support the Press Telegram Loft Project.

I am a resident of the city and have operated a business here since 1988. I have closely observed the fits and starts that downtown has encountered over the past 20 years.

Our community is only as strong as it's downtown nucleus. Downtown is what breaths vitality into the city as a whole. The Press Telegram Loft project enhances the downtown redevelopment area by expanding the core.

These homes will be affordable – unlike most new projects under development. We need to encourage youth and first time buyers to enter the downtown market. This will give downtown a stable, vibrant core.

Downtown redevelopment has struggled to move north up Pine Avenue. This is a chance to move in the right direction.

Sincerely,



Kim Joseph Onisko

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyn C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

Onisko & Scholz, LLP

CERTIFIED PUBLIC ACCOUNTANTS

KIM JOSEPH ONISKO MA, CPA
PAUL P. SCHOLZ MS, CPA
DEANNA K. ONISKO, CPA
TAMMY L. JOHNSON, CPA

5000 E. SPRING STREET SUITE 200
LONG BEACH, CALIFORNIA 90815-5215

TELEPHONE (562) 420-3100
FACSIMILE (562) 420-3232

March 22, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

As Managing Partner in a rapidly growing Long Beach based professional firm, I would like to go on record as strongly supporting the Press Telegram Loft Project. Our firm is undergoing rapid expansion, and the single greatest challenge that we face is hiring talented professionals who live in the community we serve.

Last year we had one valuable employee relocate to Arizona because he was unable to purchase affordable housing here. We have at least three other professional staff members right now who are at risk of leaving for the same reason. If our firm and others like it are to draw upon people who live in this community we must have quality, affordable housing nearby that will appeal to young professionals.

Our firm is committed to hiring talented people who live in our community, providing jobs and revenues to the city. Available and desirable housing in a vibrant downtown environment will help all Long Beach businesses.

Please accept this letter as my support for the development of the Press Telegram Loft Project.

Sincerely,


Paul Scholz, Partner
Onisko and Scholz, CPAs LLP

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach ✓

6621 E. Pacific Coast Hwy., #280
Long Beach, California 90803
(562) 498-3395
Fax: (562) 494-0154

March 14, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press telegram Lofts

Dear Councilmember Lowenthal:

The development of the Press Telegram Lofts is a positive step for Long Beach and one that I fully support. The recent redevelopments in the Downtown have had an overwhelmingly positive effect on the community. However, we are still in desperate need of housing for the middle-income and first-time home buyers.

As a California State University of Long Beach alumnus I feel this project not only makes up a small part of our middle income housing needs but will also provide 60 units for new tenure-track University professors, which will help alleviate turnover of faculty due to housing affordability.

The Press Telegram Lofts will enhance the currently underutilized city block by including owner operated Live/Work spaces which will serve to drive pedestrian traffic North on Pine Avenue. As a local business owner, my success is directly affected by an active pedestrian friendly landscape.

This project serves to fill the gap in home ownership for middle-income earning individuals and this will further diversify our Downtown. I appreciate your support for the PT project the continued redevelopment of our Downtown.

Sincerely,
INCO Commercial Realty, Inc.

Jon R. Sweeney
Vice President

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyn C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

INCO COMPANY

6621 E. Pacific Coast Hwy., #280
Long Beach, California 90803
(562) 498-3395
Fax: (562) 494-0154

March 14, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

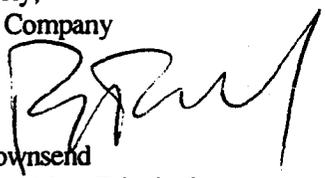
This letter encourages your support for the Press Telegram Lofts Project. The developer, October 5 Development, understands this City's tremendous need for middle-income housing, the dynamics of an exciting urban downtown, and creative living spaces that fit into the fabric of Long Beach's Downtown.

As a long time resident and Principal in a local Long Beach Real Estate firm, I realize the importance in the decision making for the revitalization of our Downtown and properly shaping our landscape for the future.

I also recognize that the Press Telegram Lofts will create an environmentally conscious building that continues Pine Avenue's pedestrian friendly character with well-designed residential units that are attractive to our middle-income residents. This project will enhance our Downtown and bring opportunity to those who are out-priced by the current real estate market.

Thank you for supporting the Press Telegram Loft Project.

Sincerely,
INCO Company



Bill Townsend
Vice President/Principal

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

6621 E. Pacific Coast Hwy., #280
Long Beach, California 90803
(562) 498-3395
Fax: (562) 494-0154

April 3, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Loft Project

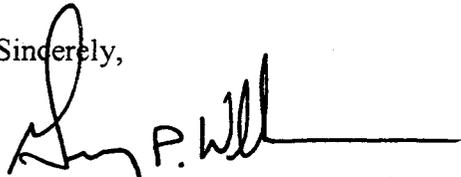
Dear Councilwoman Lowenthal:

I respectfully request that you support the development of the Press Telegram Loft Project. There is a very definite need for middle income housing in our community and this project addresses that need very well.

Pine Avenue has been the cornerstone of the rebirth of downtown Long Beach for over a decade. The Press Telegram Loft project will ensure that a vibrant and vital Pine Avenue continues as it's visionaries had planned.

As a commercial real estate broker in this community, I believe that the Press Telegram Lofts addresses many different needs all in one project.

Sincerely,



Gregory P. Williams, GRI, CCFC

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC



525 E. Seaside Way, 101-A
Long Beach, CA 90802
Phone: 562-980-7566
Fax: 562-980-7560
Web Site: ctc4u.com
E-mail: michelle@ctc4u.com

March 14, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press telegram Lofts

Dear Councilmember Lowenthal:

The development of the Press Telegram Lofts is a positive step for Long Beach and one that I fully support. The recent redevelopments in the Downtown have had an overwhelmingly positive effect on the community. However, we are still in desperate need of housing for the middle-income and first-time home buyers.

This project takes further measures to enhance the Downtown by including The Center of Community Engagement for CSULB, a permanent home for the Arts Council for Long Beach, and will provide 60 units for new tenure-track University professors.

The Press Telegram Lofts will enhance the currently underutilized city block by including owner operated Live/Work spaces which will serve to drive pedestrian traffic North on Pine Avenue. As a local business owner, my success is directly affected by an active pedestrian friendly landscape.

This project serves to fill the gap in home ownership for middle-income earning individuals and this will further diversify our Downtown. I appreciate your support for the PT project the continued redevelopment of our Downtown.

Sincerely,

Michelle Manire
President

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyn C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC



525 E. Seaside Way, 101-A
Long Beach, CA 90802
Phone: 562-980-7566
Fax: 562-980-7560
Web Site: ctc4u.com
E-mail: michelle@ctc4u.com

March 14, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press telegram Lofts

Dear Councilmember Lowenthal:

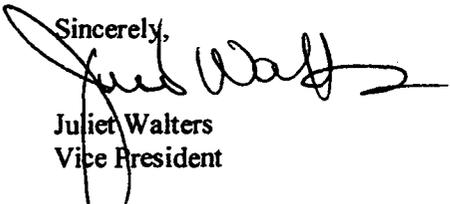
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This project takes further measures to enhance the Downtown by including The Center of Community Engagement for CSULB, a permanent home for the Arts Council for Long Beach, and will provide 60 units for new tenure-track University professors.

The Press Telegram Lofts will enhance the currently underutilized city block by including owner operated Live/Work spaces which will serve to drive pedestrian traffic North on Pine Avenue. As a local business owner, my success is directly affected by an active pedestrian friendly landscape.

This project serves to fill the gap in home ownership for middle-income earning individuals and this will further diversify our Downtown. I appreciate your support for the PT project the continued redevelopment of our Downtown.

Sincerely,



Juliet Walters
Vice President

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC



Destination and Meeting Management
"The Simple Solution"

525 E. Seaside Way, 101-A
Long Beach, CA 90802
Phone: 562-980-7566
Fax: 562-980-7560
Web Site: ctc4u.com
E-mail: michelle@ctc4u.com

March 14, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

This letter encourages your support for the Press Telegram Lofts Project. The developer, October 5 Development, understands this City's tremendous need for middle-income housing, the dynamics of an exciting urban downtown, and creative living spaces that fit into the fabric of Long Beach's Downtown.

As a local resident, I realize the importance in the decision making for the revitalization of our Downtown and properly shaping our landscape for the future.

I also recognize that the Press Telegram Lofts will create an environmentally conscious building that continues Pine Avenue's pedestrian friendly character with well-designed residential units that are attractive to our middle-income residents. This project will enhance our Downtown and bring comfort to those who are out-priced by the current real estate market.

Thank you for supporting the Press Telegram Loft Project.

Sincerely,

Marie LeBlanc
Travel Planner

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyn C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC



525 E. Seaside Way, 101-A
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E-mail: michelle@ctc4u.com

March 14, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

This letter serves to extend my support for the development of the Press Telegram Lofts. The changing landscape in the Downtown creates opportunity to advance our City's vision for the future while capitalizing on some of our greatest assets. This project centers itself around providing homes for our City's working class and connecting the downtown with CSULB.

As you may have recently read, only 15% of southern Californians can afford to own their own home. Furthermore, 15.8% of the Long Beach housing stock is considered to be overcrowded or extremely overcrowded. We really can't build single-family residences; we are out of raw land. So the only way we're going to be able to come close to meeting our housing requirements is to go to higher density housing, and in my opinion, the perfect place is downtown.

While other local projects have focused on luxury buyers, Press Telegram Lofts will be created for the working class individual of middle income. This project stands out as the greatest contributor of serving this community's needs and aligns itself with our vision for the future. I encourage your support this project for the future of Long Beach.

Sincerely,

John-Eric Hernandez
Group and Individual Travel Planner

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyn C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC



April 10, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, Ca. 90802

Re: Press Telegram Lofts

Dear Councilmember Lowenthal:

This letter is to voice my support for the Press Telegram Loft Project. This project addresses many of the goals outlined in the Long Beach Strategic Plan 2010, for example, adding 33,000 new housing units and to place that housing downtown and along major transportation corridors.

I understand the five goals of this project are to provide the following.

1. Distinctive and recognizable architecture
2. LEED Certification.
3. Quality construction.
4. Housing designed for middle-income residents.
5. 60 units reserved for USULB tenure-track faculty.

Providing housing for this City's middle-income residents is essential to local employers seeking qualified personnel. Additionally, I understand that the developer and CSULB are discussing a Center for Community Engagement as well as housing upwards of 60 University Professors.

Accounting & Consulting Corporation

15302 Central Avenue · Chino, California 91708 · Phone: 909.860.1975 · Fax: 909.860.2211

Page 2

This sounds like a cohesive project that aligns itself with the direct needs of the City of Long Beach and deserves our support. I encourage your support for this project and all that it will give back to this City for generations to come.

Sincerely



Eric kalter

Kalter Financial Group

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyn C. Bin, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC



PACIFIC RETAIL PARTNERS

August 30, 2006

Bonnie Lowenthal
City of Long Beach
333 W. Ocean Blvd., 14th Floor
Long Beach, CA 90802

**RE: Press Telegram Loft
NEC Pine & 6th St., Long Beach, CA.**

Dear Bonnie,

As you know Pacific Retail Partners represents many retailers that are looking to locate in the City of Long Beach. We continue to attempt to attract retailers to downtown Long Beach with limited success due to the lack of sufficient suitable disposable income.

While reviewing the Press Telegram Loft Project, we believe that adding +540 homes to this trade area will enhance Pine Ave., and re-energize the downtown area by delivering families with disposable income.

We would recommend that you support of this project as another vital project to enhance downtown Long Beach.

If you have any questions, please don't hesitate to call.

Very truly yours,


Michael Jensen
Pacific Retail Partners

Cc: Jim Brophy, October Five Development, LLC
Robert Stemler, Keesal, Young & Logan
Jerry Miller, City of Long Beach
Pat West, City of Long Beach



PACIFIC RETAIL PARTNERS

April 13, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 W. Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

It is important that I express to you my appreciation and support for the development of the Press Telegram Lofts project. This project serves the needs of the downtown community in many ways.

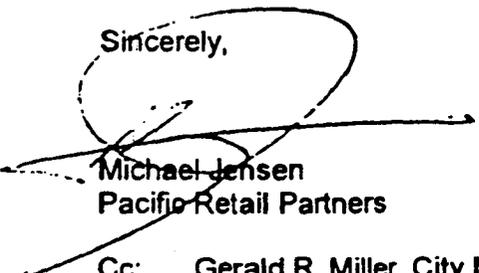
- It addresses the need for middle-income housing for first time buyers.
- It moves redevelopment further North on Pine Avenue.
- It increases residential critical mass that is required to strengthen the retail base.
- It will house an extension of CSULB, which connects the University to the downtown.

The Press Telegram Loft's greatest achievement is filling the void that current luxury projects have not. Our middle-income work force will finally have the opportunity to own their home without the need to commute from outlying areas in San Bernardino and Riverside.

For years, increasing activity northward on Pine has been a goal. This project will help to accomplish this. Not only does it connect the northern sections of downtown with the core, it also connects CSULB with downtown.

I know that your support can be counted on for this project.

Sincerely,


Michael Jensen
Pacific Retail Partners

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyn C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC



March 28, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

This letter serves to lend my support for the development of the Press Telegram Lofts. The changing landscape in the Downtown creates opportunity to advance our City's vision for the future while capitalizing on some of our greatest assets.

I understand the five goals of this project are to provide the following.

1. Distinctive and recognizable architecture.
2. LEED Certification.
3. Quality construction.
4. Housing designed for middle-income residents.
5. 60 units reserved for CSULB tenure-track faculty.

Providing housing for this City's middle-income residents is essential to local employers seeking qualified personnel, such as Pacific Hospital of Long Beach. While other local projects have focused on luxury buyers, Press Telegram Lofts will be created for the working class individual of middle income. Our employees fit this income category and having them live closer to our Hospital is a significant advantage for them and us.

I encourage your support for this project and all that it will give back to this City.

Sincerely,

Clark Todd, President

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyn C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

2776 Pacific Avenue, Long Beach, California 90806 (562) 595-1911

A HealthSmart Pacific Facility

CURTIS1000KENNY LASKAN
SALES CONSULTANT5710 E. 7TH ST. #201
LONG BEACH, CALIFORNIA 90803PHONE: 562-682-2454
PHONE 2: 800-772-3909, EXT. 6212

E-MAIL: klaskan@curtis1000.com

March 17, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA. 90802

RE: Press Telegram Lofts

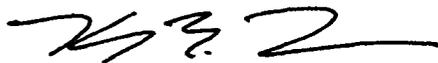
Dear Councilmember Lowenthal:

This letter serves to extend my support for the development of the Press Telegram Lofts. The changing landscape in the Downtown area not only creates opportunity to advance our City's vision for the future, but will also serve to fill the critical housing need for middle income residents. I will focus on the later issue.

Long Beach has seen a decline in elementary school age children the past 5 years. This is a disturbing sign that young couples can no longer afford to own and live in Long Beach. This is not good for the future success of this great city of ours. As a young couple with a 4 year old daughter, we are struggling to keep our dream alive of owning in Long Beach. We are thinking about moving inland; an unwilling exodus that might be necessary if projects such as the Press Telegram Lofts are not recognized as essential.

I am happy to support a project that gives back to this city, a project that stands out as the greatest contributor of serving this community's needs and aligns itself with our vision for the future. I encourage your support on this project for the future of Long Beach.

Sincerely,



Kenny Laskan

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October 5 Development, LLC



May 2, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

Please accept this letter as our support for the development of the Press Telegram Loft Project. Southern California's need for middle-income housing is increasing daily as reflected by the fact that only 15% of the population can afford to own their homes.

The Press Telegram Loft Project will serve to fill the critical housing need while activating the northern area of Pine Avenue. The vitality of Pine Avenue will expand with the integration of new residents, something we have been working to achieve for some time.

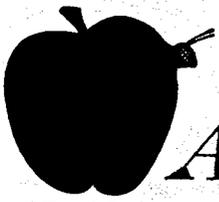
We are happy to support a project that gives back to this City, a project that provides a greater sense of diversity with its residents; a project that creates a vital link in the Downtown's commerce; and a project that encourages CSULB to become a more integral part of our downtown.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gregg W. Whelan".

Gregg Whelan
Co-chairman, Long Beach Inc.

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC



APPLEBY

Real Estate Brokerage and Property Management Services

March 23, 2006

Mr. Jim Brophy
October Five Development, LLC
100 West Broadway
Suite 205
Long Beach, CA 90802

Dear Jim:

Congratulations on your progress on the Press-Telegram Building. You should be commended for creating space for the Arts Council and allowing Cal State Long Beach to acquire commercial space at an affordable price per square foot. Furthermore, I encourage your desire to target market first time buyers and the middle-income buyers. This segment of the market is in great need of affordable housing.

If I can ever be of service, please don't hesitate to call.

Sincerely,

Phil Appleby
Broker



OctoberFive Development, LLC
Attn: Jim Brophy, Partner
100 W. Broadway, Suite 205
Long Beach, CA 90802

Re: *Letter of Support, Press Telegram Lofts*

Dear Mr. Brophy:

The City of Long Beach Economic Development Commission is pleased to offer this letter of support for OctoberFive Development, LLC's proposal to redevelop the Press Telegram building. After hearing an informative presentation on the Press Telegram Lofts project, the seventeen-member Commission voted unanimously to support this project.

The Economic Development Commission advises the Mayor and City Council on economic policies. Recently, the Commission drafted the city-wide Jobs and Business Strategy, which was adopted by the City Council as the official economic development strategic plan for the City of Long Beach. Supporting key employment centers, including health care and educational institutions, by encouraging attraction and retention of skilled employees is an important element of the Jobs and Business Strategy. We applaud OctoberFive's commitment to provide housing units in the Press Telegram Lofts at cost to California State University, Long Beach so that it may offer affordable housing as an incentive to attract and retain top-flight professors. Additionally, we appreciate the potential for the Press Telegram Lofts project to extend the revitalization of Pine Avenue north of Fourth Street.

For these reasons, we believe that the Press Telegram Lofts project will positively impact the economic development objectives of the City of Long Beach. The Economic Development Commission looks forward to the successful construction of the Press Telegram Lofts, as well as further innovative projects from OctoberFive.

Very truly yours,

Julie Heggeness, Chair
Economic Development Commission

110 Pine Avenue, Suite 1100, Long Beach, California 90802
Telephone: 562.570.3800 Fax: 562.570.3897 TDD: 562.570.3850

DOWNTOWN
LongBeach
ASSOCIATES

April 19, 2006

Mr. Jim Brophy
October Five Development, LLC
100 West Broadway, Suite 205
Long Beach, CA 90802

Re: Press-Telegram Loft Project

Dear Jim:

Please accept this correspondence on behalf of the Downtown Long Beach Associates (DLBA) Board of Directors, which supports the proposed Press Telegram Lofts project as presented at this morning's meeting.

The DLBA Directors strongly believe that this adaptive reuse project, which proposes 542 units, addresses the need for additional middle-income housing for first-time buyers; moves redevelopment further north on Pine Avenue; increases the residential population that is required to strengthen the retail base, and connects CSULB with the Downtown.

The DLBA supports the proposed Press-Telegram Lofts project as presented and believes it is an important element in the future of downtown Long Beach.

Sincerely,


Kraig Kojian
President and CEO

cc: Carolyne Binh, Zoning Officer, City of Long Beach
Suzanne Frick, Director of Planning and Building, City of Long Beach
Bonnie Lowenthal, First Councilmanic District, City of Long Beach
Gerald R. Miller, City Manager, City of Long Beach
Jane Netherton, DLBA Chairperson
file

Press-Telegram

604 PINE AVENUE, LONG BEACH, CALIFORNIA 90844 • (562) 499-1465

Mark Stevens
Publisher

March 17, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

It is important that I express to you my appreciation and support for the development of the Press Telegram Lofts project. This project serves the needs of the downtown community in many ways.

- It addresses the need for middle-income housing for first time buyers.
- It moves redevelopment further North on Pine Avenue.
- It increases residential critical mass that is required to strengthen the retail base.
- It will house an extension of CSULB, which connects the University to the downtown.

The Press Telegram Loft's greatest achievement is filling the void that current luxury projects have not. Our middle-income work force will finally have the opportunity to own their home without the need to commute from outlying areas in San Bernardino and Riverside.

For a years, increasing activity northward on Pine has been a goal, this project will help to accomplish this. Not only does it connect the northern sections of downtown with the core, it also connects CSULB with the downtown.

I know that your support can be counted on for this project.

Sincerely,



Mark Stevens

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC



April 1, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

This letter encourages your support for the Press Telegram Lofts Project. The developer, October 5 Development, understands this City's tremendous need for middle-income housing, the dynamics of an exciting urban downtown, and creative living spaces that fit into the fabric of Long Beach's Downtown.

As a local resident, I realize the importance in the decision making for the revitalization of our Downtown and properly shaping our landscape for the future.

I also recognize that the Press Telegram Lofts will create an environmentally conscious building that continues Pine Avenue's pedestrian friendly character with well-designed residential units that are attractive to our middle-income residents. This project will enhance our Downtown and bring comfort to those who are out-priced by the current real estate market.

Thank you for supporting the Press Telegram Loft Project.

Sincerely,

Mark Edrington
Associate Athletics Director/General Manager The Walter Pyramid
1250 Bellflower Blvd
Long Beach, CA 90840

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyn C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

A B E R A T H L E T I C A S S O C I A T I O N

1250 Bellflower Blvd.

Long Beach, CA 90840

OFC (562) 985-4655

FAX (562) 985-8197

TICKETS (562) 985-4949

City of Long Beach

Ryan Heiman

From: Jim Brophy
Sent: Tuesday, May 02, 2006 1:30 PM
To: Ryan Heiman
Subject: FW: Press-Telegram Mixed Use Development

Ryan:

Want to copy and pass around?

Thanks,

Jim Brophy
562-435-1255 x 40
562-435-1855 fax
www.o5d.com

-----Original Message-----

From: Ricardo Pulido [mailto:ricpulido@verizon.net]
Sent: Wednesday, April 19, 2006 3:55 PM
To: Angela_Reynolds@longbeach.gov
Cc: Jim Brophy; Bonnie_Lowenthal@longbeach.gov; Gerald_Miller@longbeach.gov;
Suzanne_Frick@longbeach.gov; Carolyne_Bihn@clongbeach.gov
Subject: Press-Telegram Mixed Use Development

Dear Councilmember Lowenthal:

It is important that I express to you my appreciation and support for the development of the Press Telegram Lofts project. I am an existing resident of the downtown Long Beach area and I see this project as a boost in serving the needs of my downtown community in many ways.

- It addresses the need for middle-income housing for first time buyers.
- It moves redevelopment further North on Pine Avenue.
- It increases residential critical mass that is required to strengthen the retail base.
- It will house an extension of CSULB, which connects the University to the downtown.

The Press Telegram Loft's greatest achievement is filling the void that current luxury projects have not. Our middle-income work force will finally have the opportunity to own their home without the need to commute from outlying areas in San Bernardino and Riverside. In addition, the Press Telegram Lofts will enhance the currently underutilized city block by including owner operated Live/Work spaces, which will serve to drive pedestrian traffic North on Pine Avenue. As a local business owner, my success is directly affected by an active pedestrian friendly landscape.

For years, increasing activity northward on Pine has been a goal for the city; this project will help to accomplish this. Not only does it connect the northern sections of downtown with the core, it also connects CSULB with the downtown.

Again, I would like to voice my support for the Press Telegram Loft Project. This project addresses many of Long Beach's goals including the addition of housing in downtown and along major transportation corridors, which would also attract retailers to come to downtown, thus servicing the needs of existing residents in the area!

I know that your support can be counted on for this project.

Sincerely,

Ricardo Pulido
Downtown Long Beach Resident

Ryan Heiman

From: Jim Brophy
Sent: Monday, April 24, 2006 1:31 PM
To: Bill Townsend (btownsend@incocompany.com); Jon Sweeney; John Sevilla (jsevilla@o5d.com); Ryan Heiman
Subject: FW: Height Variance for PT Project

Wow, check this out.

Thanks,

Jim Brophy
562-435-1255 x 40
562-435-1855 fax
www.o5d.com

-----Original Message-----

From: Phyllis Ciscle McDaniels [mailto:redwoman@charter.net]
Sent: Monday, April 24, 2006 11:35 AM
To: Frick, Suzanne
Subject: Re: Height Variance for PT Project

Dear Suzanne,

I was present at the recent Willmore City meeting at which you discussed a height variance for the Press Telegram Project. Since that time I have spoken to many of our members and residents. We think the Project, presented Jim Brophy of October 5, is a worthy project. The variance is relatively small and the assets to the community would be great.

Of note, to most of us, was the appeal to middle income people, without which the downtown area cannot flourish. The presence of the Arts and CSULB is something which has been sadly missing on the West side. Every great city needs this vital cross section of interests to succeed.

We hope you move forward with this project.

Sincerely,

Phyllis Ciscle-McDaniels

Ryan Heiman

From: Jim Brophy
Sent: Tuesday, April 25, 2006 10:43 AM
To: Ryan Heiman
Subject: FW: Economic Development Commission

Ryan:

It might be good to include a copy of this for Angela.

Thanks,

Jim Brophy
562-435-1255 x 40
562-435-1855 fax
www.o5d.com

From: Susan Rusnak [mailto:SRusnak@marronlaw.com]
Sent: Tuesday, April 25, 2006 10:18 AM
To: Jim Brophy
Subject: RE: Economic Development Commission

Jim:

I was most impressed with your presentation to the EDC Business Development Committee. The work October 5 Development is doing with Press Telegram Lofts, and particularly the collaboration with CSULB to provide affordable housing for tenure track professors, is inspiring. We certainly hope to see many more developments along these lines as they support the EDC's Jobs & Business Strategy to emphasize job growth in Long Beach's health and education sectors – and providing affordable workforce housing is key to that strategy.

Joel Fierberg, EDC Chair, and Julie Heggness, Vice Chair, were very enthusiastic about the presentation and are interested in scheduling you for the May 19th meeting of the full EDC. We meet next Tuesday morning, May 2nd, to discuss this and finalize the agenda. I will contact you on May 2nd to follow up and confirm.

Again thank you. Jim, and your team at October 5 Development for educating the Business Development Committee about your fine work.

Best Regards,

Susan Rusnak
Chair, Business Development Committee
Economic Development Commission

562-432-7422

From: Jim Brophy [mailto:jbrophy@o5d.com]
Sent: Tuesday, April 25, 2006 9:39 AM
To: Susan Rusnak
Subject:

4/25/2006

Susan:

Thank you for the opportunity to present to your group last Wednesday. We look forward to presenting the Press Telegram project to your entire group. Thanks again for the opportunity.

Sincerely,

Jim Brophy
October Five Development, LLC
100 West Broadway
Suite 205
Long Beach, CA 90802

562-435-1255 x 40
562-435-1855 fax
www.o5d.com

4/25/2006

Angela Reynolds
04/14/2006 08:18 AM

To: Craig Chalfant/CH/CLB@CLB
cc:
Subject: Comments: Press-Telegram Property

Angela Reynolds, AICP
Planning Officer
Planning & Building Department
City of Long Beach
(562) 570-6357

Building a Great City, Delivering Exceptional Service
----- Forwarded by Angela Reynolds/CH/CLB on 04/14/2006 08:18 AM -----



"Steve Stark"
<steve.stark@charter.net>
04/13/2006 08:54 PM

To: <angela_reynolds@longbeach.gov>
cc: <craig_chalfant@longbeach.gov>
Subject: Comments: Press-Telegram Property

Hello. I am excited by and very supportive of the plans to develop the P-T property into two 22 story mix-used buildings. It is time to start expanding downtown away from Ocean Blvd. I believe it will help property values in this section of downtown. Please contact me if you have any questions. Thank you.

Steve Stark
403 West 7th Unit 208
Long Beach CA 90813
562.400.5011



Mo Tidemanis
<mtideman@csulb.edu
>

04/18/2006 11:38 AM

To: jemiller@longbeach.gov, rehami@longbeach.gov,
Suzanne_frick@longbeach.gov, Carolyne_bihn@longbeach.gov
cc: District1@longbeach.gov
Subject: Press Telegram Lofts Project

Hello, Jerry and team. As you may be aware, I have been leading the CSULB effort to create affordable housing opportunities for our faculty and staff. This has become an very critical issue for the university. A major step in this process is the opportunity that has been created at the proposed Press Telegram project.

As you know, we have established an agreement with the developer (October5) to purchase 60 units in the project at below market prices. We plan to resell the units to our faculty and staff, with a restriction that they must be resold to the university at a very restricted rate of appreciation when they leave CSULB or retire, so they can become affordable to the next faculty or staff member.

Although some of our faculty and staff with families may not have an interest in loft style units, we believe a number of single, married without children, or other categories of faculty and staff will find the loft units very desirable, especially since these types of units are generally more affordable than larger units. In this regard, please be aware that we have not requested that the developer build larger units. Consistent with the feedback we have received from our faculty and staff, our primary concern is affordability. We anticipate that the size and type of units will be determined by the market, the developer, and the City of Long Beach.

Thanks again for your help in our efforts to create affordable housing for CSULB faculty and staff.

Mo Tidemanis
Director of Real Estate
CSULB Foundation
562-985-8489

March 14, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

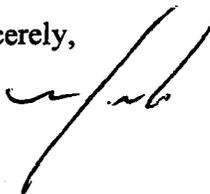
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The PT Lofts will serve to fill the critical housing need while activating the northern area of Pine Avenue. The vitality of Pine Avenue will expand with the integration of new residents, something we have been working on for over 15 years now.

I am happy to support a project that gives back to this City, a project that provides a greater sense of diversity with its residents; a project that creates a vital link in the Downtown's commerce; and a project that encourages CSULB to become a more integral part of our downtown.

Sincerely,

 P.O. Box 8550 Long Beach
90808

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

April 7, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

~~This letter is to voice my support for the Press Telegram Loft Project. This project addresses many of the goals outlined in the Long Beach Strategic Plan 2010, for example, adding 33,000 new housing units and to place that housing downtown and along major transportation corridors.~~

I understand the five goals of this project are to provide the following.

1. Distinctive and recognizable architecture.
2. LEED Certification.
3. Quality construction.
4. Housing designed for middle-income residents.
5. 60 units reserved for CSULB tenure-track faculty.

Providing housing for this City's middle-income residents is essential to local employers seeking qualified personnel. Additionally, I understand that the developer and CSULB are discussing a Center for Community Engagement as well as housing upwards of 60 University Professors.

This sounds like a cohesive project that aligns itself with the direct needs of the City of Long Beach and deserves our support. I encourage your support for this project and all that it will give back to this City for generations to come.

Sincerely,



Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyn C. Bin, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

ANDERSON PACIFIC, LLC

August 29, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

This letter is to voice my support for the Press Telegram Loft Project. The reason for my support is that this project addresses certain key goals outlined in the "Long Beach Strategic Plan 2010." We see important compatibility between the Loft Project and the Strategic Plan in the following areas:

1. Placing new housing downtown along major transportation corridors;
2. Environmentally sensitive and quality construction through LEED Certification;
3. Preservation of the facade of an important recognizable building while providing new and modern housing for middle-income residents.

As we all know, housing costs are extremely high and providing housing for this City's middle-income residents is essential to local employers seeking qualified personnel. Additionally, I understand that the developer and CSULB are discussing a Center for Community Engagement as well as housing upwards of 60 University Professors, a sorely needed facility and housing for such an important Long Beach institution.

I encourage your support for this project since it aligns itself with the direct needs of the City of Long Beach.

Sincerely,



James R. Anderson
President & CEO
AndersonPacific, LLC

cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyn C. Bin, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

April 26, 2006

Bonnie Lowenthal, Councilmember

City Hall Office

333 West Ocean Blvd., 14th Floor

Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

It is important that I express to you my appreciation and support for the development of the Press Telegram Lofts project. This project serves the needs of the downtown community in many ways.

- It addresses the need for middle-income housing for first time buyers.
- It moves redevelopment further North on Pine Avenue.
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The Press Telegram Loft's greatest achievement is filling the void that current luxury projects have not. Our middle-income work force will finally have the opportunity to own their home without the need to commute from outlying areas in San Bernardino and Riverside.

For a years, increasing activity northward on Pine has been a goal, this project will help to accomplish this. Not only does it connect the northern sections of downtown with the core, it also connects CSULB with the downtown.

I know that your support can be counted on for this project.

Sincerely,

Kamran Assadi



Cc: Gerald R. Miller, City Manager, City of Long Beach

Suzanne M. Frick, Director of Planning and Building, City of Long Beach

Carolyne C. Bihn, Zoning Officer, City of Long Beach

James P. Brophy, October Five Development, LLC

March 14, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

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This letter is to voice my support for the Press Telegram Loft Project. This project addresses many of the goals outlined in the Long Beach Strategic Plan 2010, for example, adding 33,000 new housing units and to place that housing downtown and along major transportation corridors.

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Providing housing for this City's middle-income residents is essential to local employers seeking qualified personnel. Additionally, I understand that the developer and CSULB are discussing a Center for Community Engagement as well as housing upwards of 60 University Professors.

This sounds like a cohesive project that aligns itself with the direct needs of the City of Long Beach and deserves our support. I encourage your support for this project and all that it will give back to this City for generations to come.

Sincerely,



PATRICK BONNET
3121, E. 10th St # C
LONG BEACH, CA 90804

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyn C. Bin, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

March 20, 2006

249 E. OCEAN BLVD.
SUITE 310
LONG BEACH, CA 90802
T: (562) 495-6070
F: (562) 495-6072
WWW.BLAIRCOMMERCIAL.COM



Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

This letter is to voice my support for the Press Telegram Loft Project. This project blends historic architecture with modernization. The concept and design is well thought out and respectful of the surrounding area.

Not only will the Press Telegram Building Project revitalize the upper Pine district but it will serve as the anchor for future growth north and south on Pine. The developer also provides an opportunity to Teachers for CSULB housing. The project is a WIN for everyone. I cannot imagine anyone NOT supporting the Project.

I encourage your support for this project and all that it will give back to this City for generations to come.

Sincerely,
Becky Blair
Broker

Blair Commercial Real Estate, Inc.

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bin, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

March 16, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

Please accept this letter as my support for the development of the Press Telegram Loft Project. Southern California's need for middle-income housing is almost beyond comprehension, as now, only 15% of the population can afford to own their homes.

The PT Lofts will serve to fill the critical housing need while activating the northern area of Pine Avenue. The vitality of Pine Avenue will expand with the integration of new residents, something we have been working on for over 15 years now.

I am happy to support a project that gives back to this City, a project that provides a greater sense of diversity with its residents; a project that creates a vital link in the Downtown's commerce; and a project that encourages CSULB to become a more integral part of our downtown.

Sincerely,



Leah Cameron
5922 Bixby Village Dr, #125
Long Beach, CA 90803

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

March 22, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

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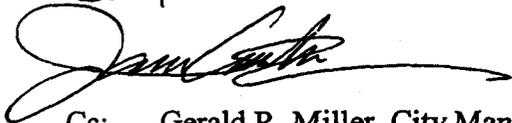
As a local resident, I realize the importance in the decision making for the revitalization of our Downtown and properly shaping our landscape for the future.

I also recognize that the Press Telegram Lofts will create an environmentally conscious building that continues Pine Avenue's pedestrian friendly character with well-designed residential units that are attractive to our middle-income residents. This project will enhance our Downtown and bring comfort to those who are out-priced by the current real estate market.

Thank you for supporting the Press Telegram Loft Project.

Sincerely,

JASON CANTU
1661 LAVERNE AVE
LONG BEACH CA 90803



Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC



International City Escrow, Inc.

Complete
Escrow Service

5000 E. Spring Street, Suite 120, Long Beach, CA 90815-1270, Tel: (562) 497-9777 Fax: (562) 497-9890

March 14, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal,

This letter serves to herald of our support of the Press Telegram Loft project, as well as to encourage you to carry our message to others in the Long Beach planning environment that can help make this project happen.

The PT Lofts offer Long Beach creative, well designed, and quality built housing units within reach of the middle income and/or first time homebuyer. Local workers can now live and work in their community thereby eliminating the stress and environmental impact of a lengthy commute. Local retail and service businesses will enjoy the positive influences derived from the increase in the number of family units residing Downtown. A project of this quality and magnitude can only enhance and energize the continued growth and development of Pine Avenue.

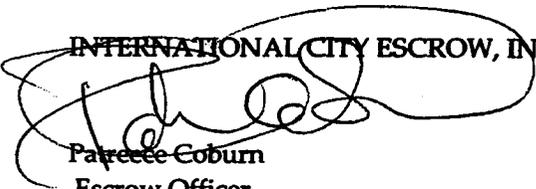
Octoberfive Development is to be commended for the depth of their support for our City in its selection of local Long Beach businesses to provide the real estate and ancillary services, such as escrow and title insurance to market and sell these units. This action is especially significant since it creates as wells as sustains employment and keeps assets within our community.

Additionally, drawing CSULB into the Downtown in such a resourceful way can only work to further enhance the relationship between this dynamic entity and the core of our City.

This project clearly focuses on meeting the goals and needs of the City of Long Beach. Please consider our comments and give your support to this worthwhile project that will be not only a beautiful addition to our skyline, but a project that will benefit future generations to come.

Sincerely,

INTERNATIONAL CITY ESCROW, INC.


Paulette Coburn
Escrow Officer

CC: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyn C. Bin, Zoning Officer, City of Long Beach
James P. Brophy, Octoberfive Development, LLC

BANCAP

192 Marina Drive
Long Beach, California 90803

August 29, 2006

(562) 598-3351
FAX: (562) 430-0712
www.bancap.biz

Bonnie Lowenthal
Councilmember, 2nd District
City of Long Beach
333 West Ocean Blvd. 14th Floor
Long Beach, CA 90802

Dear Bonnie,

Recently, I reviewed a presentation by Jim Brophy on the Press Telegram project. He and his partners have been very creative in developing a sincere and practical approach to a LEED residential project which should set a standard for Long Beach. At the Water Department we have been working closely with him on the use of native California landscaping for the roof garden and the possibility of installing individual water meters for the units to encourage water conservation.

Jim is a forward thinking developer who really cares about our City and what he builds here. I hope that you will embrace the Press Telegram project. It provides a positive example of how developers can have a positive impact on conservation and ecologically sound construction practices in our community.

Sincerely,



Stephen T. Conley
Chairman

Cc: Jerry Miller

Jim - good presentation today -



April 26, 2006

Bonnie Lowenthal, Councilmember
 City Hall Office
 Civic Center Plaza
 333 West Ocean Blvd., 14th Floor
 Long Beach, CA 90802

RE: Press-Telegram Lofts

Dear Councilmember Lowenthal:

This morning, the Arts Council for Long Beach Board of Directors enjoyed a presentation by October 5 Development's Jim Brophy, John Sevilla, and Ryan Heiman of their proposed Press-Telegram Lofts development. This letter is to voice the enthusiastic support of the Arts Council for the Press-Telegram Loft Project concept. This project addresses many of the long-term downtown development goals laid out in the Long Beach Strategic Plan 2010, a document that is also guiding much of the programmatic work of our organization. We are eager to partner with October 5 as they add housing units on Pine Avenue to support the influx of middle class residents who will also become audiences for the arts.

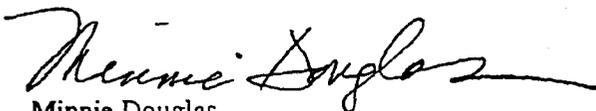
As a key resident of the downtown core, the Arts Council is eager to find a promised "home" in this project. As you probably know, October 5 has offered title free of charge to approximately 8,600 square feet of office and program space to the Arts Council on the ground floor and basement of the Press-Telegram building. This would nearly triple our current space. An arts gallery, a dance studio, lecture hall, art-making classroom plus office space for staff is included in the floor plan. That we will have a direct relationship to the University and their School of Fine Arts and Center for Community Engagement offers real opportunities for collaborations for both the Arts Council and CSULB. We feel the entire city will benefit from this nexus of arts, culture and education in the heart of the Long Beach.

www.artslb.org
 f: 562-432-5175
 p: 562-432-5100
 110 West Ocean Boulevard Suite 20 Long Beach California 90802

The Arts Council's programs and impact will be greatly enhanced by a site that offers arts experiences to hundreds of residents housed above us and provides an on-the-street arts gallery and appropriate venues for educational experiences of all kinds to adults and children during both day and evening hours.

As October 5 and the City of Long Beach continue to consider the benefits of this project to the citizens and tourists in our city, the Arts Council wishes to indicate its unqualified support for the concept of a residential development that includes distinct and quality arts and cultural amenities as a core contribution to its residents and the general public.

Sincerely,



Minnie Douglas
President, Board of Directors
Arts Council for Long Beach

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bin, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

March 22, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

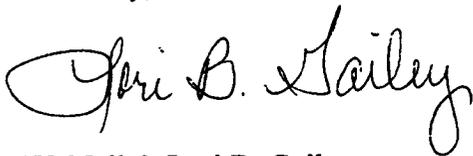
Dear Councilmember Lowenthal:

Please accept this letter as our support for the development of the Press Telegram Loft Project. Southern California's need for middle-income housing is almost beyond comprehension, as now, only 15% of the population can afford to own their homes. In the last few years many of our friends and acquaintances who were renting in Long Beach have had to move to outlying areas to find affordable housing they could purchase.

The PT Lofts will serve to fill the critical housing need while activating the northern area of Pine Avenue. The continued revitalization of Pine Avenue with people who own their homes can only improve our community and add support to the many businesses in the area.

We are happy to support a project that gives back to this City, a project that provides a greater sense of diversity with its residents; a project that creates a vital link in the Downtown's commerce; and a project that encourages CSULB to become a more integral part of our downtown.

Sincerely,



W. Neil & Lori B. Gailey
1750 E Ocean Blvd. #901
Long Beach, CA 90802

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

March 22, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

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W. Neil & Lori B. Gailey
1750 E Ocean Blvd. #901
Long Beach, CA 90802

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

March 14, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

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3. Quality construction.
4. Housing designed for middle-income residents.
5. 60 units reserved for CSULB tenure-track faculty.

Providing housing for this City's middle-income residents is essential to local employers seeking qualified personnel. Additionally, I understand that the developer and CSULB are discussing a Center for Community Engagement as well as housing upwards of 60 University Professors.

This sounds like a cohesive project that aligns itself with the direct needs of the City of Long Beach and deserves our support. I encourage your support for this project and all ~~that it will give back to this City for generations to come.~~

Sincerely,



Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bin, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

C. Joseph Heinz

4250 Vermont Street
Long Beach, California 90814-2946
(562)621-6546

May 3, 2006

Bonnie Lowenthal, Councilmember
City Hall Office, Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90812

RE: Press Telegram Lofts

Dear Councilmember Lowenthal,

I would like to express my appreciation for your support of the development of the Press Telegram Lofts project. This project/development will help serve the needs of our Downtown community in many ways:

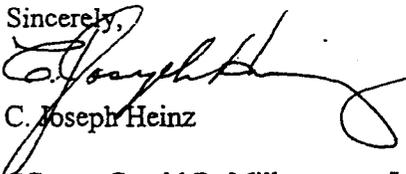
- It addresses the need for middle income housing for 1st time buyers
- It moves the redevelopment further North on Pine Avenue
- It will house an extension of CSULB, which connects the University into the center of Long Beach – something that I, personally, work on while at CSULB myself
- It will allow more people to live where they work and eliminate unnecessary driving and congestion

The Press Telegram Loft's greatest goal is to fill a void that the luxury projects don't. Our middle-income work force will have the opportunity to own their home without the need to commute from outside our community.

The increased redevelopment, northward on Pine Avenue and else where in the downtown area has been a community goal for years and the project will work toward this accomplishment. Not to overlook the fact that one of our greatest resources, CSULB, will become a real part of Long Beach and the downtown area.

I truly hope that I can count on your support.

Sincerely,


C. Joseph Heinz

CC: Gerald R. Miller James P. Brophy
Suzanne M. Frick Carolyne C. Bihn

Joseph D. Herron
4307 Massachusetts St.
Long Beach, CA 90814

April 26, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

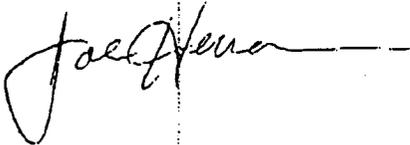
I am writing to express my support for the development of the Press Telegram Lofts. This project addresses the important issue of providing homes for our city's working class and at the same time provides a conduit for connecting downtown Long Beach with CSULB. It is my understanding that it will also provide highly visible space for the arts community.

It is of great concern to me that so few southern Californians can afford to own their own home. With very little undeveloped space left in our city, the only way we're going to be able to come close to meeting our housing requirements is to go to higher density housing. The perfect place is downtown, close to public transportation and other existing services.

It is my understanding that the Press Telegram Lofts will be targeted toward families of middle income, as opposed to the high-end projects that recently been completed. We need this kind of balance downtown. This project has the potential to stand out as a great example of serving the needs of a different, but equally deserving and important part of our community. Perhaps other developers will follow if this project is given enough support.

I encourage your support this project for the future of Long Beach.

Sincerely,



Nini M. Horn • 3944 Pine Avenue • Long Beach, California 90807

April 26, 2006

Mr. Gerald R. Miller
City Manager, City of Long Beach
333 West Ocean Blvd.
Long Beach CA 90802

RE: Press Telegram Lofts

Dear Gerry,

I am writing to offer my strongest support for the Press Telegram Lofts project on Pine Avenue. The presentation to the Arts Council Board this morning by Mr. Jim Brophy and colleagues impressed our members and won their enthusiastic endorsement.

Needless to say, I would endorse a project that enhances a downtown presence for both California State University, Long Beach and the Arts Council, having been involved with both of these institutions for decades as you know!

Quite apart from the benefits to both CSULB and the Arts Council, this project has so much more to commend it. Creating needed and affordable housing, enlivening Pine Avenue north of 6th, integrating "Green" components with striking architecture, should win the support of all who want to make Downtown a vibrant and commercially successful area.

Thank you for your favorable consideration as you work to enhance this important area of the city.

With kindest regards,

Sincerely,



Nini Horn

CC: Rae Gabelich, Councilmember, 8th District
Suzanne M. Frick, Director of Planning
Carolyn C. Bihn, Zoning Officer
James P. Brophy, October Five Development, LLC

John W. Humphrey, Ph.D.

April 4, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: PRESS-TELEGRAM LOFTS

Dear Councilmember Lowenthal:

This letter is to voice my strong support for the "Press-Telegram Loft Project." This project addresses not only the goals outlined in the *Long Beach Strategic Plan 2010*, but the Southern California Association of Government's *COMPASS Plan for 2010-2030*, both of which direct the placement of higher density housing downtown and along major transportation corridors.

As you are well aware, the City is desperately in need of additional housing units. Although the 1990 Census revealed that 10.9% of our housing units were already classified as "overcrowded/extremely overcrowded," during the decade of the 1990s Long Beach experienced a net increase of only 2,524 residential units while adding some 37,000 new residents. Consequently, there was a 50% increase in the number of overcrowded units. And although several thousand new housing units have been added to the Downtown area since 2000, far too many of these are beyond the financial means of a large proportion of our residents, and they most definitely do not address the needs of our young families. While "affordable housing" once referred to shelter for low-income families, today it includes a large and increasing portion of our middle-class population as well. This failure to provide an adequate supply of suitable housing is already beginning to inflict economic hardships on the City, and there is no more graphic example of this problem than the difficulty our universities and colleges have in retaining promising faculty because they are unable to purchase a home here. If for no other reason, the fact that the Press-Telegram Loft Project's project will make 60 units available at cost to the CSULB Foundation for faculty use makes a compelling argument for increasing the site's height and density requirements.

SCAG currently projects the addition of 65-70,000 new residents - about half of whom are already living here as children -- to Long Beach by 2030. If we are going to adequately house these new residents, we must judiciously increase residential densities. And if we are not going to allow increased densities in the PD-30 area, where are we going to do it? Although this project alone will most certainly not solve this problem, it provides a far more suitable model for appropriate density than do recent projects like Camden and Aqua.

Having been briefed by Mr. Brophy on this project, the Press-Telegram Loft Project is, in my professional opinion, a very well-planned, cohesive project that aligns itself with the direct needs of the City of Long Beach and deserves our enthusiastic support. I urge you to fully support this project and do everything in your power to ensure that it is successful. Should you wish to discuss this matter with me or obtain additional demographic information relevant to the project, please contact me at (562) 544-6883 or advplan@ix.netcom.com. I shall be pleased to provide any assistance you may deem acceptable in your evaluation of this worthwhile project for your district and the City of Long Beach.

Sincerely,



John (Jack) Humphrey, Ph.D.

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bin, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

March 22, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press telegram Lofts

Dear Councilmember Lowenthal:

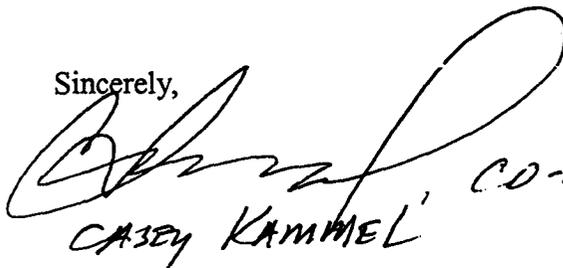
The development of the Press Telegram Lofts is a positive step for Long Beach and one that I fully support. The recent redevelopments in the Downtown have had an overwhelmingly positive effect on the community. However, we are still in desperate need of housing for the middle-income and first-time home buyers.

This project takes further measures to enhance the Downtown by including The Center of Community Engagement for CSULB, a permanent home for the Arts Council for Long Beach, and will provide 60 units for new tenure-track University professors.

The Press Telegram Lofts will enhance the currently underutilized city block by including owner operated Live/Work spaces which will serve to drive pedestrian traffic North on Pine Avenue. As a local business owner, my success is directly affected by an active pedestrian friendly landscape.

This project serves to fill the gap in home ownership for middle-income earning individuals and this will further diversify our Downtown. I appreciate your support for the PT project the continued redevelopment of our Downtown.

Sincerely,


CO-OWNER EXECUTIVE FITNESS
CASEY KAMMEL

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC



EXECUTIVE FITNESS
A Private Training Studio

September 7, 2006

To: City of Long Beach Planning Commission
From: Casey & Lisa Kammel

RE: Press Telegram Lofts

First we would like to say that we are 10 year residents of downtown Long Beach and business owners as well. We reside at the Harbor Place Tower on Ocean Blvd. and Linden Ave. We also own Executive Fitness located at 443 Pine Ave. in the commercial space of the Kress Loft building. Not only do we own the business Executive Fitness but we also own the property.

We would like to take this opportunity to express our opinions in favor of the Press Telegram Loft project.

Executive Fitness is now in its tenth year of business. When we heard of the Press Telegram Loft project we were ecstatic.

We see this as an opportunity for the city to finally bridge the gap between 7th Street and Ocean Blvd. Executive Fitness has been located at 5th and Pine for ten years now and there are still people who do not know we are there because they never cross 3rd Street.

We also feel that the Press Telegram Lofts will diversity by bringing in the middle income buyer creating a wider customer base for downtown business.

The more diverse customer base will also bring opportunity for more sustainable business on Pine Ave.

Finally the Press Telegram Loft project will allow the people who work in the city of Long Beach to also reside here as well. The faculty of CSULB, Police officers, Fire fighters and other city employees will have a better opportunity to own a home within the city where they work and play.

Thank you for the opportunity to voice our opinion.


Casey & Lisa Kammel

6260 El Paseo Street
Long Beach, California 90815

CRAIG

April 30, 2006

The Honorable Bonnie Lowenthal
Councilmember, District 1
City of Long Beach
333 West Ocean Boulevard, 14th Floor
Long Beach, CA 90802

SUBJECT: Press-Telegram Lofts

Dear Councilmember Lowenthal,

Thank you very much for your support on the development of the Press-Telegram Lofts project in Long Beach. This project is very important and serves the needs of the downtown and community as a whole. The project:

- Addresses the need for middle-income housing for first time buyers,
- Houses an extension of California State University, Long Beach that connects CSULB to the downtown area,
- Increases the residential critical mass that will strengthen the retail base, and
- Moves development further north on Pine Avenue.

The middle-income work force will finally be able to have the opportunity to find affordable housing in the community that they work, thereby eliminating the need to find homes in the outlying areas such as San Bernardino and Riverside. Through the various community meetings that I attend, I constantly hear the need for affordable middle-income housing in order to retain and attract a viable workforce for Long Beach.

The Press-Telegram Lofts is a critical project to the overall success of the future of Long Beach. Your support on this project is greatly appreciated.

Sincerely,



Annette Kashiwabara

c: Gerald Miller
Suzanne Frick
Carolyn Bihn
James Brophy

ARCO Center

March 16, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

ARCO Center
Office of the Building
300 Oceangate, Suite 400
Long Beach, California 90802

PH (562) 435-8200
FX (562) 437-1810

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

On behalf of The Swig Company, it is important that I express to you our appreciation and support for the development of the Press Telegram Lofts project. This project serves the needs of the downtown community in many ways.

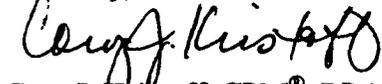
- It addresses the need for middle-income housing for first time buyers.
- It moves redevelopment further North on Pine Avenue.
- It increases residential critical mass that is required to strengthen the retail base.
- It will house an extension of CSULB, which connects the University to the downtown.
- It will add affordable residential inventory to house corporate employers' workforces which will serve to strengthen the office market in the downtown.

The Press Telegram Loft's greatest achievement is filling the void that current luxury projects have not. Our middle-income work force will finally have the opportunity to own their home without the need to commute from outlying areas in San Bernardino and Riverside.

For a years, increasing activity northward on Pine has been a goal, this project will help to accomplish this. Not only does it connect the northern sections of downtown with the core, it also connects CSULB with the downtown.

I know that your support can be counted on for this project.

Sincerely,



Cory J. Kristoff, CPM[®], RPA
General Manager
ARCO Center

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

Ian Lamont
270 Belmont Ave
Long Beach, Ca 90803

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

March 14, 2006

RE: Press Telegram Loft Project

Dear Bonnie:

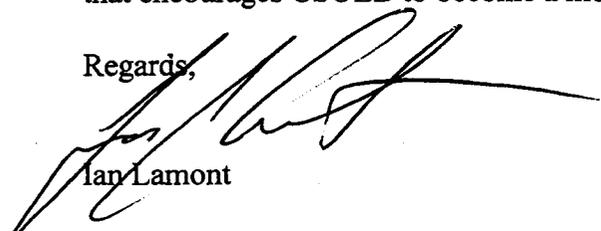
Please add my support for the development of the Press Telegram Loft Project. This project began while I was Publisher of the PT and made so much sense I became a staunch advocate within my company to sell the PT Building and property for local development. Now that my wife and I are back as residents of Long Beach (and loving every minute of it) I want to see the project become a reality.

Southern California's need for middle-income housing is almost beyond comprehension, as now, only 15% of the population can afford to own their homes.

The PT Lofts will fill a critical housing need while activating the northern area of Pine Avenue. The vitality of Pine Avenue will expand with the integration of new residents, something that is a natural extension of all the development the Council and City has done below Sixth.

So please add me to your list of enthusiastic supporters of this project that gives back to the City I love, a project that provides a greater sense of diversity with its residents; a project that creates a vital link in the Downtown's commerce; and a project that encourages CSULB to become a more integral part of our downtown.

Regards,



Ian Lamont

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyn C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

March 14, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press telegram Lofts

Dear Councilmember Lowenthal:

The development of the Press Telegram Lofts is a positive step for Long Beach and one that I fully support. The recent redevelopments in the Downtown have had an overwhelmingly positive effect on the community. However, we are still in desperate need of housing for the middle-income and first-time home buyers.

This project takes further measures to enhance the Downtown by including The Center of Community Engagement for CSULB, a permanent home for the Arts Council for Long Beach, and will provide 60 units for new tenure-track University professors.

The Press Telegram Lofts will enhance the currently underutilized city block by including owner operated Live/Work spaces which will serve to drive pedestrian traffic North on Pine Avenue. As a local business owner, my success is directly affected by an active pedestrian friendly landscape.

This project serves to fill the gap in home ownership for middle-income earning individuals and this will further diversify our Downtown. I appreciate your support for the PT project the continued redevelopment of our Downtown.

Sincerely,



Charles W. Legeman
President
Isthmus Corporation

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

Leonard Lovett
525 East Seaside Way, #2103
Long Beach, CA 90802

April 27, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Bonnie:

It is important that I express to you my appreciation and support for the development of the Press Telegram Lofts project. This project serves the needs of the downtown community in many ways.

- It addresses the need for middle-income housing for first time buyers.
- It moves redevelopment further North on Pine Avenue.
- It increases residential critical mass that is required to strengthen the retail base.
- It will house an extension of CSULB, which connects the University to the downtown, as well as the Arts Council for Long Beach (PCA), which will create a flourishing arts center in the downtown area.

The Press Telegram Loft's greatest achievement is filling the void that current luxury projects have not. Our middle-income work force will finally have the opportunity to own their home without the need to commute from outlying areas in San Bernardino and Riverside.

For a years, increasing activity northward on Pine has been a goal, this project will help to accomplish this. Not only does it connect the northern sections of downtown with the core, it also connects CSULB and the Arts Council with the downtown.

I know that your support can be counted on for this project.

Sincerely,



Leonard Lovett

cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

April 7, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

Please accept this letter as my support for the development of the Press Telegram Loft Project. Southern California's need for middle-income housing is almost beyond comprehension, as now, only 15% of the population can afford to own their homes.

The PT Lofts will serve to fill the critical housing need while activating the northern area of Pine Avenue. The vitality of Pine Avenue will expand with the integration of new residents, something we have been working on for over 15 years now.

I am happy to support a project that gives back to this City, a project that provides a greater sense of diversity with its residents; a project that creates a vital link in the Downtown's commerce; and a project that encourages CSULB to become a more integral part of our downtown.

Sincerely,



Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyn C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC



April 21, 2006

By U.S. Mail

Bonnie Lowenthal
Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

Although Lori and I are no longer residents of the Great City of Long Beach we maintain business and social ties to the community. There is rarely a week that goes by we are not either working in Long Beach or visiting dear friends. Dr. Frank Lowe keeps us, as current as possible, on the Lowenthal family activities. It is with pleasure I continue to hear of your dedication to preserving the quality of life for the residents of Long Beach.

For this reason it is important that I express to you my appreciation and support for the development of the Press Telegram Lofts project. This project serves the needs of the downtown community in many ways.

- It addresses the need for middle-income housing for first time buyers.
- It moves redevelopment further North on Pine Avenue.
- It increases residential critical mass that is required to strengthen the retail base.
- It will house an extension of CSULB, which connects the University to the downtown.

The Press Telegram Loft's greatest achievement is filling the void that current luxury projects have not. Our middle-income work force will finally have the opportunity to own their home without the need to commute from distant outlying areas.

For many years, increasing activity northward on Pine has been a goal, this project will help to accomplish this. Not only does it connect the northern sections of downtown with the core, it also connects CSULB with the downtown.

I know the principals of this development and understand their commitment to the quality of life in Long Beach. They will always give priority to the betterment of the community in their decision making process. I ask that you please give your support to the Press Telegram Loft's project.

Sincerely,

A handwritten signature in black ink that reads 'Damian McKinney'. The signature is fluid and cursive, with a large loop at the end.

Damian McKinney

cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC
Ryan Heiman, October Five Development, LLC

March 14, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

This letter is to voice my support for the Press Telegram Loft Project. This project addresses many of the goals outlined in the Long Beach Strategic Plan 2010, for example, adding 33,000 new housing units and to place that housing downtown and along major transportation corridors.

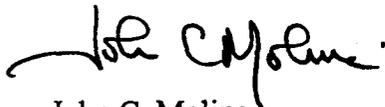
I understand the five goals of this project are to provide the following.

1. Distinctive and recognizable architecture.
2. LEED Certification.
3. Quality construction.
4. Housing designed for middle-income residents.
5. 60 units reserved for CSULB tenure-track faculty.

Providing housing for this City's middle-income residents is essential to local employers seeking qualified personnel. Additionally, I understand that the developer and CSULB are discussing a Center for Community Engagement as well as housing upwards of 60 University Professors.

This sounds like a cohesive project that aligns itself with the direct needs of the City of Long Beach and deserves our support. I encourage your support for this project and all that it will give back to this City for generations to come.

Sincerely,



John C. Molina

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bin, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

Jim Morris
214 Park Avenue
Long Beach, CA 90803

May 2, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

It is important that I express to you my appreciation and support for the development of the Press Telegram Lofts project. This project serves the needs of the downtown community in many ways.

- It addresses the need for middle-income housing for first time buyers.
- It moves redevelopment further North on Pine Avenue.
- It increases residential critical mass that is required to strengthen the retail base.
- It will house an extension of CSULB, which connects the University to the downtown, as well as the Arts Council for Long Beach, which will provide an essential arts hub in the downtown area.

The Press Telegram Loft's greatest achievement is filling the void that current luxury projects have not. Our middle-income work force will finally have the opportunity to own their home without the need to commute from outlying areas in San Bernardino and Riverside.

For a years, increasing activity northward on Pine has been a goal, this project will help to accomplish this. Not only does it connect the northern sections of downtown with the core, it also connects CSULB and the Arts Council for Long Beach with the downtown.

I know that your support can be counted on for this project.

Sincerely,



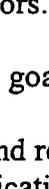
Jim Morris
Arts Council for Long Beach Board Member

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

March 21, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember ~~Lowenthal~~ 

This letter is to voice my support for the Press Telegram Loft Project. This project addresses many of the goals outlined in the Long Beach Strategic Plan 2010, for example, adding 33,000 new housing units and to place that housing downtown and along major transportation corridors.

I understand the five goals of this project are to provide the following:

1. Distinctive and recognizable architecture.
2. LEED Certification.
3. Quality construction.
4. Housing designed for middle-income residents.
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Providing housing for this City's middle-income residents is essential to local employers seeking qualified personnel. Additionally, I understand that the developer and CSULB are discussing a Center for Community Engagement as well as housing upwards of 60 University Professors.

This sounds like a cohesive project that aligns itself with the direct needs of the City of Long Beach and deserves our support. I encourage your support for this project and all that it will give back to this City for generations to come.

Sincerely,


Jane J. Netherton
President & CEO

Cc: Gerald R. Miller City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bin, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

April 7, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

It is important that I express to you my appreciation and support for the development of the Press Telegram Lofts project. This project serves the needs of the downtown community in many ways.

- It addresses the need for middle-income housing for first time buyers. ←
- It moves redevelopment further North on Pine Avenue. ←
- It increases residential critical mass that is required to strengthen the retail base. ←
- It will house an extension of CSULB, which connects the University to the downtown. ←

The Press Telegram Loft's greatest achievement is filling the void that current luxury projects have not. Our middle-income work force will finally have the opportunity to own their home without the need to commute from outlying areas in San Bernardino and Riverside.

For a years, increasing activity northward on Pine has been a goal, this project will help to accomplish this. Not only does it connect the northern sections of downtown with the core, it also connects CSULB with the downtown.

I know that your support can be counted on for this project.

Sincerely,


C.R. Pook

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

Bonnie: I believe this project is really important to ensure a "balanced" residential growth in our "Center City".
Best Regards,



March 14, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

Please accept this letter as my support for the development of the Press Telegram Loft Project. Southern California's need for middle-income housing is almost beyond comprehension, as now, only 15% of the population can afford to own their homes.

The PT Lofts will serve to fill the critical housing need while activating the northern area of Pine Avenue. The vitality of Pine Avenue will expand with the integration of new residents, something we have been working on for over 15 years now.

I am happy to support a project that gives back to this City, a project that provides a greater sense of diversity with its residents; a project that creates a vital link in the Downtown's commerce; and a project that encourages CSULB to become a more integral part of our downtown.

Sincerely,



2722 E. 20th St #10
Signal Hill CA, 90755
Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyn C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

April 7, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

Please accept this letter as my support for the development of the Press Telegram Loft Project. Southern California's need for middle-income housing is almost beyond comprehension, as now, only 15% of the population can afford to own their homes.

The PT Lofts will serve to fill the critical housing need while activating the northern area of Pine Avenue. The vitality of Pine Avenue will expand with the integration of new residents, something we have been working on for over 15 years now.

I am happy to support a project that gives back to this City, a project that provides a greater sense of diversity with its residents; a project that creates a vital link in the Downtown's commerce; and a project that encourages CSULB to become a more integral part of our downtown.

Sincerely,



Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

JILL ROSENBERG

April 26, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

Re: Press Telegram Lofts

Dear Bonnie,

I am writing to ask for your support of the Press Telegram Lofts Project. As you know this project will enable the Arts Council for Long Beach to have a permanent home, a previously impossible dream. In addition, it will provide affordable housing (a desperate need) for tenure-track teachers affiliated with CSULB.

Our arts community needs all the help and support it can get. You have repeatedly demonstrated a real understanding of these needs and once again I urge you to support the arts. This project will contribute to the revitalization of downtown as well as fulfill the tremendous need for middle-income housing. It's a win-win situation for everyone.

Thanks, Bonnie, for your thoughtful consideration of this matter.

Warmly,



April 7, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

*Hi Bonnie
Miss Seeing You*

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

~~This letter is to voice my support for the Press Telegram Loft Project. This project~~
addresses many of the goals outlined in the Long Beach Strategic Plan 2010, for example, adding 33,000 new housing units and to place that housing downtown and along major transportation corridors.

I understand the five goals of this project are to provide the following.

1. Distinctive and recognizable architecture.
2. LEED Certification.
3. Quality construction.
4. Housing designed for middle-income residents.
5. 60 units reserved for CSULB tenure-track faculty.

Providing housing for this City's middle-income residents is essential to local employers seeking qualified personnel. Additionally, I understand that the developer and CSULB are discussing a Center for Community Engagement as well as housing upwards of 60 University Professors.

This sounds like a cohesive project that aligns itself with the direct needs of the City of Long Beach and deserves our support. I encourage your support for this project and all that it will give back to this City for generations to come.

Sincerely,

Ron Sarno

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bin, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

March 14, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

This letter encourages your support for the Press Telegram Lofts Project. The developer, October 5 Development, understands this City's tremendous need for middle-income housing, the dynamics of an exciting urban downtown, and creative living spaces that fit into the fabric of Long Beach's Downtown.

As a local resident, I realize the importance in the decision making for the revitalization of our Downtown and properly shaping our landscape for the future.

I also recognize that the Press Telegram Lofts will create an environmentally conscious building that continues Pine Avenue's pedestrian friendly character with well-designed residential units that are attractive to our middle-income residents. This project will enhance our Downtown and bring comfort to those who are out-priced by the current real estate market.

Thank you for supporting the Press Telegram Loft Project.

Sincerely,



Stephen Sauer
4239 Marber Ave, Lakewood, CA 90713
Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

April 18, 2006

Bonnie Lowenthal, Councilmember
Field Office
727 Pine Avenue
Long Beach, CA 90813

RE: Press telegram Lofts

Dear Councilmember Lowenthal,

As your neighbor, and a member of your district, I feel I must share my excitement with you about the Press Telegram Loft project that is proposed just a block south of us. There is much to be excited about, and I honestly feel that this could be a main element for bringing the energy and vitality of Downtown up to our part of Pine Avenue.

This project brings many things to our neighborhood that will enhance this corner of the city, and the Downtown as a whole. The PT Lofts are about improving the city and bringing more affordable housing, responsible building, business opportunities, and vitality to a blind spot on Pine that I feel acts as a barrier for the renovations that would otherwise be traveling north on our street.

The principles in October 5 development have stated that this is to provide homes that are affordable for the middle class. This is not another project for the sole reason for providing a profit. On the contrary I understand that these units will not be available for rental investment. They cannot be bought out in blocks to be sold for profit. These units are meant to provide hard working people with well designed and reasonably priced places to live in an urban core that is central to most needs.

The Press Telegram Lofts will also be a green space with lots of open common areas built with environmental materials. The Center of Community Engagement for CSULB, a permanent home for the Arts Council for Long Beach, and 60 planned units for new tenure-track University professors will all bring people, energy and life to North Pine as a part of this project. This is not just another big box to line the pockets of investors and developers.

I am very much looking forward to the creative professionals that this project will attract to the area. The mixed use spaces that are planned for the street level will certainly attract designers, architects, photographers, web designers, and other creative professionals that need a mixed use space to efficiently balance work and personal life. All this is at a realistic price point.

The plan calls for attractive and thoughtfully designed architecture that will keep the look of the historic Press Telegram building, as well as the building on the corner of Pine and

7th St. while creating an attractive new focal point in our area. All this and the number of people who will be living in the Press Telegram Lofts will create a need for more retail in our part of Pine. There will be more walking traffic, and more things to walk to.

There is so much good in this project that can revitalize this part of Downtown. It is my hope that we can all stand behind this project and do what is best for the city by helping it to grow in a responsible way that is good for business owners, residents and the entire Downtown.

Thank you for your support of this project and all others that will bring success and life back into our city.

Your neighbor,

Kirk Saylin

711 Pine Avenue
Long Beach, CA 90813
562.733.0044



March 29, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

This letter encourages your support for the Press Telegram Lofts Project. The developer, October 5 Development, understands this City's tremendous need for middle-income housing, the dynamics of an exciting urban downtown, and creative living spaces that fit into the fabric of Long Beach's Downtown.

As a local resident, I realize the importance in the decision making for the revitalization of our Downtown and properly shaping our landscape for the future.

I also recognize that the Press Telegram Lofts will create an environmentally conscious building that continues Pine Avenue's pedestrian friendly character with well-designed residential units that are attractive to our middle-income residents. This project will enhance our Downtown and bring comfort to those who are out-priced by the current real estate market.

Thank you for supporting the Press Telegram Loft Project.

Sincerely,



Leo R. Shalbey

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyn C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC



April 7, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

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Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC



March 14, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

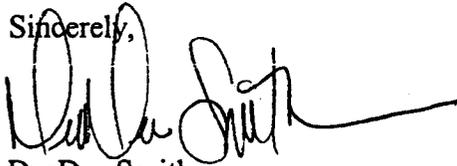
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Thank you for supporting the Press Telegram Loft Project.

Sincerely,



DeeDee Smith

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyn C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

March 14, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

RE: Press Telegram Lofts

Dear Councilmember Lowenthal:

This letter encourages your support for the Press Telegram Lofts Project. The developer, October 5 Development, understands this City's tremendous need for middle-income housing, the dynamics of an exciting urban downtown, and creative living spaces that fit into the fabric of Long Beach's Downtown.

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Thank you for supporting the Press Telegram Loft Project.

Sincerely,

Rhea Taylor ^{II}
Rhea Taylor ^{II}

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyne C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC



March 20, 2006

Bonnie Lowenthal, Councilmember
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

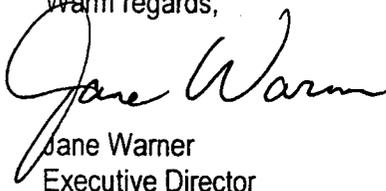
Dear Councilmember Lowenthal:

Family Service of Long Beach has owned a building at 1041 Pine Avenue for many years. We offer a variety of important services and programs to the surrounding community including family counseling, parenting classes, and a drug and alcohol recovery program for people who are rebuilding their lives. As a member of this neighborhood, I am writing to express my support of the Press Telegram Lofts project.

This project is important for a number of reasons. It moves redevelopment further North on Pine Avenue towards our office and services. It brings much needed middle-income housing for first time home buyers. The project will provide homes for the working class and connect downtown with CSULB. Family Service of Long Beach has employed interns from CSULB for many years. Having a number of tenure-track faculty members located near our office will help us strengthen our intern program and work more closely with key faculty.

For years, increasing activity northward on Pine has been an important goal. This project will help accomplish this. Moreover, providing housing for this City's middle-income residents is essential to us in seeking qualified personnel for our expanding programs. I hope that we can count on your support for this project.

Warm regards,



Jane Warner
Executive Director

Cc: Gerald R. Miller, City Manager, City of Long Beach
Suzanne M. Frick, Director of Planning and Building, City of Long Beach
Carolyn C. Bihn, Zoning Officer, City of Long Beach
James P. Brophy, October Five Development, LLC

FAMILY SERVICE of Long Beach

Administrative Office: 5500 Atherton Street, Suite 316, Long Beach, CA 90815 • (562) 493-1496 • Fax (562) 493-3753
Serving the Community Since 1934

C I T Y P L A N N I N G C O M M I S S I O N M I N U T E S

N O V E M B E R 1 6, 2 0 0 6

The regular meeting of the City Planning Commission and public hearing convened on November 16, 2006, at 1:40pm in the City Council Chambers, 333 W. Ocean Boulevard, Long Beach, CA.

PRESENT: COMMISSIONERS: Leslie Gentile, Charles Greenberg,
Morton Stuhlbarg, Charles Winn

ABSENT: EXCUSED: Matthew Jenkins, Nick Sramek

CHAIRMAN: Leslie Gentile

STAFF MEMBERS PRESENT: Suzanne Frick, Director
Greg Carpenter, Planning Manager
Carolyn Bihn, Zoning Officer
Angela Reynolds, Advance Planning
Derek Burnham, Planner
Steve Valdez, Planner
Craig Chalfant, Planner

OTHERS PRESENT: Mike Mais, Deputy City Attorney
Stephanie Reich, Urban Design Officer
Pat Smith, RDA consultant
Marcia Gold, Minutes Clerk

P L E D G E O F A L L E G I A N C E

The pledge of allegiance was led by Commissioner Greenberg.

S W E A R I N G O F W I T N E S S E S

C O N S E N T C A L E N D A R

Commissioner Winn moved to accept the staff recommendation for continuation on Items 1A, and staff recommendations on Items 1B and 1C. Commissioner Stuhlbarg seconded the motion, which passed 4-0. Commissioners Jenkins and Sramek were absent.

1A. Case No. 0606-25, Conditional Use Permit, CE 06-135

Applicant: Royal Street Communications
Laton Fuller, Representative
Subject Site: 1455 Magnolia (Council District 7)
Description: Request for approval of a Conditional Use Permit to construct and maintain a ground-mounted cellular and personal communication services facility, consisting of a forty-five foot high monopole antenna structure designed as a palm tree with accessory equipment.

Continued to the December 21, 2006 meeting.

1B. Case No. 0501-15, Conditional Use Permit, Standards Variance, ND 01-05

Applicant: Roger Peter Porter
Subject Site: 1429 Magnolia (Council District 1)
Description: Request for approval of a Conditional Use Permit to allow for the reuse of the Foster and Kleiser Building, a designated historic landmark, as a hall rental facility, with a Standards Variance request for off-site parking without a deed restriction.

Certified Negative Declaration ND 01-05 and approved the Conditional Use Permit and Standards Variance request, subject to conditions of approval.

1C. Case No. 0508-16, Administrative Use Permit, Conditional Use Permit, Standards Variance, CE 05-147

Applicant: Biblical-Christian Fellowship
Rev. Dean Randolph, Pat Brown, Rep.
Subject Site: 1520 W. Wardlow Road (Council District 7)
Description: Administrative Use Permit, Conditional Use Permit and Standards Variance to allow the establishment of a church in the CNA zoning district with off-site joint-use parking with a deed restriction located more than 600 feet from the structure.

Approved Administrative Use Permit, Conditional Use Permit and Standards Variance, subject to conditions.

REGULAR AGENDA

This item was taken out of order

5. Presentation--Draft Central Long Beach Design Guidelines

Stephanie Reich, Urban Design Officer, and Pat Smith, RDA Consultant, introduced recommended design guidelines to the Commission for their review and comments.

Commissioner Greenberg commented that he felt it would be better if the Cultural Heritage Commission was actively engaged in reviewing historically significant projects before passing them on to the Commission with their comments and recommendations. Suzanne Frick stated that staff would look into the suggestion as a possible modification.

Commissioner Winn noted that developers who wished to retain historical aspects of a project would find it hard to get an EIR approved without first going to the Commission to work out long-term changes, which could lead to appeals.

Chairman Gentile commented that the guidelines were clear and concise without dictating style and architecture, and asked that the issues of durability, quality and scale of building materials be clarified.

Commissioner Winn said he felt recycled and imitation materials should be allowed as long as they looked and felt original.

Ms. Reich stated that staff would clarify the intent of the guidelines to include appropriate materials.

CONTINUED ITEMS

2. Case No. 0602-06, Conditional Use Permit, Standards Variance

Applicant: Pat Brown
Subject Site: 85 W. Del Amo Blvd. (Council District 8)
Description: Request for approval of a Conditional Use Permit and Standards Variance to allow the operation of a childcare center with less than code required parking.

Steve Valdez presented the staff report recommending partial approval of the request since staff believes the site can support a total of only 20 children on the project site based on

the limited parking availability and relatively small size of the play area.

Pat Brown, 5390 S. 8th Street, applicant representative, presented a petition from area residents in favor of a larger operation.

Tina Brown, 85 W. Del Amo, applicant, explained that there was a great need for her services in the area, and that she wanted to provide for 30-31 children, not 20, with staggered play times to address the yard size issue. Ms. Brown added that with the varied drop-off and pick-up times, there has never been a traffic problem.

Carolyne Bihn acknowledged that the issue of yard area could be overcome by the staggered outside playtimes.

Chairman Gentile observed that in her daycare experiences, parking had not been a problem because of the brief nature of pick-ups and drop-offs, but it was important to have increased play area, and she suggested modification or removal of the garage to create more yard space.

Carolyne Bihn noted that staggering of playtimes could be used to address State and City requirements.

Tina Brown added that via a waiver, the State Licensing Analyst had agreed the house could handle 31 children.

Jessieca Pacheco, 2010-1/2 Martina Avenue, Torrance, 90501, applicant's employee, said that the operation provided quality child care to those in need and that she had never seen any parking problems created by the use.

Jesse Brown, 353 E. Plenty Street, area resident, expressed opposition to the request on the grounds that it would create dangerous traffic maneuvers.

LaToya Polk, 524 Almond Avenue #7, parent, stated that the operation was of such high quality she drove a long way to get there, and that she had never seen any traffic impacts.

Kathleen Ulep, 513 W. 228th Street, Carson, parent, agreed with Ms. Polk, expressing support for the operation which she declared was unusually affordable, safe and trustworthy.

Commissioner Winn stated that he felt the play area size issue was mitigated by the staggered playtimes.

Commissioner Winn moved to approve the Conditional Use Permit and Standards Variance subject to conditions, amending Condition #31 to allow 31 children on site.

Commissioner Greenberg noted that he would be abstaining from the vote since he had not been present for the first hearing on the issue.

Commissioner Stuhlbarg seconded the motion, asking for a condition to require removal of the garage.

Commissioner Winn accepted the addition to his motion, which passed 3-0-1, with Commissioner Greenberg abstaining and Commissioners Jenkins and Sramek absent.

R E G U L A R A G E N D A

This item was taken out of order

4. Case No. 0607-24, Administrative Use Permit, Local Coastal Development Permit, CE 06-158

Applicant: Albert Espinoza for Pet Partners
 Animal Hospital
Subject Site: 1058 E. Broadway (Council District 2)
Description: Appeal of the Zoning Administrator's
 decision to deny a request for a Local Coastal Development
 Permit and Administrative Use Permit to convert a
 commercial lease area in a residential zone to a veterinary
 clinic without boarding.

Chairman Gentile moved to continue the item to the January 4, 2007 meeting as per staff's recommendation. Commissioner Stuhlbarg seconded the motion, which passed 4-0. Commissioners Jenkins and Sramek were absent.

3. Case No. 0510-03, PD Amendment, Site Plan Review, Tract Map, Standards Variance, EIR 28-05

Applicant: Press-Telegram Lofts c/o Jim Brophy
Subject Site: 604 Pine Avenue (Council District 1)
Description: Review the adequacy of Environmental Impact
 Report No. 28-05 in accordance with Section 15204 of the
 CEQA Guidelines; a request to amend the Downtown Planned
 Development District (PD-30) to change the subarea

designation for the subject site from Downtown Mixed Use to Downtown Core; a request to amend the allowable height from 100 feet to 250 feet; a request for approval of a Site Plan Review and a Tentative Map to demolish the Meeker-Baker Building and portions of the Press-Telegram Building to construct two 22-story buildings and various four- to five-story buildings for a mixed-use project consisting of 542 residential units, 14,000 square feet of commercial space, 24,000 square feet of office/gallery space, and 1,186 parking spaces, with the following code exceptions: (1) Less than code-required parking; (2) Building setback of 7'6'' along Pine Avenue (instead of 0 feet); (3) Building setback of two feet along Locust Avenue (instead of not less than 10 feet); and (4) Parking structure at the property line along Locust Avenue and 7th Street (instead of a setback of 10 feet).

Derek Burnham presented an overview of the entitlements and the staff report recommending adoption of the EIR and continuation of the other requests to allow the Cultural Heritage Commission to take action on the project. Mr. Burnham also explained that since staff believes the project has the potential to be an asset to the area, and given the historic character of the buildings on site, along with new high-quality structures, could serve as an anchor to the northern part of downtown.

Craig Chalfant, Planner, outlined EIR chronology and listed the unavoidably significant impacts of the project.

Deputy City Attorney Mais noted that mitigation measures were not being adopted at this time, but rather would return with recommendations from the Cultural Heritage Commission (CHC).

Commissioner Greenberg commented that it was difficult to separate the EIR approval from the other requests since the input from the CHC would be an important part of the project.

Mr. Mais explained that the CHC needed the EIR to be certified before issuing the Certificate of Appropriateness; otherwise, their advice could be construed as a ruling, and even if they issued the certificate, recirculation of the draft EIR might be required.

Suzanne Frick added that there had been a preliminary review by the CHC who said they wanted to see additional design modifications.

Commissioner Greenberg said he wanted the CHC's final advice before acting on the EIR, and that this awkward process was leaving the document out of context and open to appeal. He declared he would not go further in the process until the situation was rectified.

Jim Brophy, applicant, introduced Mark Donahue.

Mark Donahue, 1278 E. 34th Street, Oakland, lead project architect, applicant representative, reviewed the shade and shadow study and addressed changes to the project that had been made in response to staff concerns.

Bill Reifsteck, 21031 Middleton, Killdeer, IL 60047, applicant's historic preservation specialist, outlined their plan to restore or reuse historical elements of the original building and the problems preventing reuse, including the dangerous and rundown interior.

Pat Gibson, 5390 E. 8th Street, Santa Monica, presented results of a parking study done by Kaku and Associates and declared that their peak demand recommendations are more accurate than staff's.

Bob Stemler, 400 Oceangate, expressed relief that due to the changes in the project, there would be less massing on top of or near Press Telegram.

Commissioner Winn expressed concern about the deteriorated interior of the building, and asked why it would be unreasonable to remove such elements as long as the outside façade remained the same.

Mr. Reifsteck pointed out that adaptive reuse was usually not possible due to life safety and code violation issues.

Commissioner Stuhlbarg noted that he had visited the site with Mr. Brophy, and agreed that the condition of the building's interior was dismal, and renovation seemed hopeless.

Chairman Gentile noted that the treatment above the building in the plans seemed to detract from the original style, and Mr. Reifsteck said they felt the step back would enhance the original façade.

Mr. Brophy added that the project would bring desperately needed affordable housing to the area, with 60 units earmarked for sale

at below market rates to the University for faculty housing. He assured the Commission that when safely and economically feasible, historical aspects of the building would be preserved and restored.

Commissioner Greenberg revealed that he had discussed project design details with applicant representative Mark Donahue.

Mark Stevens, publisher, Long Beach Press Telegram, 604 Pine Avenue, assured the Commission he was receiving no benefit from the project but felt it was a first-class effort solving many needs of the local community.

Maureen Neeley, Long Beach Heritage, 247 Termino, spoke against the project and said her group was concerned that certification of the EIR would entitle the project along with what they felt were ineffectual mitigation measures with regards to the historic aspects of the building. Ms. Neeley added that Long Beach Heritage felt the project wanted to see more study before any further approvals were given.

Tony Shooshani, City Place, 275 E. 4th Street, expressed support for the project because he felt it was a positive addition to the neighborhood.

Byron Schweigert, Long Beach Memorial Hospital, spoke in favor of the project because it would help the hospital retain staff by creating local, affordable housing.

Justin Hectus, 41 Cedar Walk, Arts Council representative, said the project also enjoyed the support of the Arts Council because they felt it would liven up the entire area and add many community resources.

Lillian Kawasaki, 4281 Country Club Drive, expressed support for the project, pointing out that this project was the first private sector development in Long Beach to receive green building certification, and would bring in crucial workforce housing.

Mo Tidemanis, 6300 State University Drive Suite 260, also spoke in favor of the project because of the overwhelming need for affordable housing for University faculty and staff, which could make the school more competitive with other institutions.

Layne Johnson, Cultural Heritage Commission, noted that the building might be eligible for State landmark status so any

radical changes to the interior or exterior would not be allowed. He added that the CHC was concerned with inconsistent changes within CEQA guidelines and that the overall impact of the design would mask the historical lines of the original building.

Carri Matsumoto, 2425 Webster Avenue, school district representative, spoke against the project, citing district concern about significant shadows covering the school across the street during the day with no mitigation measures promised, and that lack of light on the play areas of the school would have a long-term negative effect on the children there.

Michael Wylie, 714 Pacific Avenue, spoke in favor of the project because it would bring affordable housing to the area and strengthen the economic viability of the City.

Kraig Kojian, 100 W. Broadway #170, representative, Downtown Long Beach Association, expressed support for the project, citing quality of workmanship and design and the project's potential to stimulate the business corridor.

Dr. Patricia Rozee, 7890 E. Spring St. #180, representing the CSULB Center for Community Engagement, expressed support for the project, saying it would enhance the community arts program and be a visible University presence in the downtown area.

Don Darnauer, 801 Pine Avenue, Pine Plaza Homeowners Association, said it was a commendable project with quality elements and green, affordable housing. Mr. Darnauer acknowledged that area residents were concerned about construction impacts on nearby schools and shopping as well as traffic and parking problems that could result from the development, but that they felt the developer was making sincere efforts to address these problems.

John Molina, 1 Golden Shore Drive, also spoke in favor of the project, saying it was not risky or bold, and would unify the City by bringing in affordable housing and a University presence downtown.

Commissioner Winn moved to adopt the Resolution certifying EIR 28-05/SCH #2006031124; to continue the hearing on the requests for Site Plan Review, Tentative Map and Standards Variances in order to allow consideration of an application for a Certificate of Appropriateness by the Cultural Heritage Commission prior to

Planning Commission reconsideration; and to direct staff to prepare amendments to the Downtown Planned Development District.

Commissioner Greenberg agreed it was a good project but said he would not approve a bifurcation of approval of the EIR from the project without an extraordinary reason. Mr. Greenberg acknowledged that the project seemed fairly non-controversial and enjoyed widespread area support, but unresolved environmental issues remained.

Commissioner Stuhlbarg said he thought the developer should not be penalized by this situation, and he seconded the motion.

Chair Gentile agreed with the motion but expressed concern that PD-30 was problematic and that the City should first resolve these urban issues before allowing large projects in the area.

The question was called, and the motion passed 3-1. Commissioner Greenberg dissented, and Commissioners Sramek and Jenkins were absent.

This item was taken out of order and continued

4. Case No. 0607-24, Administrative Use Permit, Local Coastal Development Permit, CE 06-158

This item was heard out of order at the beginning of the agenda

5. Presentation--Draft Central Long Beach Design Guidelines

M A T T E R S F R O M T H E A U D I E N C E

There were no matters from the audience.

M A T T E R S F R O M T H E D E P A R T M E N T O F P L A N N I N G A N D B U I L D I N G

Mr. Mais announced that the State required all Commissioners to undergo two hours of mandatory ethics training before the end of the year.

M A T T E R S F R O M T H E P L A N N I N G C O M M I S S I O N

There were no matters from the Planning Commission.

A D J O U R N

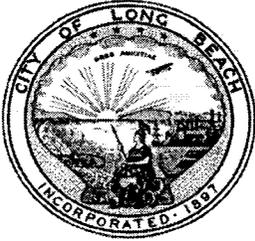
The meeting adjourned at 5:13pm

Respectfully submitted,

Marcia Gold
Minutes Clerk

Attachment #2

January 17, 2007 Cultural Heritage Commission Staff
Report, Minutes and Conditions of Approval



~~Item 5d~~

Date: January 17, 2007
To: Cultural Heritage Commission
From: Cultural Heritage Commission Staff
Subject: Discussion Item: Press Telegram Mixed-Use Development Project

PLANNING CASE [Project No. 0510-03]:

This project is brought before the Cultural Heritage Commission as a discussion item as part of the development process for the conditions of approval for the Press-Telegram Mixed-Use Development Project proposed for the area along the east side of Pine Avenue between 6th and 7th streets.

BACKGROUND:

The proposed project requires the discretionary approval of the City of Long Beach. Therefore, it is subject to the requirements of the California Environmental Quality Act (CEQA). In accordance with Section 15121 of the CEQA Guidelines, an environmental impact report (EIR) is to serve as an informational document that will inform public agency decision-makers and the public of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alterations to the project.

An EIR has been prepared for the Press Telegram Mixed-Use Development Project pursuant to Section 15161 of the CEQA Guidelines, and serves as an informational document for the public at-large and the City of Long Beach decision-makers. The process will culminate with Planning Commission and City Council hearings to consider certification of a Final EIR and approval of the project.

The project site is located in the northernmost area of downtown Long Beach, and comprises one full city block bordered to the east by Locust Avenue, to the west by Pine Avenue, to the north by 7th Street, and to the south by 6th Street. It is also bisected by Tribune Court, a private alley that runs parallel to Pine Avenue behind the Press Telegram building. The site is currently developed with six structures, including the Press Telegram facilities, which houses the newspaper's offices, non-operational printing facility, storage space and other support uses; the Meeker building (also known as the Baker building), which houses retail and restaurant uses as well as nonconforming residential uses; a parking lot; and a fast food restaurant.

The project is relevant to the Cultural Heritage Commission because it involves the extensive modification of the Press Telegram building. The Press Telegram building (604 Pine

Avenue) was built in 1924, and was identified in a preliminary survey assessment (conducted in July 2005) as well as in the project's environmental impact report as a potential City Landmark. The building has been identified as a historic resource as defined by the CEQA Guidelines.

PROJECT DESCRIPTION:

The Press Telegram project would involve construction of two high-rise structures on the Press Telegram site. Each tall structure would be approximately 22 stories and 250 feet in height. A four-story podium would surround both the high-rise structures and the general perimeter of the site. All existing improvements on the site would be demolished to accommodate the project with the exception of portions of the Press Telegram building and the façade of the Meeker building.

The project would be a mixed-use development with 542 residential units and 32,300 square-feet of commercial and institutional space. A new parking structure would provide 1,186 on-site parking spaces. Vehicular access to the project would be from Locust Avenue and 7th Street.

Under the proposed project, the applicant would retain and restore most of the original 1924-built portions of the Press Telegram building, with the exception of the manufacturing facility (the area where the newspaper was physically produced/printed). In addition, approximately 40 feet of office space behind the Pine Avenue façade of the 1930 and 1948 additions would be retained and renovated for new uses. The existing basement space, including those areas that contain the long row of large two-story printing presses and other newspaper production features, would also be removed as part of the proposed project. The remaining structure would comprise an L-shaped four-story building on the corner of Pine Avenue and 6th Street with a tall, 22-story tower rising from within its base.

ENVIRONMENTAL ASSESSMENT:

The EIR identified significant adverse impacts to the Press Telegram building. The EIR document also identified potential cumulative impacts to historic resources elsewhere in the downtown area. Mitigation measures are proposed for the building; however, they would not fully mitigate the overall impacts of the project to the Press Telegram building. With the project as proposed currently, the landmark eligibility of the Press Telegram building could be jeopardized.

The EIR has categorized the potential project impacts to this historic resource as a Class 1 impact. Class 1 impacts are defined as significant, unavoidable adverse impacts that cannot be fully mitigated. Therefore, a "Statement of Overriding Considerations" would be required pursuant to Section 15093 of the CEQA Guidelines, if the project were approved.

CONSIDERATIONS:

Should the Cultural Heritage Commission decide to formulate conditions of approval for the proposed Press Telegram Mixed-Use Development Project, the Commission must decide on the recommendation and the method of transmitting such recommendations to the Planning Commission at their upcoming meeting to be held in conjunction with the overall project.

A regular meeting of the Cultural Heritage Commission convened at 8:35 A.M.

PRESENT: COMMISSIONERS: Julie Bartolotto
E. Thor Carlson
Karen Highberger
Ana Maria McGuan
William Wynne
Layne Johnson, Chair

EX OFFICIO: Stanley E. Poe

ABSENT: " : Laura Brassler (Excused)
Kevin Doherty
Doris Felix (Excused)
Brian Ulaszewski, Vice Chair (Excused)

ALSO PRESENT: Jan Ostashay, Historic Preservation Officer
Shaine Klima, Historic Preservation Aide
Greg Carpenter, Planning Bureau Manager
Dina Lopez, City Clerk Specialist

Chair Johnson presiding.

APPROVAL OF MINUTES

There being no objection, Chair Johnson declared that the minutes of the meeting held December 20, 2006, be approved as submitted.

PUBLIC PARTICIPATION

There was no public participation.

There being no objection, Chair Johnson indicated that New Business Agenda Items 5.a. and 5.b. would be considered at this time.

NEW BUSINESS

Certificate of Appropriateness for Addition, 238 Lindero Avenue

Jan Ostashay, Historic Preservation Officer, presented the staff report, a copy of which was received and made a part of the permanent record.

January 17, 2007

Commissioner Doherty entered.

Anthony and Elizabeth Ramos, 238 Lindero Avenue, spoke regarding the proposed addition; inquired regarding window options and siding; and responded to questions.

A discussion ensued regarding the window type and fenestration, and lowering of the roof/ceiling height of the second story addition.

Commissioner Carlson moved, seconded by Commissioner McGuan, that the Certificate of Appropriateness for an addition at 238 Lindero Avenue be approved as submitted based on the staff recommendations, with further stipulations that the second story roof height be lowered to an appropriate height, the spacing between the second story addition eave line and window openings be reduced to match that currently on the existing dwelling; and the garage eaves be open and exposed like those on the residence. Carried by the following vote:

AYES:	COMMISSIONERS:	Bartolotto, Carlson, Doherty, Highberger, McGuan.
NOES:	"	: Wynne.
ABSENT:	"	: Brassler, Felix, Ulaszewski.
ABSTAINED:	"	: Johnson.

Certificate of Appropriateness for Addition, 3711 Gaviota Avenue

Jan Ostashay, Historic Preservation Officer, presented the staff report, a copy of which was received and made a part of the permanent record; and responded to questions.

Arthur and Lisa Tutson, 3711 Gaviota Avenue, and Alan Sakimoto, architect, 1441 W. 183rd Street, Gardena, spoke regarding the proposed project; and responded to questions.

Commissioner Doherty moved, seconded by Commission Wynne, that the Certificate of Appropriateness for an addition at 3711 Gaviota Avenue be approved as submitted based on the staff recommendations. Carried by the following vote:

AYES:	COMMISSIONERS:	Bartolotto, Carlson, Doherty, Highberger, McGuan, Wynne.
NOES:	"	: None.
ABSENT:	"	: Brassler, Felix, Ulaszewski.
ABSTAINED:	"	: Johnson.

UNFINISHED BUSINESS

Certificate of Appropriateness for Demolition, 650 Pine Avenue/112 E. 7th Street

Jan Ostashay, Historic Preservation Officer, presented the staff report, including the recommendations formulated by the Cultural Heritage Commission at the January 10, 2007 special meeting, a copy of which was received and made a part of the permanent record; and responded to questions.

Jim Brophy, October 5 Development, 100 W. Broadway, Suite 205, and Robert Stemler, Keesal, Young, and Logan, 400 Oceangate, provided a brief presentation to explain their proposed conditions of approval for the Meeker Building and the design of the new addition, and the setbacks on the roof and adjacent the structure; and responded to questions.

The recommended conditions of approval that were developed at the January 10, 2007 special meeting, were reviewed and discussed by the Commission and the applicant with some modifications to the conditions agreed upon, and conditions Nos. 3 and 12 stricken from the text.

Commissioner Carlson moved, seconded by Commissioner McGuan, that the Certificate of Appropriateness for the partial demolition at 650 Pine Avenue be laid over to allow applicant to work with staff to complete new plans/drawings incorporating the specific conditions and suggestions expressed at this meeting, and work with staff to modify the language of conditions Nos. 7 and 8 as appropriate.

A discussion ensued.

As a substitute motion, Commissioner Bartolotto moved, seconded by Commissioner McGuan, that the Certificate of Appropriateness for the partial demolition at 650 Pine Avenue be approved, incorporating the specific conditions and suggestions expressed at this meeting, with staff and applicant to work in modifying conditions Nos. 7 and 8 as appropriate, and with specific detail plans of the addition per conditions Nos. 9 and 10 to return to the Commission.

A discussion ensued.

As a second substitute motion, Commissioner Wynne moved, seconded by Commissioner Carlson, that the Certificate of Appropriateness for the partial demolition at 650 Pine Avenue be approved, incorporating the specific conditions and suggestions expressed at this meeting except that condition No. 3 be retained and not stricken, with staff and applicant to work in modifying conditions Nos. 7 and 8 as appropriate, and specific detail plans of the addition per conditions Nos. 9 and 10 to return to the Commission.

Discussion continued.

January 17, 2007

Commissioner Wynne, with the consent of the second, withdrew his second substitute motion.

The substitute motion carried by the following vote:

AYES:	COMMISSIONERS:	Bartolotto, Doherty, Highberger, McGuan,
NOES:	"	: Carlson, Wynne.
ABSENT:	"	: Brassler, Felix, Ulaszewski.
ABSTAINED:	"	: Johnson.

At 10:59 A.M., Chair Johnson declared a recess.

The meeting reconvened at 11:10 A.M.

PRESENT:	COMMISSIONERS:	Julie Bartolotto E. Thor Carlson Kevin Doherty Karen Highberger Ana Maria McGuan William Wynne Layne Johnson, Chair
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EX OFFICIO: Stanley E. Poe

ABSENT:	"	: Laura Brassler (Excused) Doris Felix (Excused) Brian Ulaszewski, Vice Chair (Excused)
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ALSO PRESENT: Jan Ostashay, Historic Preservation Officer
Shaine Klima, Historic Preservation Aide
Greg Carpenter, Planning Bureau Manager
Dina Lopez, City Clerk Specialist

Chair Johnson presiding.

Discussion Item: Press-Telegram Mixed-Use Development Project

Jan Ostashay, Historic Preservation Officer, presented the staff report, a copy of which was received and made a part of the permanent record; and responded to questions.

A discussion ensued regarding the preservation of the Press Telegram Building.

January 17, 2007

It was unanimously agreed following discussion, that Chair Johnson and staff would draft recommendations for the Planning Commission concerning the Press-Telegram Building project based on issues discussed today.

Chair Johnson requested that staff formulate conditions of approval for the Press Telegram Mixed-Use Development Project specific to the Press Telegram Building for formal presentation at the upcoming Planning Commission meeting; and it was unanimously agreed that Chair Johnson would represent the Commission and present the conditions of approval at the Planning Commission public hearing scheduled for February 15, 2007.

Election of Officers

Commissioner Bartolotto moved, seconded by Commissioners Carlson, that Commissioner Johnson continue as Chair and Commissioner Ulaszewski continue as Vice Chair until adoption of the new Cultural Heritage Commission ordinance. Carried by the following vote:

AYES:	COMMISSIONERS:	Bartolotto, Carlson, Doherty, Highberger, McGuan.
NOES:	"	: Wynne.
ABSENT:	"	: Brassler, Felix, Ulaszewski.
ABSTAINED:	"	: Johnson.

STAFF REPORT

Jan Ostashay, Historic Preservation Officer, narrated the staff report regarding upcoming workshops and the COA Monthly Issuance Update Report, copies of which were received and made a part of the permanent record; and responded to questions.

ANNOUNCEMENTS

Commissioner McGuan announced that Commissioner Brassler was in the hospital after breaking her arm; and that the painting of the Villa Riviera was impending.

Commissioner Wynne questioned why Department of Planning and Building staff were providing feedback on projects that was contrary to the Commission's recommendations, in particular the Ocean Center project.

Commissioner Carlson expressed concern regarding the destruction of historic properties within the City of Long Beach, which led to a brief discussion of more effective ways for the Commission to have early input on projects; and inquired if there were any upcoming projects that would be of interest to the Commission.

January 17, 2007

Commissioner McGuan inquired regarding the status of the inventory of historical landmarks.

Chair Johnson inquired regarding placing the creation of design guidelines on the February agenda; and commented regarding the January 10, 2007 study session.

Commissioner Bartolotto commented regarding the paint scheme for a building on Third Street.

ADJOURNMENT

At 12:25 P.M., there being no objection, Chair Johnson declared the meeting adjourned.

**CULTURAL HERITAGE COMMISSION
MEEKER/BAKER BUILDING CERTIFICATE OF APPROPRIATENESS (COA)
CONDITIONS OF APPROVAL:**

1. Prior to the issuance of any demolition and construction permits for the project, a "Documentation Report" similar to a Historic American Buildings Survey (HABS) level II recordation document shall be completed by the Applicant and approved by the City's Historic Preservation Officer. Such work shall be completed by a qualified historic preservation professional who satisfies the Secretary of the Interior's Professional Qualifications Standards.
2. In consultation with a qualified historic preservation professional, an interpretative plan for the property shall be produced, focusing on the significant historic themes associated with the property. The plan may consist of a public display or other suitable approach to interpreting the history of the property, as determined by the City of Long Beach. Such work shall be completed by a qualified historic preservation professional who satisfies the Secretary of the Interior's Professional Qualifications Standards.
3. Demolition permits for the removal and/or partial demolition of the Meeker/Baker Building shall not be issued until all project plans are reviewed and approved and building permits for the project are obtained by the Applicant to the satisfaction of the Director of Planning & Building and by the Planning & Building Department.
4. Prior to the issuance of a demolition permit or building permit for the Meeker/Baker Building the Applicant shall conduct an assessment to identify the character-defining features of the building's lobby area and second story hall space. The inventory assessment shall address the second story hall space and lobby area's physical/decorative features noting their location, condition, description, size and composition, and materials. Such work shall be completed by a qualified historic preservation professional who satisfies the Secretary of the Interior's Professional Qualifications Standards.
5. The Applicant shall retain in situ all (100%) of the north and west exterior walls of the building. Such efforts shall also include the retention and rehabilitation in place of the existing window openings, door openings, window frames, entry doors, and other associated features as identified by the character-defining inventory assessment. The north and west elevations of the building shall be adaptively reused as part of the larger development project. Any work proposed for these two elevations shall be conducted in a manner consistent with the "Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings." If any portion of these two walls are damaged or destroyed during the grading and/or construction phase of the project then the Applicant shall contact the Historic Preservation Officer immediately to determine the appropriate course

of action to take and shall also return to the Cultural Heritage Commission for approval for such course of action and possible mitigation.

6. The Applicant shall retain at a minimum fifty percent (50%) of the east facing wall of the building in situ and rehabilitate it pursuant to the "Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings." Rehabilitation work shall include the repair of the extant exterior wall surfaces, window openings, window frames, parapets, cornice lines, and other original features in-kind. Prior to the implementation of such work a structural feasibility analysis of the east wall shall be prepared by an independent engineer with expertise in rehabilitating historic buildings to determine if more than 50% of the wall must be removed. The engineer selected to conduct the analysis shall be acceptable to both the City and the Applicant prior to initiating the feasibility study. In the event that retention of the wall in situ is determined infeasible an alternative approach to its preservation shall be developed by the Applicant that is consistent with the "Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings." The proposed alternative developed by the Applicant shall be reviewed and approved by the Director of Planning & Building. The decision made by the Director of Planning & Building regarding the proposed alternative may be appealed to the Cultural Heritage Commission within ten (10) calendar days after the Director's decision is rendered. If, during the grading and/or construction phase of the project, any portion of this wall is damaged or destroyed during the grading and/or construction phase of the project then the Applicant shall contact the Historic Preservation Officer immediately to determine the appropriate course of action to take and shall also return to the Cultural Heritage Commission for approval for such course of action and possible mitigation. New construction work shall not extend (north) beyond east wall of Meeker/Baker Building as to obscure this feature from the public right-of-way.
7. The Applicant shall retain in situ the entire interior lobby area and its associated character-defining features as identified by the character-defining feature inventory assessment, i.e. crown molding; plaster detail work; door openings; staircase with railings, treads, risers, and end caps; elevator closet door; flooring; walls; spatial relationships and configuration; etc. The Applicant shall rehabilitate these features and incorporate them into the new project, specifically within the Meeker/Baker Building portion of the development project. Any work associated with the lobby space shall be conducted in a manner consistent with the "Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings." Prior to the implementation of any grading and construction work associated with the Meeker/Baker Building a structural feasibility analysis of the interior lobby area shall be prepared by an independent engineer with expertise in rehabilitating historic buildings to determine if the entire space can be retained in place. The engineer selected to conduct the structural analysis shall be

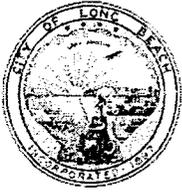
acceptable to both the City and the Applicant prior to initiating the feasibility study. In the event that the retention of the lobby space in situ is determined infeasible an alternative approach to its preservation shall be developed by the Applicant that is consistent with the "Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings." The proposed alternative developed by the Applicant shall be reviewed and approved by the Director of Planning & Building. The decision made by the Director of Planning & Building regarding the proposed alternative may be appealed to the Cultural Heritage Commission within ten (10) calendar days after the Director's decision is rendered.

8. The Applicant shall setback and differentiate the proposed rooftop addition to the Meeker/Baker Building as to make it subordinate in size, massing, proportion, and location in relationship to the historic structure. The design of the rooftop addition and its compatibility with the Meeker/Baker Building shall be developed in a manner consistent with the "Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings." The Applicant shall work with staff to address this issue and shall return to the Cultural Heritage Commission for final approval of the setback and design of the rooftop addition in relationship to the Meeker/Baker Building prior to the issuance of any building or demolition permits for the Meeker/Baker Building or that portion of the project subject to this condition.
9. The Applicant shall differentiate the new construction work proposed immediately to the south of the adjacent historic Meeker/Baker Building yet make the new design compatible with the historic structure in terms of materials, features, size, scale and proportion, and massing. Such work shall be conducted in a manner consistent with the "Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings." The Applicant shall work with staff to address this compatibility issue and shall then return to the Cultural Heritage Commission for final approval of this particular design aspect prior to the issuance of any building or demolition permits for the Meeker/Baker Building or that portion of the project subject to this condition.
10. The Applicant shall salvage identified character-defining features, such as doors, transom windows, and other features, from the second-story of the building's interior spaces and reuse them within the proposed rehabilitation of the Meeker/Baker Building. The character-defining features assessment completed as part of the Certificate of Appropriateness approval (Condition No. 4 herein) may be used in conjunction with the required salvaging efforts.
11. The issuance of an approved Certificate of Appropriateness shall be required from the Cultural Heritage Commission or the Historic Preservation Officer for any future repair, maintenance, stabilization, rehabilitation, preservation,

restoration, or reconstruction work that involves the exterior of the Meeker/Baker Building or its interior lobby space off 7th Street once the development project is completed.

Attachment #4

Appeal Form



Project # 270 683
Case No. 0510-03

CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 West Ocean Boulevard | Long Beach, CA 90802 | (562)570-6194 FAX: (562)570-6068

Application for Appeal

An appeal is hereby made to Your Honorable Body from the decision of the:

- Planning Commission** on the 15th day of February 2007
- Zoning Officer** on the _____ day of _____ 20_____
- Cultural Heritage Commission** on the _____ day of _____ 20_____
- Site Plan Review Committee** on the _____ day of _____ 20_____

Appellant: Willmore City Heritage Association; West End Community Association; Wilsonian Homeowner's Association

Applicant: Press Telegram Lofts – c/o Jim Brophy

Project Address: 604 Pine Avenue

Permit(s) Requested: Change subarea designation of subject site and amend allowable height from 100 feet to 250 feet, demolish portions of the Meeker-Baker Building, allow less than code-required parking.

Project Description: Construction of two 22-story buildings & various 4-5 story buildings to develop a mixed use project consisting of 542 residential units, 14000 sq. ft. commercial space, 24000 sq. ft. office/gallery space & 1186 parking spaces.

Reason for Appeal: Absent of PD-30 being amended, the Planning Commission did not accept staff's recommendations regarding the variances requested by the applicant; we object to the less than code-required parking, to the massing of buildings and less than required building separation, and the partial demolition of a historic landmark building.

Your appellant herein respectfully requests that Your Honorable Body reject the decision of the:

- Planning Commission**, **Zoning Officer**, **Cultural Heritage Commission** or
- Site Plan Review Committee**
- Approve** or **Deny** this application

Signature of the Appellant: *WCHA - by Cheryl Perry* *WHOA - by Tom Martin* -- Signature To Follow

Print name of the Appellant: Willmore City Heritage Assn/ by Cheryl Perry; West End Community Association by Shirley Buchanan; Wilsonian HOA by Tom Martin

Mailing Address: P.O. Box 688, Long Beach, CA 90801

Phone No.: (562) 436-8611

Note: Please be sure to review the filing instructions on the reverse side of this form.

(Staff Use Only)

Counter Staff: *gww* Case No.: 0510-03 Date: 2/26/07
Application Complete: yes No

BEST BEST & KRIEGER**ATTORNEYS AT LAW**INDIAN WELLS
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(949) 263-2600LOS ANGELES
(213) 617-8100ONTARIO
(909) 989-8584655 West Broadway, 16th Floor
San Diego, California 92101
(619) 525-1300
(619) 233-6118 Fax
BBKlaw.comRIVERSIDE
(951) 686-1450SACRAMENTO
(916) 325-4000WALNUT CREEK
(925) 977-3300**Cyndy Day-Wilson**
(619) 525-1305
Cyndy.Day-Wilson@bbklaw.com
File No. 60608.00021

March 15, 2007

VIA FACSIMILE AND U.S. MAILMs. Angela Reynolds
Environmental Officer
City of Long Beach
Division of Planning and Building
333 W. Ocean Blvd., 7th Floor
Long Beach, CA 90802Re: Press Telegram Mixed Use Development Project

Dear Ms. Reynolds:

On November 27, 2006 the Long Beach Unified School District ("LBUSD") filed an appeal challenging the Long Beach Planning Commission's certification of the Environmental Impact Report ("EIR") for the above-referenced Project in the City of Long Beach.

Please be advised that the Project Applicant and LBUSD have reached an agreement concerning the Project. LBUSD thus, withdraws its appeal to the City Council of Long Beach filed November 27, 2006.

If you have any questions, please do not hesitate to give me a call.

Sincerely,

Cyndy Day-Wilson
of BEST BEST & KRIEGER LLPcc: Robert Stemler, Esq.
Carri Matsumoto

SDPUB\CDAY-WILSON\345815.1

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(951) 686-1450

SACRAMENTO
(916) 325-4000

WALNUT CREEK
(925) 977-3300

FACSIMILE TRANSMISSION

DATE: March 15, 2007

To:

NAME	FAX NO.	PHONE NO.
Ms. Angela Reynolds Environmental Officer CITY OF LONG BEACH Div. of Planning & Building	562.570.6068	562.570.6357
CC: Robert J. Stemler, Esq. KEESAL YOUNG & LOGAN	562.436.7416	562.436.2000
Carri Matsumoto LONG BEACH UNIFIED SCHOOL DISTRICT	(562) 595-8644	(562) 997-7550

FROM: Michelle J. Dunn, Executive Assistant to Cyndy Day-Wilson

RE: Press Telegram Mixed Use Development Project

FILE NO.: 60608.00021	USER NO.: 1325	NO. OF PAGES, INCLUDING COVER: 2
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**ORIGINALS WILL FOLLOW BY REGULAR
MAIL TO MS. REYNOLDS, ONLY.**

MESSAGE:

See attached correspondence from Ms. Day-Wilson.

CAUTION - CONFIDENTIAL: THE DOCUMENT BEING TELECOPIED TO YOU MAY CONTAIN INFORMATION PROTECTED BY THE ATTORNEY-CLIENT/WORK PRODUCT PRIVILEGE. It is intended only for the person to whom it is addressed. If you are not the intended recipient or an authorized agent, then this is notice to you that dissemination, distribution or copying of this document is prohibited. If this was received in error, please call us at once and destroy the document.

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Attachment #3

February 15, 2007 Planning Commission Staff
Report, Draft Minutes and Conditions of Approval

**CITY OF LONG BEACH****DEPARTMENT OF PLANNING & BUILDING**

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • (562) 570-6194 FAX (562)570-6068

ZONING DIVISION

February 15, 2007

CHAIRMAN AND PLANNING COMMISSIONERS
City of Long Beach
California

SUBJECT: Request to amend the Downtown Planned Development District (PD-30) to change the subarea designation for the subject site from Downtown Mixed Use to Downtown Core, and amend the allowable height from 100 feet to 250 feet; and

Request for approval of Site Plan Review and a Tentative Map to demolish the Meeker-Baker Building and portions of the Press-Telegram Building and construct two 22-story buildings and various 4 to 5 story buildings to develop a mixed-use project consisting of 542 residential units, 14,000 square feet of commercial space, 24,000 square feet of office/gallery space, and 1,186 parking spaces, with the following code exceptions: 1) Less than code-required parking; 2) Building setback of 7'6" along portions of Pine Avenue (instead of 0 feet); 3) Building setback of 2 feet along Locust Avenue (instead of not less than 10 feet); and 4) Parking structure at the property line along Locust Avenue and 7th Street (instead of a setback of 10 feet). (Council District 1)

LOCATION: 604 Pine Avenue

APPLICANT: Press-Telegram Lofts
c/o Jim Brophy
100 W. Broadway, #205
Long Beach, CA 90802

RECOMMENDATION

- 1 Review and consider EIR 28-05/ SCH #2006031124; and
- 2 Adopt the resolution with Findings of Fact and a Mitigation Monitoring Program, with revised mitigation measures; and
- 3 Adopt the resolution with the Statements of Overriding Consideration; and

- 4 Forward a recommendation of approval to the City Council regarding the proposed amendments to the Downtown Planned Development District (PD-30).
- 5 Approve the requests for Site Plan Review, Tentative Map, and Standards Variances requests, subject to conditions of approval

BACKGROUND

This item was continued from the November 16, 2006 hearing. At the hearing, the Planning Commission certified the Environmental Impact Report, continued the hearing on the requests for Site Plan Review, Tentative Map, and Standards Variance to allow the Cultural Heritage Commission to consider an application for a Certificate of Appropriateness, and directed Staff to prepare amendments to the Downtown Planned Development District (PD-30) for consideration. The action of the Cultural Heritage Commission is described later in the report.

Subject Site and Surrounding Uses

The subject site is approximately 2.5 acres in area, located at the northeast corner of Pihe Avenue and 6th Street. The site is bounded by 7th Street to the north, Pine Avenue to the west, 6th Street to the south, and Locust Avenue to the east (see attached location map). The site is within the Downtown Planned Development District (PD-30). The project site is bordered to the south, east, and west by areas within PD-30, and to the north by areas designated for high-density residential or commercial uses as part of the Long Beach Boulevard Planned Development District (PD-29). These surrounding areas are built out with a variety of commercial and residential uses, including mixed uses, in buildings generally ranging from one to four stories. Progressing north, east and west, the neighborhoods become more devoted to residential uses, while the downtown area to the south is more commercially oriented with some mixed-use development.

The prominent uses surrounding the subject site include a school located to the north of the site and the Cityplace development, a mixed-use commercial residential project, located immediately to the south of the subject site. The following table provides a summary of the zoning designation, General Plan designation, and existing land use for the site and surrounding area.

	Zoning	General Plan	Existing Land Use
Site	PD-30	LUD # 7 - Mixed Uses	Office/Commercial
North	PD-29	LUD # 7 - Mixed Uses	Commercial & School
South	PD-30	LUD # 7 - Mixed Uses	Residential/Commercial Building
East	PD-30	LUD # 7 - Mixed Uses	Commercial
West	PD-30	LUD # 7 - Mixed Uses	Commercial

Existing Development On-Site

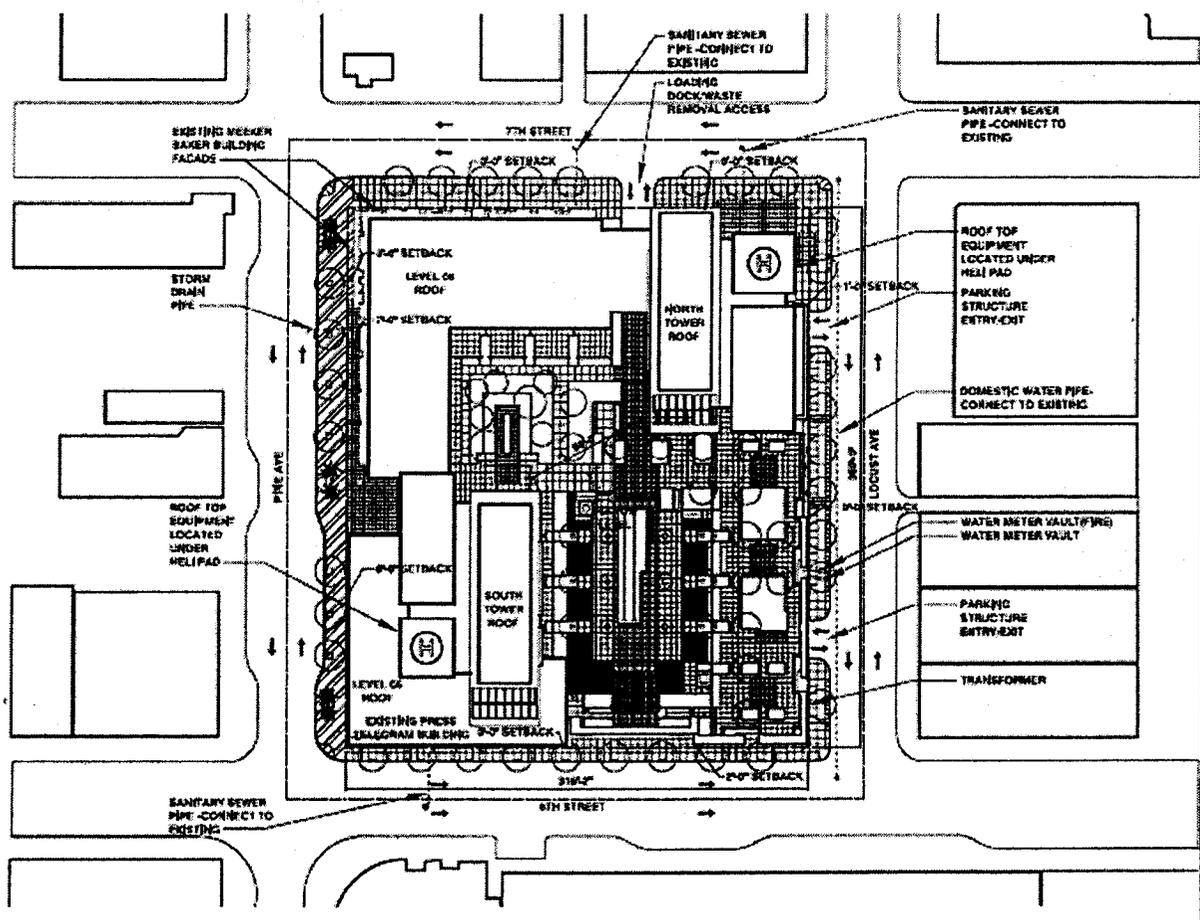
The subject site is developed with the following structures:

- The Meeker-Baker Building, a 17,000 square feet office building, constructed in 1924, which is a City-designated Historic Landmark;
- The Press-Telegram Building, a 94,000 square feet office and manufacturing building constructed in 1924;
- A 13,000 square feet concrete tilt-up storage building used for storage;
- A 9,000 square feet circulation building used for storage;
- A 2,700 square feet storage building; and
- A 784 square feet fast food restaurant

Proposed Project

The proposed project consists of 542 residential units at a density of approximately 200 units per acre, 14,000 square feet of commercial space, 23,000 square feet of office/gallery exhibit space, and 1,186 parking spaces. The proposed buildings would be approximately 250 feet high, with a proposed residential density of approximately 200 units per acre. The new construction consists of two 22-story buildings located at the southwest and northeast corners of the project site, and various 4 and 5 story buildings around a 4-story parking podium with two levels of subterranean parking (see Figure 1). Access to the parking will be provided via two entry points along Locust Avenue, while loading access is provided from 7th Street. The applicant is proposing to certify the building under the Leadership in Energy and Environmental Design (LEED) standards for green buildings. The applicant intends to obtain Gold certification, the second highest level under LEED.

Figure 1- Proposed Site Plan



Approximately 75 percent (408) of the residential units will be located within the two 22-story towers, while the remaining units will be located within the 4-5 story structures throughout the site, including the reuse of portions of the Press-Telegram Building. The units will have open floor plans, and range in size from approximately 600 square feet to 2,000 square feet, with a majority of the units having a floor area of less than 900 square feet. However, the average unit size (902 square feet) exceeds the 900 square feet required in the PD-30. The proposed units at the ground floor along Pine Avenue, 6th Street, and 7th Street will consist of a ground floor commercial space with a residential unit above.

The basement level and ground floor of the Press-Telegram Building is proposed for use by California State University Long Beach's Center for Community Engagement and the Arts Council of Long Beach, and will consist of approximately 20,000 square feet of office space and 3,000 square feet of gallery/exhibit space. The new building behind the façade of the Meeker-Baker Building will contain 8,000 square feet of commercial space, while the remaining 6,000 square feet of commercial space will be located at the ground floor level along Pine Avenue, 6th Street and 7th Street; this space is attached to the residential units above as "shopkeeper" units.

The following table compares the proposed project with the existing development standards.

Code Standard	Existing PD-30 Requirement	Proposed Project	Complies with Standard?
Building Height	100 feet	240 feet	No
Setbacks	0 feet required, subject to standards	0-34 feet	No
-Pine Avenue	10 feet	10 feet	Yes
-6 th Street	10 feet	15 feet	Yes
-7 th Street	10 feet	0-1 foot	No
-Locust Avenue			
Average Unit Size	900 square feet	900 square feet	Yes
Density	75 units per acre 81,300 square feet (150 square feet per unit)	217 units per acre 67,650 square feet (125 square feet per unit)	No
Usable Open Space			No
Parking	1,324 spaces	1,186 spaces	No

As identified in the table, the project exceeds the permitted height and density for the area. In order to resolve this inconsistency, the project includes an amendment to the Downtown Planned Development District (PD-30), as well as several requests for Standards Variances as discussed later in this report.

Staff is in support of the project; the elements contained within the project will be an asset to the Downtown. Staff has some outstanding issues related to the design of the building, which are identified in this report and addressed through the conditions of approval.

Building Design

As shown on the Site Plan in Figure 3, the proposed development will consist of two-rectangular-shaped towers at the northeast and southwest corners of the site, above a four-story parking podium wrapped by 4 to 5-story residential uses. At the corner of 7th Street and Locust Avenue, and mid-block along Pine Avenue the 22-story buildings extend all the way to ground level. The break in the podium along Pine Avenue allows for the Press-Telegram building to remain prominent along Pine Avenue. The break along 7th Street and Locust Avenue provides a more modest setback, yet allows the tall building to be prominent at the corner.

The two towers are oriented such that the longer building frontages face east and west, while the smaller frontages face north and south. The horizontal distance between the two buildings is approximately 40 feet, while the diagonal dimension is 86 feet. As a result of this juxtaposition, the buildings appear long in the north-south dimension relative to space between the buildings. The issue of building separation is of concern to Staff, as addressed subsequently in the Site Plan Review discussion of this report.

The towers are designed in a contemporary style, with window wall and painted concrete the primary building materials. The design attempts to break up the massing by dividing the buildings lengthwise north to south, and using window wall for half of the building and a more solid concrete wall with punched openings for the other half. The design uses varied window openings, sizes, and placement in the solid portions in an effort to provide visual interest to the elevation.

The smaller 4 and 5-story structures developed around the podium are also contemporary in style and utilize brick, precast concrete, and storefront windows as the primary materials. The buildings are generally complementary in scale, proportion, and materials with the existing Meeker-Baker and Press Telegram buildings, except for the proposed construction over the existing Meeker-Baker building.

Historic Structures and Adaptive Reuse

PD-30 contains the following objectives and guidelines related to the preservation of historic buildings:

- *Long Beach will support efforts aimed at preserving significant historic and cultural places and buildings. New buildings should respect and complement existing historic structures. The City supports the development of cultural and artistic offerings in the Downtown.*
- *Existing historic buildings are important visual and cultural resources for downtown Long Beach. Buildings that are determined to be historic should be used as references for the design of adjacent new buildings in form, materials and quality.*
- *New buildings should be designed in relation to adjacent historic buildings, including elements such as siting, setbacks, entrances, form, height, materials, colors, fenestration, facade and roof elements.*

Meeker Building. The Meeker-Baker Building, constructed in 1924, was designated as a historic landmark in 1990. The Building is designed in the Renaissance Revival style and still exhibits elements of that style, including decorative brick and tile work, arched openings, medallions and friezes. The two-story structure occupies a prominent corner of the business district, contributing to its character and continuity. Some alterations on the corner have damaged the integrity of the building, but the structure remains a representative example of commercial architecture in downtown Long Beach from the 1920's period of development. The building is currently used for retail and restaurant uses along the ground floor. The applicant proposed to retain only the façade of the building, while the remainder of the building would be demolished and replaced with new construction. The façade would be renovated and restored to its original condition.

The major factor in the Staff recommendation to continue the item from the November 16, 2006 hearing was the treatment of the Meeker-Baker Building. The applicant appeared before the Cultural Heritage Commission (CHC) on December 20, 2006 for a hearing regarding the demolition of the Meeker-Baker Building. After a lengthy discussion, the item was continued to the January 17, 2007 meeting, with a working session to occur on January 10, 2007. At the working session, Staff, the Cultural Heritage Commission and the applicant collaborated to develop conditions of approval designed to preserve as much of the Meeker-Baker Building as possible, and ensure

that the new construction adjacent to the Meeker-Baker Building is compatible with the existing building.

At the January 17, 2007 hearing, the Cultural Heritage approved a Certificate of Appropriateness, subject to meeting conditions of approval (see attachment 4). The conditions can be grouped into three categories: EIR mitigation measures, retaining portions of the Meeker-Baker Building, and ensuring compatibility between the existing building and the new construction.

The mitigation measures from the EIR require preparation of a documentation report and interpretation plan for the Meeker Baker Building, an assessment of the interior features of the building. In addition, the protocol for obtaining a demolition permit is established through these conditions.

Regarding the conditions related to preservation of the Meeker-Baker Building, it was the intent of the Cultural Heritage Commission to:

- Retain 100 percent of the existing north (7th Street) and west (Pine Avenue) exterior walls.
- Retain a minimum of 50 percent of the east-facing wall of the Meeker-Baker Building.
- Retain the entire Meeker-Baker Building interior lobby in situ and all interior character-defining features identified in the assessment.
- Salvage some of the character-defining features, including doors and transom windows, and reusing them in the rehabilitation of the building.

Compliance with these conditions would require that the applicant redesign the project, since the current proposal does not include retention of the interior lobby nor does the proposal include retention of the east-facing wall.

With respect to the conditions related to ensuring compatibility between the existing building and the proposed construction, the CHC required that the building be redesigned to setback the proposed addition to the roof of the Meeker Baker Building, and differentiate the new construction occurring to the south of the Meeker Baker Building. The project must be reviewed and approved by the CHC for compliance with these conditions.

Press-Telegram Building. The Press-Telegram Building was designed by noted Long Beach architect H. Horace Austin and constructed in 1924. The Press-Telegram Building is designed in the Art Deco style, and is associated with the production of the

city's primary newspaper of record since the 1920s. This four-story building located on a prominent corner is characterized by a symmetrical organization of bays along the primary Pine and Sixth streets elevations, defined by wide brick piers. Each bay is subdivided vertically into three parts by narrow, shallow pilasters topped by capitols and terminating in arches. The Environmental Impact Report states that the building appears to be ineligible for designation on either the National Register of Historic Places, or the California Register of Historic Resources, but is eligible for designation as a City historic landmark.

The applicant proposes to retain a majority of the original building along 6th street, approximately 40 feet of office space behind the Pine Avenue façade of the 1930 and 1948 additions, while demolishing the remainder of the Press-Telegram building. The applicant proposes to restore the retained portions of the building to their original condition.

Required Project Entitlements

Planned Development Amendment

Currently, the maximum density allowed on the subject site is 75 units per acre (189 units) and the maximum height is 100 feet. The applicant is proposing a project with a density in excess of 200 units per acre (542 units) and a height of 250 feet, which would require approval of an amendment to the Downtown Planned Development District (PD-30). The applicant is requesting that the subarea designation for the subject site be changed from Downtown Mixed Use to Downtown Core (refer to Figure 2 for the subarea boundaries), which is immediately adjacent to the subject site to the south. This change would allow the proposed density since the Downtown Core subarea has no density maximum for buildings exceeding six stories in height. In addition, the applicant is requesting that the height limit for the site be changed from 100 feet to 250 feet (refer to Figure 3 for the height limit map).

Staff supports the change in the subarea designation as the site is abutting the Downtown Core area, and Staff believes that a large project on the subject site is a key component to encourage redevelopment, enhance the downtown neighborhood, and provide additional home ownership opportunities for residents in the Downtown area. With respect to the change in the height limit, Staff is proposing a height overlay district, which would allow buildings to exceed the permitted height of 100 feet, subject to meeting performance standards, which consist of either attaining LEED Silver certification, or deed restricting a minimum of 10 percent of the units as workforce housing (Condition #29), defined as housing affordable to households earning up to 150

high-rise towers, which are written under the assumption that only one tower is developed per site:

- *Each building must have a clearly defined base, middle, and top. The base should include the first two to three floors and should relate to the pedestrian environment at street level.*
- *The minimum floor to ceiling height for a residential development shall be 9' (this height may be reduced in kitchen, bathroom and closet areas).*
- *Where a rooftop is to be used for residential common open space, the rooftop shall incorporate recreational uses, landscaping and decorative paving materials.*
- *On-grade and above-grade parking garages shall be screened in accordance with the Design Standards in Division VIII.*

In addition, other areas of the Downtown, particularly Ocean Boulevard, allow high-rise development and contain standards with respect to tower separation. The *Strategy for Development, Greater Downtown*, recommends a separation of 100 feet for towers along Ocean Boulevard. In addition, the *Pike Property Master Plan Design Guidelines*, which govern three sites along Ocean Boulevard (150 W. Ocean Blvd., 400 W. Ocean Blvd., and 432 W. Ocean Blvd.) where high-rise developments are either planned or under construction, require that buildings more than 12-stories in height maintain a tower separation of 80 feet. As a part of the ongoing Downtown visioning process, the City reviewed the high-rise development standards of other cities, including Portland, Vancouver, San Diego, San Francisco, and San Jose. Most of these cities had tower separation requirements, three of which were in excess of 80 feet.

Consistent with the standards regulating high-rise development in other areas of the Downtown, Staff has included a condition of approval requiring that the towers maintain a minimum separation of 80 feet, as viewed along the Pine Avenue and Locust Avenue elevations (see Condition #100). Staff believes that this redesign would reduce the perceived mass of the towers and provide a design more compatible with the existing development pattern in this area.

Meeker-Baker Building Redesign: The proposed project would require redesign to comply with the conditions of approval for the Certificate of Appropriateness, as discussed previously under Historic Structures and Adaptive Reuse. In particular, the mid-level building currently placed above the Meeker Baker building needs to be redesigned both to remove it from the roof of the Meeker Baker Building, and to differentiate it architecturally as well in overall massing, from the Meeker Baker Building.

Pedestrian Connections: Throughout the Downtown area, the City has encouraged project designs that enhance pedestrian travel in and around a project site. This planning principle can be seen in the design of Landmark Square (which has a pedestrian linkage from 1st Street through the garage to the lobby to Ocean Boulevard); the "King's Fish House" building (which connects an entrance on Broadway via a fountain and parking plaza to Pine Avenue); the Olson mixed-use project now under construction on the Promenade (which provides an east-west pedestrian walkway through the site from the Promenade to Pine Avenue); the Lyon mixed-use project (which provides pedestrian walkways both north-south and east-west linking the parking garages to the Promenade and 3rd Street); the D'Orsay Hotel (which has an east-west public walkway through the site that connects to the Promenade); CityPlace (which involved complete demolition of Long Beach Plaza Mall and partial demolition of the massive parking garage to re-establish the traditional street grid, and which has numerous connections into the parking garages from surrounding streets); Pine Court (which has a walkway connecting Broadway to Pine Avenue to the 2nd floor tenant spaces); Camden project on Ocean Boulevard (which has two public pedestrian walkways/view corridors linking Ocean Boulevard to Seaside Way); Aqua (which also has two public walkways/view corridors allowing access for pedestrians from Ocean Boulevard to a public walkway that is continuous along the rear of the project) and the State Office Building (which has a pedestrian walkway that runs diagonally through the site from Pacific Avenue to Broadway).

Division 1. of PD-30 describe the goals and objectives of the Downtown Planned Development Ordinance, and states in part, "Planning efforts must focus on connecting the various "districts" of Downtown into a cohesive and functional whole which coordinates the activities of the downtown proper...", and creates "...safe, attractive and comfortable downtown streetscapes emphasizing a pedestrian focus and a quality physical environment. Long Beach will clearly define vehicular and pedestrian roles for each downtown street. Well-defined routes will create a clear linkage pattern between the various activity centers of the downtown and the downtown shoreline." The General Development Standards of PD-30 include the following: "Siting of buildings should allow and encourage public access that is active and safe along public rights-of-way and on the development site." Also, "Where possible, the ground level of parking structures along public streets should include active pedestrian uses, entrances, arcades and colonnades...."

Pedestrian amenities, linkages and orientation are desirable, particularly in a highly urban setting. With the development of significant high density housing in the Downtown, enhancing "walkability" throughout the Downtown neighborhood is important. Pedestrian activity deters crime and supports the "park once" practice.

Aesthetically, creation of public spaces along the street frontage that encourage pedestrian uses, such as entries, lobbies, plazas, and the like, break down the "superblock". When these pedestrian amenities connect through a project, they serve to activate the street frontages on adjacent blocks as well.

For these reasons, staff is recommending a condition of approval (Condition #109) that requires that the next stage of construction plans address public buildings entries, lobbies, and plazas and connections within the garage level that can serve to provide pedestrian linkages through the project.

Locust Avenue Building Setback: Staff is recommending denial of the variance for the building setback along Locust Avenue, which would require that the project be redesigned. A more detailed description of the request and recommendation is contained under the Standards Variance discussion.

Tentative Map

The applicant has prepared a condominium subdivision map to consolidate the existing parcels. The subdivision will allow the sale of the proposed units and will require formation of an owners association and Covenants, Conditions, and Restrictions (C.C.&Rs) for governance and maintenance.

Standards Variance

Approval of the project would require granting of the following Standards Variance requests; the Planning Commission must decide if these standards should be waived:

- *Less than code-required parking:* The proposed project will provide 1,186 parking spaces. The proposed project requires 1,324 parking spaces, resulting in a shortfall of 138 spaces. Calculating the parking for the project has been difficult since the parking requirements for residential units are based on the number of bedrooms, while the proposed residential units have open floor plans. Therefore, Staff reviewed the proposed floor plans submitted in October 2006 to determine which units could reasonably support two bedrooms or more, and established the parking requirement at two spaces per unit. The remaining units were calculated at 1.5 spaces per unit. In addition, the garage contains 580 tandem spaces (290 tandem pairs), which are allowed in PD-30 provided that they are assigned to the same 1-bedroom equivalent unit (and that the parking ratio is thus calculated at 2 spaces per unit instead of 1.5 spaces).

With respect to the commercial space, the new construction at the ground floor in the Meeker-Baker Building, as well as the new ground floor construction along Pine Avenue and 6th Street is proposed to be commercial space, and that was calculated at a ratio of 1 space per 200 square feet of commercial space. The reuse of the ground floor and basement of the Press-Telegram building will consist of approximately 24,000 square feet of office and gallery/exhibit space; the parking ratio used for these uses was 1 space per 250 square feet of space. The breakdown of the required parking spaces is as follows:

Land Use	Units/Floor Area	Parking Ratio	Required Spaces
Unit "A" <750 s.f.*	146	2 spaces/unit (tandem)	292
Unit "B1" 701-900 s.f.*	144	2 spaces/unit (tandem)	288
Unit "B2" 901-1,200 s.f.*	141	1.5 spaces/unit	221
Unit "C" 1,201-1,350 s.f.**	79	2 spaces/unit	158
Unit "D" Large >1350 s.f.**	20	2 spaces/unit	40
Unit "D" Small 1,000-1,200 s.f.*	12	1.5 spaces/unit	18
Guest Spaces	542	1 space/4 units	136
Commercial Space (Meeker Baker Building, Pine Avenue, 6 th Street)	14,718	1 space/200 s.f.	74
Office Space (Ground floor and Basement of Press-Telegram Building)	20,300	1 space/250 s.f.	81
Gallery/Exhibit Space (Ground floor and Basement of Press-Telegram Building)	3,800	1 space/250 s.f.	16
Total Required			1,324
Total Provided			1,186
Shortfall			138

* Parking calculated at the ratio for 1-bedroom units
** Parking calculated at the ratio for 2-bedroom units.

This parking shortfall was addressed in the Environmental Impact Report, which included a mitigation measure requiring that the applicant prepare a shared parking analysis to determine whether the parking supply is adequate to meet the parking demand for the project. The applicant prepared a shared parking analysis, which was submitted to the City on November 16, 2006. After reviewing the study, it was determined that the study did not use the correct number for required parking spaces. In addition, the study methodology included sharing of residential parking, an approach Staff does not support since the residential parking spaces will be sold with the individual units. As a result, Staff cannot support the conclusions reached in the shared parking study.

Recognizing that uses on the project will overlap, Staff supports sharing of one-third of the guest spaces with the commercial parking, which would result in a parking Variance for 46 spaces, leaving a shortfall of 92 spaces. Therefore, Staff recommends approval of a partial Variance and a requirement that the project be reconfigured to comply with the parking requirements (see Condition #2).

- *Building Setback of 7 feet 6 inches on Pine Avenue (instead of 0 feet):* PD-30 requires buildings fronting on Pine Avenue to have a zero setback, subject to development standards, which exist to avoid the construction of large expanses of blank wall along the street frontage. The applicant is proposing to have a setback of 7 feet 6 inches for the new construction, which occurs along 115 feet of the Pine Avenue frontage. While not meeting the required setback, the proposed setback allows for the Meeker-Baker Building and the preserved Press-Telegram Building to remain the prominent structures along the Pine Avenue street frontage. Therefore, Staff is in support of this Variance request.
- *Building Setback of 2 feet along Locust Avenue (instead of not less than 10 feet):* The applicant is proposing "stoop-oriented" townhouse units along Locust Avenue with a setback of 2 feet from the Locust Avenue Property line. Staff believes that the proposed setback of 2 feet is not adequate to allow for the provision of "stoops" while also providing a meaningful separation between the dwelling units and street activity on Locust Avenue. A recent development approved in the Downtown area, the West Gateway project, included townhomes with a minimum setback of 6 feet from the property line. Staff believes that the additional setback would create a more amenable environment both for residents and for street activity along Locust Avenue. Therefore, Staff does not support the request for a building setback of 2 feet, but would support a reduction in the required setback of 10 feet with a design similar to that approved for the West Gateway project.

- *Parking Structure at the Property Line along Locust Avenue and 7th Street (instead of a setback of 10 feet):* The applicant is proposing to construct the subterranean parking garage at the property line along 7th Street and Locust Avenue. PD-30 requires a setback of 10 feet along 7th Street and Locust Avenue. The purpose of this request is to place the wall of the subterranean garage underneath the existing wall of the Meeker-Baker Building, and would also allow for the maximum number of parking spaces to be constructed underneath the site.

Along 7th Street, the existing building (the Meeker-Baker Building) is constructed to the property line. As a matter of functionality, allowing the construction of the parking garage to the property line will allow for the maximum number of spaces to be provided while not altering the appearance of the existing street frontage, since the existing building is currently developed with no setback. Therefore, Staff would support this request provided that the project complies with the conditions of approval for the Certificate of Appropriateness with respect to the Meeker-Baker Building. Among these conditions of approval is a requirement that the existing Meeker-Baker Building lobby be retained in its current configuration. Should this condition prove infeasible, the applicant would be required to return to the Cultural Heritage Commission for approval of an alternative design.

The area along Locust Avenue will consist of entirely new construction. Construction of a subterranean garage at the property line would not affect the appearance of the proposed street frontage, as the garage will be underground. Granting a variance from the setback requirement would allow the applicant to provide additional parking that would not be available if the required setback of 10 feet was met. Therefore, staff would support this request provided the ground plane is addressed with landscaping, and the ground floor uses are set back from the property line.

Waiver of Development Standards

PD-30 allows the Planning Commission may waive certain development standards. Such relief may only be granted if it is found that the waiver improves project design and the waiver will not degrade the environment or result in any changes to classification of land use or to density. Following are the standards that may be waived:

- Residential privacy requirements

- Residential open space requirements
- Landscaping requirements
- The prohibition against tandem parking in commercial developments(provided the tandem parking utilizes a valet service)
- Average unit size for restricted senior citizen development
- Screening/setback requirements

The applicant has requesting a waiver of development standards related to open space and residential privacy standards as follows:

- *Open Space:* The proposed project provides 49,500 square feet of common open space, and 18,150 square feet of private open space, whereas PD-30 requires 40,650 of private open space and 40,650 square feet of common open space (150 square feet per unit, half private and half common open space). Staff has supported requests to allow flexibility in the design of open space in the past provided that the total open space meets the requirement. In the case of the subject site, 67,650 square feet is provided while 81,300 square feet is required.

The applicant submitted revised plans that include a tabulation showing that the total open space requirement has been met. However, the revised plans are identical to the plans previously submitted, and do not indicate any additional open space areas. Therefore, Staff is evaluating the plans based on the actual space as measured on the plans, which totals 67,650 square feet.

Therefore, Staff does not support the waiver request, and recommends that the development provide the required open space of 81,300 square feet. Depending on the quality and configuration of the open space, Staff may support a waiver of the amount of private open space provided the total open space meets the minimum requirement.

- *Privacy Standards.* The privacy standards in PD-30 require that primary windows of units be a minimum of 8 feet from the property line. However, the Meeker-Baker Building and Press-Telegram Building are both constructed to the property line; therefore, the units proposed for these buildings will not meet the required privacy standard. However, Staff believes that retention of the buildings is more important than the privacy standard, and that other measures, including window treatment, can ensure that privacy can be maintained for these units. Therefore, Staff would support this waiver request.

ENVIRONMENTAL REVIEW

In accordance with the Guidelines for Implementation of the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR 28-05) has been prepared for the proposed project. Following are the significant unavoidable impacts identified in the EIR.

In order to approve the project, the Planning Commission must adopt a Statement of Overriding Considerations (SOC). In determining whether to approve a project, CEQA requires that a public agency balance the benefits of a proposed project against the unavoidable adverse effects. Staff has attached a resolution that enumerates the public benefits of the proposed project.

- ***Aesthetics (Section 4.1 of the EIR):*** The proposed high-rise structures would cast shadows onto adjacent properties, particularly in the wintertime when shadows are most extreme. Because shadows from the project would fall on sensitive residential and school uses for more than three hours during the winter months, shadow impacts would be significant and unavoidable.
- ***Air Quality (Section 4.2 of the EIR):*** During construction of the project, air pollutant emissions would exceed South Coast Air Quality Management District (SCAQMD) construction thresholds for ozone precursor NO_x. Construction-related emissions are also expected to exceed the LST thresholds for NO_x, and exhaust particulate matter (PM₁₀). Because emissions cannot feasibly be reduced to below SCAQMD thresholds, temporary construction impacts would be significant and unavoidable.
- ***Cultural Resources (Section 4.3 of the EIR):***
 - The proposed Press-Telegram Mixed Use Development Project would involve the partial demolition of the Press-Telegram Building. This would result in a significant adverse impact on a historic resource. Impacts would be significant and unavoidable.
 - The proposed Press-Telegram Mixed Use Project would involve the partial demolition of the Meeker Building. These proposed activities would result in a significant adverse impact to a historic resource. Impacts would be significant and unavoidable.

- Cumulative impacts to historic resources are considered significant and unavoidable.
- **Land Use and Planning (Section 4.6 of the EIR):** The proposed Press-Telegram project would implement a number of City of Long Beach planning goals and policies. However, the demolition of most of the Meeker (aka Baker) Building and much of the Press-Telegram Building, would be inconsistent with the General Plan's goals and policies related to preservation of historic resources. In addition, the project does not meet the District's open space requirements, making it inconsistent with Policy 4.10 of the Open Space and Recreation Element. This is considered a significant and unavoidable impact.
- **Noise (Section 4.7 of the EIR):** Project construction would intermittently generate high noise levels and groundborne vibrations on and adjacent to the site. These noise levels would affect sensitive receptors near the project site. This is considered a significant and unavoidable impact.
- **Transportation and Circulation (Section 4.10 of the EIR):** Project-generated traffic, in combination with cumulative traffic growth, would result in a significant impact at 1 of 42 study area intersections (Magnolia Avenue/6th Street) based on City of Long Beach significance criteria. Mitigation is available for that impact, but physical constraints make expansion of the roadway cross-section difficult. Therefore, the project and cumulative impact at the Magnolia Avenue/6th Street intersection would be significant and unavoidable.

CONCLUSION

Staff believes that the project has the potential to be an asset to the Downtown area. Given the historic character of the buildings on the project site, coupled with new high-quality designed buildings, the site serves as an anchor to the northern part of the Downtown area. However, Staff has outstanding issues with respect to building design, pedestrian connections, and required parking, and has prepared conditions of approval to address these issues. Staff believes that these conditions will adequately address the remaining issues, resulting in a project that Staff can support.

PUBLIC HEARING NOTICE

Three hundred ninety-two (392) notices of Public Hearing were mailed on February 1, 2007, to those property owners within the five hundred feet mailing radius provided by

the applicant. In addition, the elected representative of the First Council District was notified as well as the Downtown Long Beach Associates. A notice of public hearing was also published in the Press-Telegram on February 1, 2007.

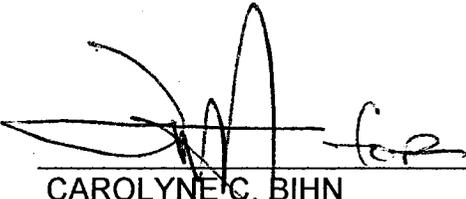
RECOMMENDATION

1. Review and consider EIR 28-05/ SCH #2006031124; and
2. Adopt the resolution with Findings of Fact and a Mitigation Monitoring Program with revised mitigation measures; and
3. Adopt the resolution with the Statements of Overriding Consideration; and
4. Forward a recommendation of approval to the City Council regarding the proposed amendments to the Downtown Planned Development District (PD-30).
5. Approve the requests for Site Plan Review, Tentative Map, and Standards Variances requests, subject to conditions of approval.

Respectfully submitted,

SUZANNE M. FRICK
DIRECTOR OF PLANNING AND BUILDING

By: 
DEREK BURNHAM
PLANNER

Approved: 
CAROLYNE C. BIHN
ZONING OFFICER

Attachments:

1. Site Plan Review, Tentative Map, and Standards Variance Findings
2. Conditions of Approval
3. Location map;
4. Certificate of Appropriateness Conditions of Approval
5. Proposed PD-30 Amendments (text and map)
6. Resolution with Findings of Fact, Statement of Overriding Consideration, and the Mitigation Monitoring Program

Chairman and Planning Commissioners

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7. Plans dated July 18, 2006 & October 25, 2006
8. Proposed basement level and ground floor plans for the Press-Telegram Building.
9. Final EIR 28-05
10. Draft EIR 28-05

Letters from interested parties were previously submitted with the November 16, 2006 report.

CURRENT ACTION REQUESTED

The applicant is requesting approval of the aforementioned project entitlements. In order to approve these requests, the Planning Commission must conclude that the subject request is consistent with the required findings set forth by the Zoning Regulations.

SITE PLAN REVIEW FINDINGS

- A. The design is harmonious, consistent and complete within itself and is compatible in design, character and scale, with neighboring structures and the community in which it is located; and**

The proposed development will consist of two-rectangular-shaped 22-story buildings at the northeast and southwest corners of the site, above a four-story parking podium wrapped by 4 to 5-story residential uses. The 22-story buildings are oriented such that the longer building frontages face east and west, while the smaller frontages face north and south. The horizontal distance between the two buildings is approximately 40 feet, while the diagonal dimension is 86 feet. The towers are designed in a contemporary style, with window wall and painted concrete the primary building materials.

The design attempts to break up the massing by dividing the buildings lengthwise north to south, and using window wall for half of the building and a more solid concrete wall with punched openings for the other half. The design uses varied window openings, sizes, and placement in the solid portions in an effort to provide visual interest to the elevation.

The smaller 4 and 5-story structures developed around the podium are also contemporary in style and utilize brick, precast concrete, and storefront windows as the primary materials. The buildings are complementary in scale, proportion, and materials with the existing Meeker-Baker and Press Telegram buildings.

Staff believes that the project in its current configuration is not compatible in character and scale with the surrounding community. As proposed, the buildings would be the tallest structures within a radius of several blocks. Coupled with the lack of building separation, this results in the project appearing massive. Staff has proposed a condition of approval requiring a minimum building separation of 80 feet for the 22-story structures, which would result in a design that is more compatible with the surrounding community.

- B. The design conforms to any applicable special design guidelines or specific plan requirements, PD guidelines or the General Plan;**

The project is consistent with the General Plan, but requires an amendment to PD-30 requirements related to building height and the subarea designation. In

addition, the applicant is requesting Standards Variances from the parking requirements, setback requirements, and a waiver from the open space distribution (common vs. private). With the conditions of approval related to the building design and configuration of open space, and Staff support of the requests for the amendments, the project is consistent with the intent of PD-30.

- C. The design will not remove significant mature trees or street trees, unless no alternative design is possible;**

No mature street trees will be removed in conjunction with the project, and the project will be required to install new street trees along the perimeter of the site in accordance with the City landscaping standards.

- D. There is an essential nexus between the public improvement requirements established by the Ordinance and the likely impacts of the proposed development; and**

The Environmental Impact Report identified traffic effects resulting from the project, and set forth public improvement requirements as mitigation measures for these effects.

- E. The project conforms to all requirements set forth in Chapter 21.64 (Transportation Demand Management).**

The proposed project is not subject to the requirements of Chapter 21.64.

TENTATIVE PARCEL MAP FINDINGS

- A. That the proposed map is consistent with applicable general and specific plans;**

The subdivision map will consolidate the property into one lot, and also create condominium lots to allow for the sale of the residential units. No specific development standards exist in PD-30 regarding this type of subdivision and the tentative map has been prepared in compliance with the applicable requirements of Chapter 20 (Subdivision Regulations) of the Municipal Code.

- B. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans;**

The subdivision map will consolidate the property into one lot, and also create condominium lots to allow for the sale of the residential units. No specific development standards exist in either the General Plan or PD-30 regarding this type of subdivision and the tentative map has been prepared in compliance with

the applicable requirements of Chapter 20 (Subdivision Regulations) of the Municipal Code.

C. That the site is physically suitable for the type of development;

The subject site is generally flat and has no unusual topographic features. The type of development proposed is consistent with the uses allowed in PD-30. With approval of the amendments to PD-30, the site would be within the permitted height and residential density. Therefore, the site is suitable for the type of development proposed.

D. That the site is physically suitable for the proposed density of development;

Approval of the project requires an amendment to PD-30 to change the subarea designation, which would allow the proposed residential density. The residential density proposed is consistent with the densities allowed in other areas of the Downtown. Therefore, the site is physically suited for the proposed density of development.

E. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish and wildlife or their habitat;

The Planning Bureau has prepared an Environmental Impact Report (EIR 28-05) for the proposed project. The EIR identified no adverse environmental effects related to fish, wildlife, or their habitat as a result of the proposed project.

F. That the design of the subdivision or the type of improvement is not likely to cause serious public health or safety problems; and

The Planning Bureau prepared EIR 29-05 to analyze the environmental effects of the proposed project. A majority of the impacts can be mitigated to a less-than-significant level. The mitigation measures have been incorporated into the conditions of approval for the project.

Impacts with respect to aesthetics, air quality, cultural resources, land use and planning, noise, and traffic cannot be mitigated to a level below significance. Therefore, the Planning Commission must adopt a Statement of Overriding Consideration with respect to these impacts.

G. That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

The proposed subdivision includes the provision of all required public easements for access through or use of the property.

STANDARDS VARIANCE FINDINGS

A. THE SITE OR THE IMPROVEMENTS ON THE SITE ARE PHYSICALLY UNIQUE WHEN COMPARED TO OTHER SITES IN THE SAME ZONE.

The subject site is developed with a designated historic landmark, the Meeker-Baker Building, and the Press-Telegram Building, which is of potential historic significance. These structures do not comply with the current setback requirements of PD-30. Both the presence of these existing structures and the location of the existing buildings are unique when compared to other sites within PD-30.

B. THE UNIQUE SITUATION CAUSES THE APPLICANT TO EXPERIENCE HARDSHIP THAT DEPRIVES THE APPLICANT OF A SUBSTANTIAL RIGHT TO USE OF THE PROPERTY AS OTHER PROPERTIES IN THE SAME ZONE ARE USED AND WILL NOT CONSTITUTE A GRANT OF SPECIAL PRIVILEGE INCONSISTENT WITH THE LIMITATIONS IMPOSED ON SIMILARLY ZONED PROPERTIES OR INCONSISTENT WITH THE PURPOSE OF THE ZONING REGULATIONS.

Regarding the setback requirements for the subterranean parking structure, requiring the parking structure to maintain a setback of 10 feet with the existing building above having no setback would create a functional hardship with respect to construction of a parking structure. Provided the conditions of approval for the Certificate of Appropriateness are met, Staff supports the request for the parking structure setback.

The request for a Variance from the required zero setback on Pine Avenue is justified since the proposed setback would allow the existing Press-Telegram Building wall to remain in its original state, and allows the existing buildings on the site to remain prominent along the ground floor frontage.

Staff believes that the proposed setback of 2 feet is not adequate to allow for the provision of "stoops" while also providing a meaningful separation between the dwelling units and street activity on Locust Avenue. Therefore, Staff does not support this request.

Regarding the Variance request for parking, the applicant has not provided sufficient justification that the parking supply for the project exceeds the parking demand. However, recognizing that some sharing of uses on the site will occur, Staff supports a Variance request to allow sharing of one-third of the residential guest parking with the commercial parking, which still results in a shortfall of 92

spaces. The conditions of approval require that the project be configured to comply with the reduced sharing ratio.

C. THE VARIANCE WILL NOT CAUSE SUBSTANTIAL ADVERSE EFFECTS UPON THE COMMUNITY; AND

With incorporation of the conditions of approval for the project, the Variance requests would not have any adverse effect on the surrounding community.

D. IN THE COASTAL ZONE, THE VARIANCE WILL CARRY OUT THE LOCAL COASTAL PROGRAM AND WILL NOT INTERFERE WITH THE PHYSICAL, VISUAL AND PSYCHOLOGICAL ASPECTS OF ACCESS TO OR ALONG THE COAST.

The subject site is not located in the Coastal Zone.

**Planned Development Amendment, Site Plan Review, Tentative Map,
Standards Variance**

**Conditions of Approval
Case No. 0510-03
February 15, 2007**

General Conditions of Approval

1. The use permitted hereby on the site, in addition to other uses permitted in the Downtown Core subarea of the Downtown Planned Development District (PD-30) shall be a mixed-use development consisting up to of 542 residential units, approximately 23,000 square feet of office/institutional use, 14,000 square feet of commercial use, and 1,186 parking spaces in a 6-level parking garage, as shown on the plans dated July 18, 2006.
2. The code exception(s) approved for this project is (are) as follows:
 - a. Subterranean parking structure setback of zero feet along Locust Avenue
 - b. Building setback of 7 feet 6 inches along Pine Avenue (instead of a required zero setback);
 - c. 1,278 parking spaces (instead of 1,324 parking spaces)
 - d. Subterranean parking structure setback of less than 10 feet along 7th Street, provided that the project complies with the conditions of approval for the Certificate of Appropriateness.
3. The following code exception(s) are denied:
 - Building setback of zero feet along Locust Avenue (instead of not less than 10 feet)
4. The following waiver from the development standards is granted:
 - Residential privacy standards for units located in the Meeker-Baker Building and Press-Telegram Building.
 - The requirement that 50% of usable open space is configured as private open space and 50% is configured as common open space.
5. The waiver request for less than required usable open space is denied. The project shall be redesigned to comply with the open space requirements of PD-30, except as waived herein.
6. This permit and all development rights hereunder shall **terminate three years** from the effective date (final action date or, if in the appealable area of the Coastal Zone,

21 days after the local final action date) of this permit unless construction is commenced, a business license establishing the use is obtained or a time extension is granted, based on a written and approved request submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.

7. 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). Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval to the satisfaction of the Zoning Administrator.
8. This approval is required to comply with these conditions of approval as long as the use is on the subject site. As such, the site shall allow **periodic re-inspections**, at the discretion of city officials, to verify compliance. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by City Council (Sec. 21.25.412, 21.25.212).
9. All operational conditions of approval of this permit **must be posted** in a location visible to the public, in such a manner as to be readable when the use is open for business.
10. If, for any reason, there is a **violation of any of the conditions** of this permit such that the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, or environmental quality the City may initiate revocation and termination procedures of all rights granted herewith.
11. In the event of **transfer of ownership** of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions that are a part thereof. These specific requirements must be recorded with all title conveyance documents at time of closing escrow.
12. The operator of the approved use shall **prevent loitering** in all parking and landscaping areas serving the use during and after hours of operation. The operator must clean the parking and landscaping areas of trash debris on a daily basis. Failure to do so shall be grounds for permit revocation. If loitering problems

- develop, the Director of Planning and Building may require additional preventative measures such as but not limited to, additional lighting or private security guards.
13. All conditions of approval **must be printed** verbatim on all plans submitted for plan review to the Planning and Building Department. These conditions must be printed on the site plan or a subsequent reference page.
 14. The Director of Planning and Building is authorized to approve **minor modifications** to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project and if no detrimental effects to neighboring properties are caused by said modifications. The Zoning Administrator or Planning Commission shall review any major modifications.
 15. Site development, including landscaping, shall conform to the approved plans on file in the Department of Planning and Building. At least **one set of approved plans** containing Planning, Building, Fire, and, if applicable, Redevelopment and Health Department stamps **shall be maintained at the job site**, at all times for reference purposes during construction and final inspection.
 16. 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.
 17. 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.
 18. 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).

19. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
20. Any graffiti found on site must be removed within 24 hours of its appearance.
21. 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.
22. All parking areas serving the use must be brought into conformance relative to current screening, landscaping, paving, striping and lighting requirements of Chapter 21.41 of the Zoning Ordinance.
23. **Energy conserving equipment**, lighting and construction features shall be utilized on the building.
24. All rooftop mechanical equipment shall be fully screened from public view. Said screening must be architecturally compatible with the building in terms of theme, materials, colors and textures. If the screening is not specifically designed into the building, a rooftop mechanical equipment plan must be submitted showing screening and must be approved by the Director of Planning and Building prior to the issuance of a building permit.
25. Adequately sized trash enclosure(s) shall be designed and provided for this project as per Section 21.46.080 of the Long Beach Municipal Code. The designated trash area shall not abut a street or public walkway and shall be placed at an inconspicuous location on the lot.
26. Compliance is required with these Conditions of Approval as long as this use is on site. As such, the site shall be available for periodic reinspection conducted at the discretion of city officials, to verify that all conditions of approval are being met. The property owner shall reimburse the City for the inspection cost as per special building inspection specifications established by City Council.
27. 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.

Permitting/Construction

28. No demolition or construction permits shall be issued until the Historic Preservation Officer has reviewed all construction plans to verify compliance with the conditions of approval for the Certificate of Appropriateness.
29. Pursuant to the pending amendments to PD-30 related to the Height Overlay District, and prior to the issuance of a Certificate of Occupancy for the residential dwelling units, the developer shall demonstrate to the satisfaction of the Director of Planning and Building that either:
 - a. 10% units shall be deed restricted as workforce housing (affordable to households earning up to 150% of the County Median Family Income (MFI));
OR
 - b. The building has obtained LEED Silver certification.
30. The plans submitted for construction shall provide private storage for each unit (storage cabinets, storage rooms, and/or bicycle storage areas) in accordance with the requirements of PD-30.
31. Prior to the issuance of any building permits, the applicant shall submit a security and fencing plan for the parking garage showing the separation of commercial and residential traffic for review and approval by the Director of Planning and Building.
32. The City of Long Beach shall approve an amendment to the Downtown Planned Development District (PD-30) to allow building heights of 250 feet and densities of 217 dwelling units per acre prior to or concurrent with approval of the Press Telegram project; or the proposed project shall be redesigned to comply with the current standards of PD-30 (mitigation measure).
33. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau must be secured.
34. Separate building permits are required for signs, fences, retaining walls, trash enclosures, flagpoles, pole-mounted yard lighting foundations and planters.

35. Approval of this development project is expressly conditioned upon payment (prior to building permit issuance or prior to Certificate of Occupancy, as specified in the applicable Ordinance or Resolution for the specific fee) of impact fees, connection fees and other similar fees based upon additional facilities needed to accommodate new development at established City service level standards, including, but not limited to, sewer capacity charges, Park Fees and Transportation Impact Fees.
36. The applicant shall file a separate plan check submittal to the Long Beach Fire Department for their review and approval prior to the issuance of a building permit.
37. A grading plan with hydrology and hydraulic calculations showing building elevations and drainage patterns and slopes shall be submitted for the review and approval to the Director of Planning and Building and the Director of Public Works prior to the issuance of a building permit.
38. Grading and construction activities shall conform to Rule 403 of the South Coast Air Quality Management District and shall include the following:
 - a. Use water trucks and hoses to wet exposed and graded areas at least twice daily with complete coverage on all active areas and periodic wash-downs of public streets in the vicinity of all entrances and exits to the project site. Increase frequency of watering to three or more times per day whenever winds exceed 15 miles per hour, and cease grading activities during period of winds greater than 30 miles per hour.
 - b. Water material being excavated and stock-piled.
 - c. Water grading and cover materials being transported.
 - d. Maintain grading and construction equipment in proper tune.
 - e. Schedule truck trips to avoid peak hours (7-9 a.m. and 4-6 p.m., weekdays).
 - f. Discontinue construction during stage II smog alerts (ozone more than or equal to 0.35 ppm.)
39. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):
 - a. Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;
 - b. Saturday: 9:00 a.m. - 6:00 p.m.; and
 - c. Sundays: not allowed
40. All **unused curb cuts** must be replaced with full height curb, gutter, and sidewalk, and any proposed curb cuts shall be reviewed, approved and constructed to the specifications of the Director of Public Works.

41. Any off-site improvements found to be damaged shall be replaced to the satisfaction of the Director of Public Works.
42. Prior to the issuance of a building permit, the applicant must depict all **utility apparatus**, such as, but not limited to, backflow devices and Edison transformers, on both the site plan and the landscape plan. The plans shall display an approval stamp from the respective agency requiring such apparatus. These devices shall be located on private property in building niches or insets and outside of any front, side, or rear yard area that is adjacent to a public street. Furthermore, landscaping or any other screening method approved by the Director of Planning and Building shall screen this equipment, as feasible, from view.
43. 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 Planning and Building. 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.
44. Prior to the issuance of any building permits, the applicant shall submit lighting plans and specifications for all exterior lighting fixtures and light standards to the Planning and Building Department for review and approval. The plans shall include a photometric design study demonstrating that all outdoor light fixtures to be installed are designed or located in a manner as to contain the direct rays from the lights on-site and to minimize spillover of light onto surrounding properties or roadways. All parking structure lighting shall be shielded and directed away from residential uses. Such lighting shall be primarily located and directed so as to provide adequate security (mitigation measure).
45. Prior to the issuance of any building permits, the applicant shall submit plans and specifications for all building materials to the Planning and Building Department for review and approval. All structures facing any public street or neighboring property shall use minimally reflective glass and all other materials used on the exterior of buildings and structures shall be selected with attention to minimizing reflective glare. The use of glass with over 25% reflectivity shall be prohibited in the exterior of all buildings on the project site (mitigation measure).
46. Prior to the issuance of any building permits, the applicant shall demonstrate to the Planning and Building Department that all night lighting installed on private property within the project site shall be shielded, directed away from residential uses, and

confined to the project site. Additionally, all lighting shall comply with all applicable Airport Land Use Plan (ALUP) Safety Policies and FAA regulations (mitigation measure).

47. Prior to the issuance of any building permits, the applicant shall submit plans and specifications showing that building windows are tinted in order to minimize glare from interior lighting (mitigation measure).
48. If a parking garage entrance security system is installed, the system shall provide a method to allow access by guests, employees, and customers of the commercial spaces. The applicant shall submit a detailed description of the parking access system for review and approval by the Director of Planning and Building prior to the issuance of a building permit.
49. The garage shall be designed with a parking ramp slope of no greater than 1:7, and all parking spaces shall have a maximum slope of 1:16 and a minimum vertical clearance of 7 feet.
50. The following shall be implemented during construction to minimize fugitive dust and associated particulate emissions:
 - Water trucks shall be used during construction to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this will require twice daily applications (once in late morning and once at the end of the workday). Increased watering is required whenever wind speed exceeds 15 mph. Grading shall be suspended if wind gusts exceed 25 mph.
 - The amount of disturbed area shall be minimized and onsite vehicle speeds shall be limited to 15 mph or less.
 - 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 generation. Trucks transporting material shall be tarped from the point of origin or shall maintain at least two feet of freeboard.
 - After clearing, grading, earth-moving or excavation is completed, the disturbed area shall be treated by watering, revegetation, or by spreading earth binders until the area is paved or otherwise developed.
 - All material transported off-site shall be securely covered to prevent excessive amounts of dust (mitigation measure).
51. The following shall be implemented throughout construction to reduce emissions of nitrogen oxides:

- When feasible, electricity from temporary power poles on site shall be utilized rather than temporary diesel or gasoline generators.
 - When feasible, on site mobile equipment shall be fueled by methanol or natural gas (to replace diesel-fueled equipment), or, propane or butane (to replace gasoline-fueled equipment).
 - Aqueous Diesel Fuel or biodiesel (B20 with retarded fuel injection timing), if available, shall be used in diesel-fueled vehicles when methanol or natural gas alternatives are not available (mitigation measure).
52. The following shall be implemented throughout construction to reduce emissions of ozone precursors ROC and NOx:
- Equipment engines should be maintained in good condition and in proper tune as per manufacturer's specifications;
 - Schedule construction periods to occur over a longer time period (ie lengthen from 60 days to 90 days) during the smog season so as to minimize the number of vehicles and equipment operating simultaneously; and
 - Use new technologies to control ozone precursor emissions as they become readily available (mitigation measure).
53. Design and construction of the buildings proposed for the Press-Telegram Mixed Use Development shall be engineered to withstand the expected ground acceleration that may occur at the project site. The calculated design base ground motion for the site shall take into consideration the soil type, potential for liquefaction, and the most current and applicable seismic attenuation methods that are available. All on-site structures shall comply with applicable provisions of the current Building Code (mitigation measure).
54. Prior to issuance of a building permit for the new structures, a comprehensive geotechnical investigation and geo-engineering study shall be completed to adequately assess the liquefaction potential and compaction design of the soils underlying the proposed bottom grade of any structure built as part of the proposed project, per City requirements. The borings shall be completed to at least 50 feet below the lowest proposed finished grade of the structure or 20 feet below the lowest caisson or footing (whichever is deeper). If these soils are confirmed to be prone to seismically-induced liquefaction, appropriate techniques to minimize liquefaction potential shall be prescribed and implemented. All on-site structures shall comply with applicable methods of the Uniform Building Code and California Building Code. Suitable measures to reduce liquefaction impacts could include specialized design of foundations by a structural engineer, removal or treatment of

liquefiable soils to reduce the potential for liquefaction, drainage to lower the groundwater table to below the level of liquefiable soils, in-situ densification of soils, or other alterations to the ground characteristics (mitigation measure).

55. All fill material used for construction shall be approved by a geotechnical or a geotechnical or civil engineer for proper compaction shall certify civil engineer, and all backfill and foundation sub-grade (mitigation measure).
56. A geotechnical or civil engineer shall approve all fill material used for backfill of any below-grade levels within the project area. In addition, a geotechnical or civil engineer for proper compaction shall certify the backfill (mitigation measure).
57. Appropriate geotechnical, and geo-engineering investigations, as mandated by the building codes, and City of Long Beach shall be performed prior to the design of any structure. Proper engineering design and conformance with recommendations presented in the comprehensive geotechnical report for the project, in compliance with current building codes are required by the City, will reduce the identified potential geotechnical impacts to a level that is less than significant (mitigation measure).
58. If constructed at angles greater than approximately 2:1, temporary cut slopes in terrace deposits are susceptible to sloughing and failure. Temporary shoring can be designed to protect the temporary excavations, structures to remain in place, and adjacent properties. This shoring shall be designed to the satisfaction of the project civil engineer and take into account all lateral load parameters and the possible presence of groundwater at the bottom grade of the excavations or the base of the shoring soldier piles used (mitigation measure).
59. All excavations for parking structures, or buildings shall comply with all applicable regulations of the California Occupational Safety and Hazard Administration guidelines as they pertain to excavations (mitigation measure).
60. Excavations for underground parking, deep foundations, or deep utilities may encounter ground water. Dewatering may be necessary for excavations. Testing of groundwater to be discharged offsite would be necessary and proper disposal or treatment may be necessary if the groundwater does not meet regulatory standards. Waterproofing would be needed for underground structures sensitive to moisture or inundation. Underground structures would need to be designed for the hydrostatic pressures of potential ground water unless permanent dewatering systems are installed. The removal systems shall be designed to prevent the structure from flooding (mitigation measure).

61. Prior to issuance of a building permit, soil samples of final sub-grade areas and excavation sidewalls shall be collected and analyzed for their expansion index. For areas where the expansion index is found to be greater than 20, grading and foundation designs shall be engineered to withstand the existing conditions. The expansion testing may be omitted if the grading and foundations are engineered to withstand the presence of highly expansive soils (mitigation measure).
62. Pursuant to the Long Beach Municipal Code Section 18.95.050 Development Construction: prior to the issuance of any building or grading permit for any project, the construction plans shall include features meeting the construction activities BMPs (CA-10 through CA-12, CA-20, CA-21 and CA-23, and CA-30 through CA-32) and the applicable provisions of the erosion and sediment control BMPs (ESC-1 through ESC-56) published in the "California Storm Water Best Management Practice Handbooks (Construction Activity) (1993)," and BMP (CD-4(2)) of the "Caltrans Storm Water Quality Handbooks, Construction Contractor's Guide and Specifications (1997)," to ensure that every construction site meets the requirements of the regulations during the time of construction (mitigation measure).
63. All stockpiles of excavated material shall be covered with an impervious material during storage and shall be removed from the site within 3 weeks of being excavated or they shall be used for grading or backfill if the material fulfills the requirements of measures above (mitigation measure).
64. Parapets shall be installed around all rooftop ventilation systems (mitigation measure).
65. All trash or product pickups and deliveries shall be restricted to daytime operating hours (7:00AM to 10:00 PM Monday through Friday, and 8:00 AM to 10:00 PM on weekends) (mitigation measure).
66. All diesel equipment shall be operated with closed engine doors and shall be equipped with factory recommended mufflers (mitigation measure).
67. Electrical power shall be used to run air compressors and similar power tools (mitigation measure).
68. For all noise generating construction activity on the project site, additional noise attenuation techniques shall be employed to reduce noise levels. Such techniques shall include, but are not limited to, the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between construction sites and nearby sensitive receptors (mitigation measure).

69. Magnolia Avenue/6th Street. The applicant shall either add an eastbound turn lane or a northbound right-turn lane. Any physical modifications to the intersection shall require the prior approval of City Traffic Engineer. If traffic volume reduction or geometric solution is not implemented, then the Project's impact would be considered significant and unavoidable (mitigation measure).
70. Locust Avenue/7th Street Intersection. To improve traffic operations and safety at this intersection, the applicant shall be responsible for modernizing the traffic signal to current City standards per the direction of the City Traffic Engineer (mitigation measure).
71. Locust Avenue/6th Street Intersection. To improve traffic operations and safety at this intersection, the applicant shall be responsible for modernizing the traffic signal to current City standards per the direction of the City Traffic Engineer (mitigation measure).
72. Pine Avenue/7th Street Intersection. To improve traffic operations at this intersection, the applicant shall be required to modify the southwest corner of the intersection per the direction of the City Traffic Engineer (mitigation measure).
73. The project applicant shall abandon the existing water line on site in accordance with Long Beach Water Department standards. A new 8-inch water line shall be installed in accordance with Long Beach Water Department standards. The size and location will depend on the final configuration of development and the Fire Department's fire flow requirements.
74. The project applicant shall abandon the existing 8-inch sewer line on site. The sewer line shall be abandoned near the property line in accordance with Long Beach Water Department standards. Minor improvements may be required for this abandonment. The applicant shall consult with the City and the Long Beach Water Department for required procedures and improvements (mitigation measure).
75. The project applicant shall replace the existing 10-inch sewer line at the intersection of 6th Street and Solano Court in order to accommodate the increased wastewater volume expected as a result of the proposed project. The 10-inch line shall be replaced with a 15-inch line in accordance with Long Beach Water Department standards. The project applicant shall also replace the currently overloaded 18-inch sewer line at Broadway Avenue in order to accommodate the volume of wastewater estimated to result from the proposed project. The 18-inch line shall be replaced with a 30-inch or 36-inch sewer line in accordance with Long Beach Water Department standards. The applicant shall consult with the City and the Long

Beach Water Department for requirements regarding sewer line replacement. Sewer conveyance improvements shall be completed prior to issuance of building permits (mitigation measure).

76. Prior to the start of any off-site construction, the Subdivider shall submit a construction plan for pedestrian protection, street lane closures, construction staging, shoring excavations and the routing of construction vehicles (excavation hauling, concrete and other deliveries, etc.). Plans shall be submitted for review and approval of the City Engineer, the City Traffic Engineer, Police and Fire Departments, public utility agencies, Long Beach Transit, and MTA Rail Operations, as applicable.
77. The Subdivider proposes to build over the alleys vacated with utility easement reservations. A quitclaim of the utility easement will be processed after all public utilities are removed from the easement area.
78. Temporary construction use of the portion of Locust Avenue between East 6th Street and East 7th Street requires a temporary street occupancy permit (TSO) from the Public Works Department.
79. The Subdivider shall construct all improvements needed to provide full ADA accessibility compliance within the adjacent public right-of-way to the satisfaction of the Director of Public Works. If a dedication of additional right-of-way is necessary to satisfy ADA requirements, the additional right-of-way shall be provided.
80. Easements shall be provided to the City of Long Beach for proposed public utility facilities to the satisfaction of the concerned City Department or public agency. If any additional utility rights-of-way are determined to be necessary after completion of the project, said utility right-of-way shall be dedicated to the City of Long Beach by separate instrument.
81. Demolition and reconstruction of curb and gutter, driveways, sidewalks, wheelchair ramps, roadway and alley pavements, removal and relocation of utilities, traffic striping and signing, street tree removals and plantings in the public right-of-way, shall be performed under Public Works street improvement permit. Permits to perform work within the public right-of-way must be obtained from the Public Works permit counter, 10th Floor of City Hall, 333 West Ocean Boulevard, telephone (562) 570-6784.
82. All work within the public right-of-way shall be performed by a contractor holding a valid State of California contractor's license and City of Long Beach Business

License sufficient to qualify the contractor to do the work. The contractor shall have on file with the City Engineer Certification of General Liability Insurance and an endorsement evidencing minimum limits of required general liability insurance.

83. 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.
84. The Subdivider shall remove all existing utility lines under the vacated alleys within the project site and underground them beneath the adjacent roadways. The Subdivider shall resurface and restripe the roadways receiving the relocated utilities to the satisfaction of the Director of Public Works.
85. The Subdivider shall reconstruct and resurface the full width of Locust Avenue between East 6th Street and East 7th Street with new asphalt concrete pavement.
86. The Subdivider shall construct new sidewalk, curb, and curb gutter on Locust Avenue between East 6th Street and East 7th Street. New sidewalk shall be constructed on East 6th Street between Pine Avenue and Locust Avenue. Sidewalk improvements shall be constructed with Portland cement concrete. Special decorative sidewalk pavements or brickwork shall be subject to the approval of the Director of Public Works.
87. The Subdivider shall provide for the resetting to grade of existing manholes, pullboxes, and utility meters in conjunction with required offsite improvements to the satisfaction of the Director of Public Works.
88. All unused driveways shall be removed and replaced with full-height curb, curb gutter, and sidewalk. The size and configuration of all proposed driveways shall be subject to the 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.
89. The Subdivider shall provide for tree wells and new street tree with root barrier and irrigation along the perimeter of the project site. The Subdivider and/or successors shall privately maintain all street trees, landscaping and sprinkler systems required in connection with this project.

90. The Subdivider shall contact the Street Tree Division of the Department of Public Works, at (562) 570-2770, prior to beginning the tree well construction, tree planting and irrigation system work within the public right-of-way. The Street Tree Division will assist with the size, type and manner in which the street trees are to be installed.
91. The Subdivider shall submit detailed off-site improvement plans to the Department of Public Works for review and approval. Contact the Plan Check Coordinator, Jorge M. Magaña, at (562) 570-6678, to obtain additional information regarding off-site improvement plan check submittals.
92. The Subdivider shall submit a grading/drainage plan with hydrology and hydraulic calculations showing building elevations, drainage pattern and slopes for review and approval by the Director of Planning and Building Services and the Director of Public Works prior to the release of any building permit. If required to comply with the NPDES & SUSMP Regulations, structural or permanent BMP's shall be shown on the grading/drainage plan.
93. 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
94. After completion of the required off-site improvements, the Subdivider or project representative shall contact the Engineering Bureau to initiate the process of clearing any Public Works holds attached to the development project. Contact the Public Works Plan Check Coordinator, Jorge M. Magaña, at (562) 570-6678.
95. As mitigation for increased traffic levels generated by this development project, the Subdivider shall relocate the curblin along the west side of Pine Avenue south of Seventh Street in order to facilitate transit bus turning movements. The existing traffic signal and street light must be relocated, and an ADA compliant curb ramp provided.
96. The Subdivider shall coordinate with the Traffic Operations Division of Public Works for the re-installation of parking meters and markings in conjunction with the offsite improvements on Locust Avenue and on East 6th Street. Notify Mike Sickles,

Superintendent of Traffic Operations, at (562) 570-3263, prior to beginning the driveway construction work.

97. 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.
98. The Subdivider shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
99. All traffic control device installations, including pavement markings within the private parking lot, shall be installed in accordance with the provisions of the Manual On Uniform Traffic Control Devices (MUTCD), 2003 edition (i.e., white parking stalls, stop signs, entry treatment signage, handicapped signage, etc.).

Design/Appearance

100. The plans shall be revised to provide a minimum horizontal building separation of 80 feet between the two towers along the Pine Avenue and Locust Avenue elevations. The building separation shall be measured with a line parallel to Pine and Locust Avenues.
101. The plans submitted for plan check review must explicitly call out and describe all materials, textures, accents, colors, window, door, planter, and paving details that were approved by the Site Plan Review Committee and/or the Planning Commission. No substantial changes shall be made without prior written approval of the Site Plan Review Committee and/or the Planning Commission.
102. Final color and material samples for exterior elevations shall be reviewed and approved by the Director of Planning and Building prior to issuance of any building permit.
103. Exterior building materials shall include brick, glass, metal, stone, precast or poured-in-place concrete, and similar materials but shall minimize stucco surfaces to the locations shown on the plans submitted July 22, 2006 to the satisfaction of the Director of Planning and Building.
104. The exterior gates to the loading area accessed from 7th Street shall be decorative to the satisfaction of the Director and Planning and Building.

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105. The floor plan for the reuse of the Press-Telegram building shall be arranged such that the ground floor windows along Pine Avenue and 6th Street contain vision glass and are programmed with active uses including galleries, meeting rooms, classrooms, public displays, and similar uses to the satisfaction of the Director of Planning and Building.
 106. The project shall be designed such that the new construction provides window and door openings connecting the abutting tenant spaces to the public plaza on Pine Avenue as a means to activate the Plaza.
 107. The ground floor of the project shall be developed with active pedestrian uses, including restaurants, retail sales, personal services uses, lobbies, public plazas, and outdoor dining areas in accordance with the requirements of PD-30.
 108. The window frames on all punched window openings shall be designed to provide a recess between the exterior building wall and the glass surface of at least 2 inches in order to enhance articulation of the building wall. The final design of the window frames shall be to the satisfaction of the Director of Planning and Building.
 109. Consistent with past building design throughout the greater Downtown, in order to enhance pedestrian travel in the Downtown area and provide visual and functional breaks in the project, the final design of the project shall strive to include publicly accessible pedestrian linkages for uses of the parking garage through the development that connect the parking garage, public open space and plazas, major building entrances and abutting streets to the satisfaction of the Director of Planning and Building.
 110. As required by PD-30, in order to ensure quality design, workmanship, and materials, as well as ensuring that the new construction respects and complements the adjacent historic structures, the final details of exterior building elements (balcony railings, treatment of garage ventilation openings, roof equipment screens, street furniture, bollards, exterior light fixtures, paving materials, canopies and the like) shall be subject to review and approval by the Director of Planning and Building.
 111. Prior to the issuance of a building permit, the applicant must submit a sign program for the review and approval of the Site Plan Review Committee prior to the issuance of a building permit. Any conditions of approval relating to the design, style, size, color, or type of sign to be used must be fully incorporated into any future lease agreements between the project and any subsequent lessees.
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112. The final design of the high-rise buildings shall be in accordance with one or more of the following design guidelines. In addition, as part of any redesign of these high-rise buildings, a qualified wind consultant shall ensure that the project is designed in accordance with these guidelines:
- Align long axes of each building along a northwest-southeast alignment to reduce exposure of the wide faces of the building to westerly/northwesterly winds.
 - West or southeasterly building faces shall be articulated and modulated through the use of architectural devices such as surface articulation; variation; variation of planes, wall surfaces, and heights; and the placement of setbacks and other similar features.
 - Utilize properly located landscaping that mitigates high winds. Porous materials (e.g., vegetation, hedges, screens, latticework, perforated metal), which offer superior wind shelter compared to solid surfaces, shall be used.
 - Avoid narrow gaps between buildings where winds could be accelerated.
 - Avoid breezeways or notches at the upwind corners of the building (mitigation measure).

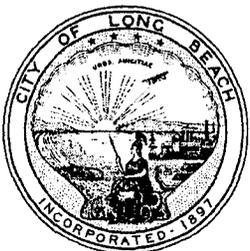
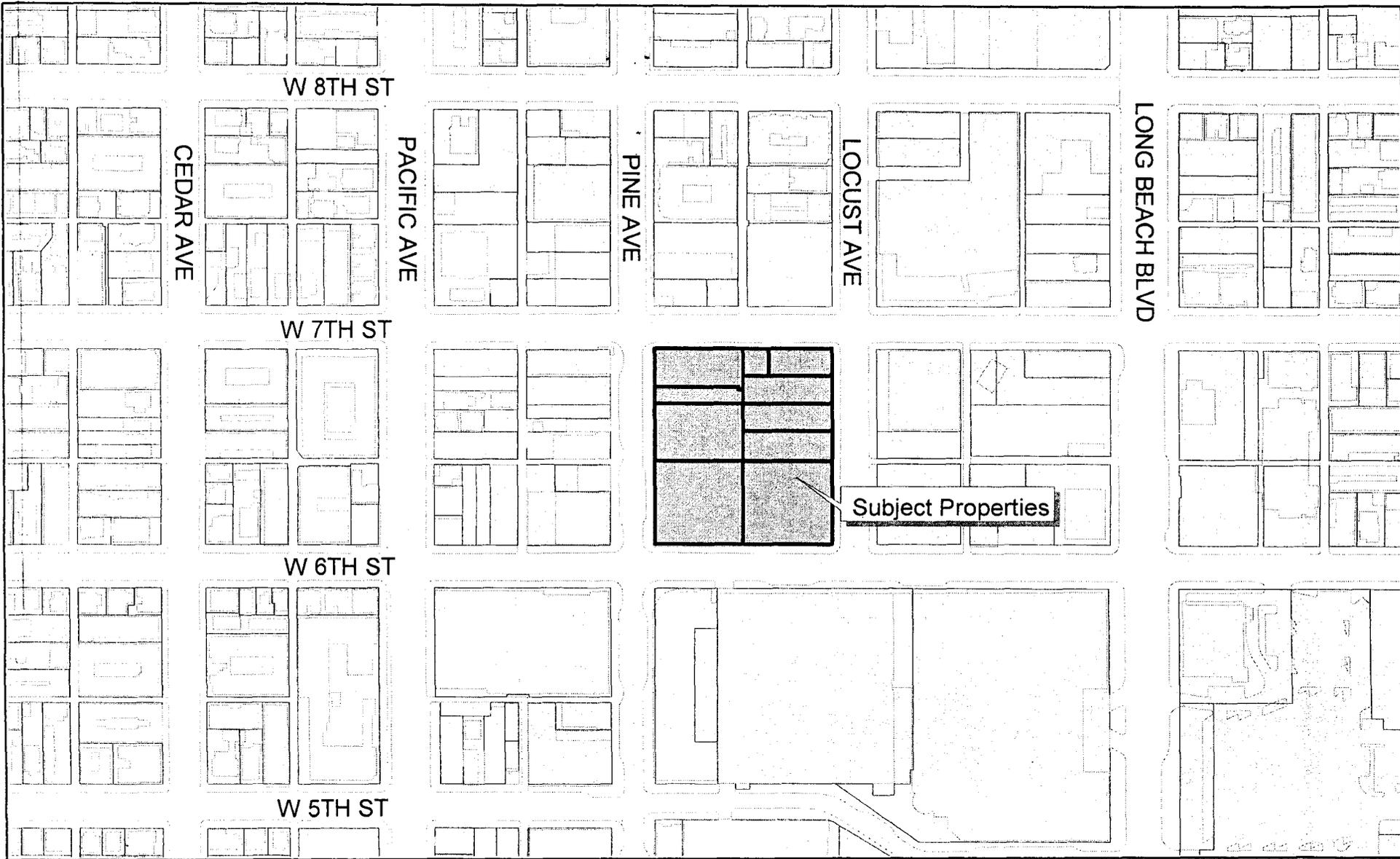
Operation

113. The ground floor "shopkeeper" storefront spaces along Pine Avenue, 6th Street and 7th Street shall be commercial tenancies; business operators shall obtain business licenses to operate in these spaces. The spaces shall be designed such that the residential portion of the unit has a separate entry from the commercial space.
114. Prior to the sale of any units, the applicant shall submit Covenants, Conditions, and Restrictions (C.C.&Rs) for review and approval by the Director of Planning and Building, and shall record the Covenants Conditions and Restrictions prior to the sale of any units. The C.C.&Rs shall contain the following provisions:
- a. The subject condominium consists of 542 residential units, 1,017 parking spaces for residents, 74 parking spaces for commercial uses, 81 parking spaces for the office uses, 16 spaces for the gallery/exhibit space, and 90 spaces for guest parking.
 - b. A statement that the parking spaces shall be permanently maintained, used solely for the parking of personal vehicles, and shall not be sold or given to any individual who is not an owner of a condominium unit within the development.

- c. A statement that each pair of tandem parking space shall be reserved for a single unit.
 - d. Provision for all necessary reciprocal parking, access, maintenance, drainage, and utility easements.
 - e. A statement that the Homeowners Association shall be responsible for the maintenance of the site drainage system, common areas, street trees, and for the operation and maintenance of the sewer connections to the public sewer in the abutting public right-of-way.
 - f. Provisions restricting the ground level commercial spaces associated with the "shopkeeper units" to be occupied by commercial uses and not utilized for residential purpose, requiring the spaces to maintain open and unobstructed glazing pursuant to PD-30, and requiring users of the commercial spaces of the "shopkeeper units" to obtain commercial business licenses.
 - g. A statement that the Owners Association shall be responsible for compliance by owners of the "shopkeeper units" with the sign program for the project.
 - h. A parking access and security plan with a diagram shall be included in the C.C. &Rs for the parking garage that addresses the method of separation of residential parking from commercial parking, garage security, access restriction, and allocation of parking spaces.
 - i. The Homeowners Association shall be responsible for managing all refuse collection for the project as described in the refuse collection plan.
115. The final tract map shall contain the following notes:
- a. The subject condominium consists of 542 residential units, 1,017 parking spaces for residents, 74 parking spaces for commercial uses, 81 parking spaces for the office uses, 16 spaces for the gallery/exhibit space, and 90 spaces for guest parking.
 - b. A statement that each pair of tandem parking spaces shall be reserved for a single unit.

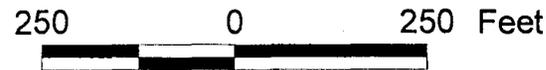
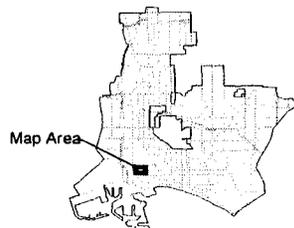
Historic Preservation

117. The project shall be designed to comply with all conditions of approval adopted by the Cultural Heritage Commission in conjunction with the Certificate of Appropriateness granted on January 17, 2007, as attached.
118. Press-Telegram Documentation Report. In consultation with a qualified historic preservation professional, the applicant shall produce a Documentation Report consisting of black and white archival, quality photographs and measured drawings of the historic resources to be altered, which along with the Historic Resources Report prepared for this property, shall be submitted to an appropriate repository (mitigation measure).
119. Press-Telegram Interpretive Plan. In consultation with a qualified historic preservation professional, an interpretive plan for the property shall be produced, focusing on the significant historic themes associated with the property. The plan may consist of a public display or other suitable approach to interpreting the history of the property, as determined by the City of Long Beach. A display shall include historic photographs, memorabilia, documents and other appropriate features, and interpretive installations, including equipment. The display shall be open to the public and shall be completed prior to occupancy clearance (mitigation measure).
120. Meeker Documentation Report. In consultation with a qualified historic preservation professional, the applicant shall produce a Documentation Report consisting of black and white archival, quality photographs and measured drawings of the historic resources to be altered, which along with the Historic Resources Report prepared for this property, shall be submitted to an appropriate repository.
121. Meeker Interpretive Plan. In consultation with a qualified historic preservation professional, an interpretive plan for the property shall be produced, focusing on the significant historic themes associated with the property. The plan may consist of a public display or other suitable approach to interpreting the history of the property, as determined by the City of Long Beach.



SUBJECT PROPERTY:

604 Pine Ave.
 Case No. 0510-03
 Council District 1
 Zone: PD-30



Scale = 1:3,000

**CULTURAL HERITAGE COMMISSION
MEEKER/BAKER BUILDING CERTIFICATE OF APPROPRIATENESS (COA)
CONDITIONS OF APPROVAL:**

1. Prior to the issuance of any ~~demolition and construction permits for the project, a~~ "Documentation Report" similar to a Historic American Buildings Survey (HABS) level II recordation document shall be completed by the Applicant and approved by the City's Historic Preservation Officer. Such work shall be completed by a qualified historic preservation professional who satisfies the Secretary of the Interior's Professional Qualifications Standards.
2. In consultation with a qualified historic preservation professional, an interpretative plan for the property shall be produced, focusing on the significant historic themes associated with the property. The plan may consist of a public display or other suitable approach to interpreting the history of the property, as determined by the City of Long Beach. Such work shall be completed by a qualified historic preservation professional who satisfies the Secretary of the Interior's Professional Qualifications Standards.
3. Demolition permits for the removal and/or partial demolition of the Meeker/Baker Building shall not be issued until all project plans are reviewed and approved and building permits for the project are obtained by the Applicant to the satisfaction of the Director of Planning & Building and by the Planning & Building Department.
4. Prior to the issuance of a demolition permit or building permit for the Meeker/Baker Building the Applicant shall conduct an assessment to identify the character-defining features of the building's lobby area and second story hall space. The inventory assessment shall address the second story hall space and lobby area's physical/decorative features noting their location, condition, description, size and composition, and materials. Such work shall be completed by a qualified historic preservation professional who satisfies the Secretary of the Interior's Professional Qualifications Standards.
5. The Applicant shall retain in situ all (100%) of the north and west exterior walls of the building. Such efforts shall also include the retention and rehabilitation in place of the existing window openings, door openings, window frames, entry doors, and other associated features as identified by the character-defining inventory assessment. The north and west elevations of the building shall be adaptively reused as part of the larger development project. Any work proposed for these two elevations shall be conducted in a manner consistent with the "Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings." If any portion of these two walls are damaged or destroyed during the grading and/or construction phase of the project then the Applicant shall contact the Historic Preservation Officer immediately to determine the appropriate course

of action to take and shall also return to the Cultural Heritage Commission for approval for such course of action and possible mitigation.

6. The Applicant shall retain at a minimum fifty percent (50%) of the east facing wall ~~of the building in situ and rehabilitate it pursuant to the "Secretary of the Interior's~~ Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings." Rehabilitation work shall include the repair of the extant exterior wall surfaces, window openings, window frames, parapets, cornice lines, and other original features in-kind. Prior to the implementation of such work a structural feasibility analysis of the east wall shall be prepared by an independent engineer with expertise in rehabilitating historic buildings to determine if more than 50% of the wall must be removed. The engineer selected to conduct the analysis shall be acceptable to both the City and the Applicant prior to initiating the feasibility study. In the event that retention of the wall in situ is determined infeasible an alternative approach to its preservation shall be developed by the Applicant that is consistent with the "Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings." The proposed alternative developed by the Applicant shall be reviewed and approved by the Director of Planning & Building. The decision made by the Director of Planning & Building regarding the proposed alternative may be appealed to the Cultural Heritage Commission within ten (10) calendar days after the Director's decision is rendered. If, during the grading and/or construction phase of the project, any portion of this wall is damaged or destroyed during the grading and/or construction phase of the project then the Applicant shall contact the Historic Preservation Officer immediately to determine the appropriate course of action to take and shall also return to the Cultural Heritage Commission for approval for such course of action and possible mitigation. New construction work shall not extend (north) beyond east wall of Meeker/Baker Building as to obscure this feature from the public right-of-way.
7. The Applicant shall retain in situ the entire interior lobby area and its associated character-defining features as identified by the character-defining feature inventory assessment, i.e. crown molding; plaster detail work; door openings; staircase with railings, treads, risers, and end caps; elevator closet door; flooring; walls; spatial relationships and configuration; etc. The Applicant shall rehabilitate these features and incorporate them into the new project, specifically within the Meeker/Baker Building portion of the development project. Any work associated with the lobby space shall be conducted in a manner consistent with the "Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings." Prior to the implementation of any grading and construction work associated with the Meeker/Baker Building a structural feasibility analysis of the interior lobby area shall be prepared by an independent engineer with expertise in rehabilitating historic buildings to determine if the entire space can be retained in place. The engineer selected to conduct the structural analysis shall be

acceptable to both the City and the Applicant prior to initiating the feasibility study. In the event that the retention of the lobby space in situ is determined infeasible an alternative approach to its preservation shall be developed by the Applicant that is consistent with the "Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings." The proposed alternative developed by the Applicant shall be reviewed and approved by the Director of Planning & Building. The decision made by the Director of Planning & Building regarding the proposed alternative may be appealed to the Cultural Heritage Commission within ten (10) calendar days after the Director's decision is rendered.

8. The Applicant shall setback and differentiate the proposed rooftop addition to the Meeker/Baker Building as to make it subordinate in size, massing, proportion, and location in relationship to the historic structure. The design of the rooftop addition and its compatibility with the Meeker/Baker Building shall be developed in a manner consistent with the "Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings." The Applicant shall work with staff to address this issue and shall return to the Cultural Heritage Commission for final approval of the setback and design of the rooftop addition in relationship to the Meeker/Baker Building prior to the issuance of any building or demolition permits for the Meeker/Baker Building or that portion of the project subject to this condition.
9. The Applicant shall differentiate the new construction work proposed immediately to the south of the adjacent historic Meeker/Baker Building yet make the new design compatible with the historic structure in terms of materials, features, size, scale and proportion, and massing. Such work shall be conducted in a manner consistent with the "Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings." The Applicant shall work with staff to address this compatibility issue and shall then return to the Cultural Heritage Commission for final approval of this particular design aspect prior to the issuance of any building or demolition permits for the Meeker/Baker Building or that portion of the project subject to this condition.
10. The Applicant shall salvage identified character-defining features, such as doors, transom windows, and other features, from the second-story of the building's interior spaces and reuse them within the proposed rehabilitation of the Meeker/Baker Building. The character-defining features assessment completed as part of the Certificate of Appropriateness approval (Condition No. 4 herein) may be used in conjunction with the required salvaging efforts.
11. The issuance of an approved Certificate of Appropriateness shall be required from the Cultural Heritage Commission or the Historic Preservation Officer for any future repair, maintenance, stabilization, rehabilitation, preservation,

restoration, or reconstruction work that involves the exterior of the Meeker/Baker Building or its interior lobby space off 7th Street once the development project is completed.

E. Maximum Building Height.
(added text in bold)

Map 3 establishes the maximum permitted building height in both feet and stories. Elevator and mechanical equipment penthouses shall not be included in the measurement of building height. Additionally, the following roof-mounted structures may exceed the permitted building height by up to ten feet:

- Flagpoles
- solar collectors
- patio covers and other roof-top recreational amenities

Height Overlay District. Within the Height Overlay District (refer to Map 3), buildings of up to 250 square feet may be constructed provided that the project meets one of the following criteria, to the satisfaction of the Director of Planning and Building:

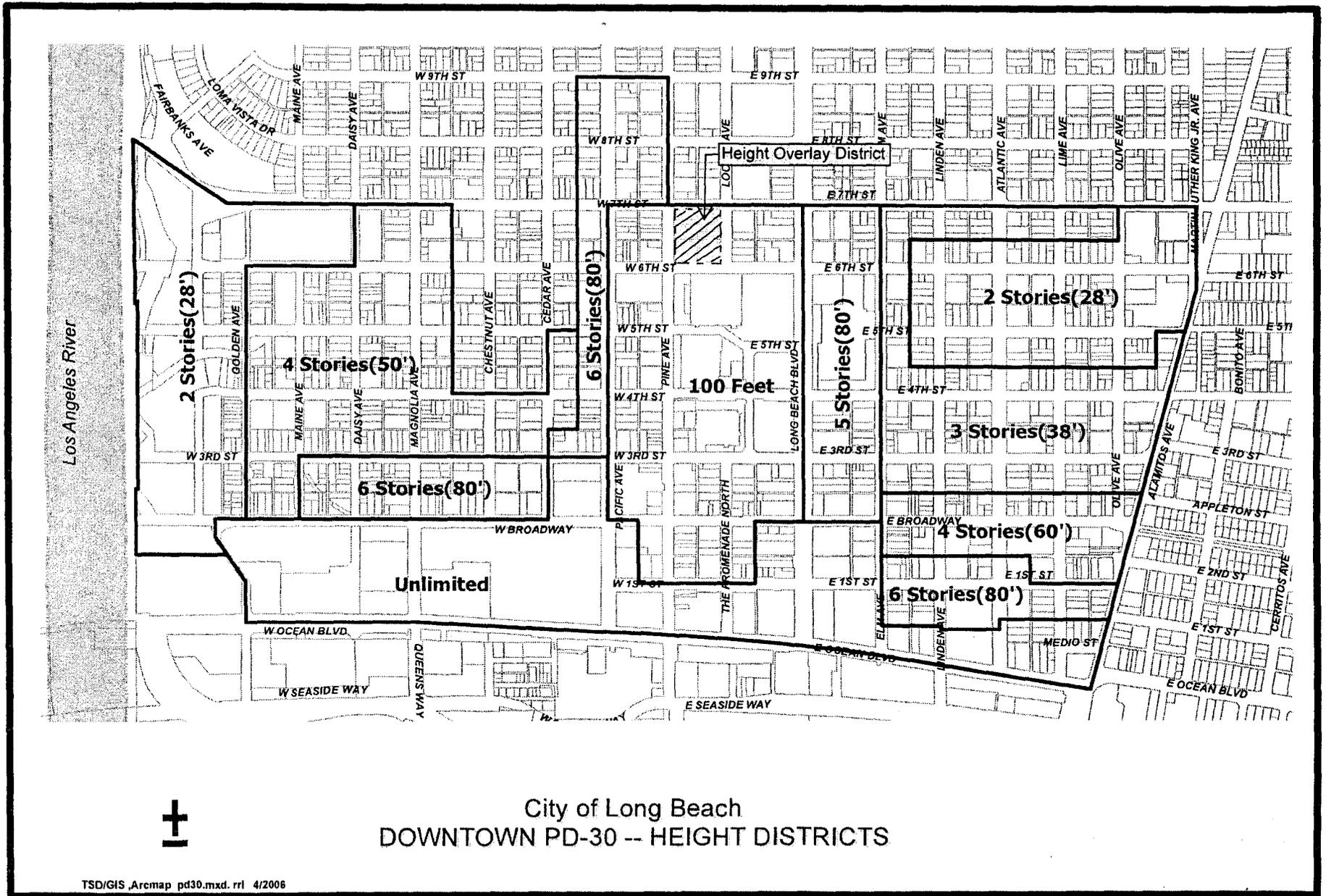
- **LEED Silver Certification; or**
- **A minimum of 10 percent of all residential units shall be deemed restricted as affordable to households earning up to 150 percent of the County Median Family Income (MFI).**

F. High-rise Development Standards.

These standards apply to all high-rise development in the Downtown Planned Development District. For the purposes of this section, high-rise development is defined as buildings with a height of 100' or more.

1. Each building must have a clearly defined base, middle, and top. The base should include the first two to three floors and should relate to the pedestrian environment at street level.
2. The minimum floor to ceiling height for a residential development shall be 9' (this height may be reduced in kitchen, bathroom and closet areas).
3. Where a roof top is to be used for residential common open space, the roof top shall incorporate recreational uses, landscaping and decorative paving materials.
4. On-grade and above-grade parking garages shall be screened in accordance with the Design Standards in Division VIII.

MAP - 3



City of Long Beach
DOWNTOWN PD-30 -- HEIGHT DISTRICTS

C I T Y P L A N N I N G C O M M I S S I O N M I N U T E S**F E B R U A R Y 1 5 , 2 0 0 7**

The regular meeting of the City Planning Commission and public hearing convened on February 15, 2007, at 1:36pm in the City Council Chambers, 333 W. Ocean Boulevard, Long Beach, CA.

PRESENT: COMMISSIONERS: Leslie Gentile, Morton Stuhlbarg,
Matthew Jenkins, Nick Sramek

ABSENT: EXCUSED: Charles Greenberg, Charles Winn

CHAIRMAN: Leslie Gentile

STAFF MEMBERS PRESENT: Suzanne Frick, Director
Greg Carpenter, Planning Manager
Carolyn Bihn, Zoning Officer
Angela Reynolds, Advance Planning
Lynette Ferenczy, Planner
Lemuel Hawkins, Planner
Derek Burnham, Planner
Steven Valdez, Planner
Craig Chalfant, Planner

OTHERS PRESENT: Lisa Peskay Malmsten, City Attorney
Dave Roseman, City Traffic Engineer
Marcia Gold, Minutes Clerk

P L E D G E O F A L L E G I A N C E

The pledge of allegiance was led by Commissioner Stuhlbarg.

S W E A R I N G O F W I T N E S S E S**C O N S E N T C A L E N D A R**

Item 1A was removed to the Regular Agenda at the request of audience members.

Commissioner Sramek moved to accept Items 1B, 1C, and 1D of the Consent Calendar as presented by staff. Commissioner Jenkins seconded the motion, which passed 4-0. Commissioners Greenberg and Winn were absent.

1A. Case No. 0610-05, Condominium Conversion, CE 06-228

Applicant: Alicia Thomas, Thienes Engineering
Subject Site: 500 Ximeno Avenue (Council District 3)
Description: Request for approval of Tentative Tract Map No. 67392 for the conversion of 74 apartment units into condominiums.

Removed to Regular Agenda for discussion.

1B. Case No. 0507-19, General Plan Amendment, Local Coastal Program Amendment, PD Planned Development Amendment, Local Coastal Development Permit, Site Plan Review, Tentative Map, Standards Variances, EIR 19-05

Applicant: Lennar Seaport, LLC c/o Bea Bea Jimenez
Subject Site: 6400 E. Pacific Coast Highway
(Council District 3)
Description: Review the adequacy of Environmental Impact Report No. 19-05 in accordance with Section 15204 of the CEQA Guidelines; request to amend the General Plan, Local Coastal Program, and Subarea 17 of the Southeast Area Development Improvement Plan (SEADIP) to allow residential use and adopt residential standards; and a request for approval of Site Plan Review and a Tentative Map to construct a mixed-use project consisting of 425 residential units, 170,000 sq.ft of commercial space, and 1,700 parking spaces with the following code exceptions: (1) Less than code-required parking; (2) Building setback of 10 feet along 2nd Street (instead of not less than 20 feet); (3) Less than required useable open space.

Continued to the March 15, 2007 meeting.

1C. Case No. 0608-21, Conditional Use Permit, CE 06-180

Applicant: El Paisano Market c/o Pat Brown
Subject Site: 245 W. Pacific Coast Highway
(Council District 6)
Description: Conditional Use Permit to add alcohol sales to an existing market.

Approved Conditional Use Permit request subject to conditions.

1D. Case No. 0606-18, Condominium Conversion, CE 06-127

Applicant: Amit Weinberg
Subject Site: 744 Rose Avenue (Council District 2)
Description: Request for approval of Tentative Tract Map No. 66239 for the conversion of nine apartment units into condominiums.

Approved Tentative Tract Map No. 66239 subject to conditions.

R E G U L A R A G E N D A

1A. Case No. 0610-05, Condominium Conversion, CE 06-228

Applicant: Alicia Thomas, Thienes Engineering
Subject Site: 500 Ximeno Avenue (Council District 3)
Description: Request for approval of Tentative Tract Map No. 67392 for the conversion of 74 apartment units into condominiums.

Steve Valdez presented the staff report recommending approval of the map since the project would provide increased home ownership opportunities while complying with Subdivision Requirements and the Land Use Element of the General Plan.

Ed Soule, 647 Grand, Project Manager, stated that he felt the project had plenty of parking with three new street spaces.

Jeffrey Raven, 4421 E. 5th Street, adjacent property owner, expressed support for the conversion, saying he felt staff had addressed access concerns but that parking requirements should be higher.

Malcolm Johnston, 4316 E. 6th Street, adjacent property owner, expressed opposition to the project on the grounds that it was too dense and underparked, since many residents had multiple vehicles.

Vicky Demirsi, 500 Ximeno Avenue, tenant, also spoke against the project, saying she would have to move out because she couldn't afford to buy a unit.

Arturo Macias-Pedroza, 500 Ximeno Avenue #310, tenant, also spoke against the project because he felt there was insufficient access for disabled persons and parking.

Fred Denny, 4403 E. 4th Street, area commercial property owner, expressed support for the project, saying it would improve the building and that parking would not be impacted with no change in the number of residents.

Applicant Soule said it would not be feasible to change the number of units planned since the building was new, and although they were not required to meet current ADA requirements, he was willing to alter the rear stairway to accommodate a handicapped ramp if it was possible.

Commissioner Stuhlberg noted that area parking had always been impacted, and that this project would not effect that situation and conforms to all standards. Mr. Stuhlberg agreed that there was rental unit loss throughout the City which he felt was a trade-off for creating new affordable ownership housing.

Commissioner Stuhlberg moved to approve Tentative Tract Map No. 67392 for the conversion of 74 apartment units into condominiums. Commissioner Jenkins seconded the motion.

At the suggestion from Commissioner Sramek that a condition be added to require the ramp stairwell, Commissioners Stuhlberg and Jenkins accepted the addendum to their motion with the addition of 'if feasible' to the language.

The question was called and the motion passed 4-0. Commissioners Greenberg and Winn were absent.

C O N T I N U E D I T E M S

2. Case No. 0607-24, Administrative Use Permit, Local Coastal Development Permit, CE 06-158

Appellant: Albert Espinoza for Pet Partners Animal Hospital
Subject Site: 1058 E. Broadway (Council District 2)
Description: Appeal of the Zoning Administrator's decision to deny a request for a Local Coastal Development Permit and Administrative Use Permit to convert a commercial lease area in a residential zone to a veterinary clinic without boarding.

Lynette Ferenczy presented the staff report recommending denial of the appeal due to the proximity of the use to residences; small lot size; inadequate storage area; lack of a trash

enclosure, on-site parking and loading areas; odor problems and code enforcement issues.

Doug Otto, 111 W. Ocean Blvd. #1300, appellant representative, claimed that the illegal addition was a pre-existing patio area, and that parking impacts would not be exacerbated by this use since many clients were pedestrians. Mr. Otto added that the veterinary clinic had shut down for a year when cited by code enforcement, and that this use was a crucial one for the area. Mr. Otto also agreed to construct a trash enclosure.

Julia Selva, 4121 Country Club Drive, Lakewood, appellant's lawyer, stated that her client's business had evolved to serve community-based animal demands, and that they were always making efforts to comply with City requirements. Ms. Selva added that the half of the illegal outside storage area had been removed and that they were willing to remove the remaining half.

George Romo, 2037 Appleton St. #7, Vice President, Alamitos Beach Neighborhood Association, stated that the Board was in support of the appellant's request.

Pat Brown, 5390 E. 8th Street, client, also spoke in favor of the appellant, saying that he appreciated the service provided and never had any problem parking at the site.

Kevin Collins, 1078 E. Ocean, apartment building manager, expressed support for the appellant, saying that many of his tenants owned pets and relied on the neighborhood service.

Mary Czuba, 1061 E. Broadway, also spoke in support of the appellant, saying the area around the clinic was clean and the service was vital to local residents.

Pam Duran, 50 Pomona Avenue, also expressed support for the appellant, saying he provided an affordable neighborhood service, and that the nearest vet otherwise was in Signal Hill.

Oliver Lazares, 3600 E. 4th Street #202, agreed, adding that the clinic had been operating without any inconvenience to nearby neighbors, and that parking demands were minimal.

Maria Azerine, 939 E. 1st Street, agreed with the previous speakers, adding that the vet kept the premises clean and was very involved in the community.

(name unknown) Hernandez, 10000 E. Imperial Hwy, Downey, appellant business representative, outlined the services provided at the site and said they were fully and legally licensed.

Lucia Rodriguez, 1515 E. 3rd Street, expressed support for the appellant saying the vet was pedestrian-friendly and affordable.

Marni Johnson, 1050 E. Broadway, adjacent resident, also spoke in favor of the appellant, saying the parking problems had nothing to do with the business in question since there were never more than two customers there at any one time. She also said there were no trash or litter impacts on the neighborhood as a result of the business.

David Havens, 1105 E. Broadway, veterinarian, also expressed support for the 'neighborhood business.'

Cathy Stansell, 263 Molino Avenue, agreed that it was nice to have an affordable vet so close.

Chairman Gentile stated she would not be voting since she had not attended the original hearing on the item.

Commissioner Jenkins said he had visited the facility and found it to be clean, and a one-stop service for neighborhood pet needs.

Commissioner Jenkins then moved to grant the appeal, with a continuation to allow new conditions of approval to be worked out with staff.

Ms. Bihn noted that Planning and Building had received information that the veterinary clinic was in full operation in October 2006 without proper licensing.

Commissioner Sramek commented that the parking impact in the area was great but that this service was a valuable one in the community, and asked that staff work out the issues of outdoor storage and the illegally-added space between buildings.

Commissioner Sramek seconded the motion to continue the item to the March 15, 2006 meeting to allow staff time to prepare revised findings and conditions of approval.

The question was called and the motion passed 3-0-1. Chairman Gentile abstained and Commissioners Greenberg and Winn were absent.

3. Case No. 0609-39, Conditional Use Permit, CE 06-226

Appellant: Royal Street Communications (Metro PCS)
c/o Pacific Communications Groups
Leslie Paramo, Representative
Subject Site: 194 E. Artesia Blvd. (Council District 9)
Description: A Conditional Use Permit to construct and maintain a ground-mounted cellular and personal communication services facility, consisting of a 60-foot high monopole antenna structure designed as a pine tree with accessory equipment.

Lemuel Hawkins presented the staff report recommending denial of the request since the proposed monopole would be located within 125 feet of any existing one; since the carrier had the ability to install a two-carrier monopole on an abutting property, and because visual impact would be reduced if the appellant co-located on a previously approved monopole with a disguising technique.

Leslie Paramo, P.O. Box 85, Lakewood, 90714, applicant, noted that no additional structures would be built because their equipment would be placed within an existing building. Ms. Paramo added that the monopole was necessary at this exact location to provide customer coverage to the 91 Freeway, and that the other facility in the staff report was concrete and could not accommodate co-location. She asserted that the proposed monopole would be located adjacent to the freeway and easily blend into the area.

In response to a query from Chairman Gentile regarding discussions with competitor T-Mobile, Ms. Paramo stated that T-Mobile would not contribute to the costs of co-location and that her group was unable to establish an economically-feasible agreement with the owner of the adjacent property, who had quadrupled the going lease price.

Mindy Hartstein, 350 Commerce Drive St. 200, Irvine, Project Manager, added that they could not co-locate on the concrete pole due to its solid construction. Ms. Harstein stressed that their proposed location was invisible from any street.

Richard Gutierrez, 350 Commerce Drive, Irvine, Construction Manager, confirmed that a concrete pole precluded co-location without going over height and requiring external equipment storage to become more of an eyesore.

Lemuel Hawkins agreed that it would be difficult to co-locate on the concrete pole without removing and replacing it with modern materials. He also pointed out that staff was not privy to lease negotiations and that they still believed there was a chance for co-location as per one of their recommendations.

Ms. Hartstein disagreed, saying that the high rent, cost of reconstruction and new pole made the location economically infeasible.

Steve Carias, P.O. Box 85, Lakewood, Site Acquisition Specialist, said the new space was a mini-storage site where they could replace the existing flagpole to hide their equipment.

In response to a staff query from Chairman Gentile regarding phasing out of monopoles in certain areas, Mr. Hawkins noted that current sites were limited to ten years of service to allow staff a review, possible redesign, and for co-location possibilities.

Commissioner Sramek moved to continue the item to the March 15, 2006 meeting to accept approval of the Conditional Use Permit and have staff return with revised findings. Commissioner Jenkins seconded the motion.

Commissioner Stuhlberg said he thought the applicant could just co-locate on the concrete pole by dropping a wire.

Chairman Gentile agreed that the carrier locations were too close, and believed there was an opportunity for co-location elsewhere.

The question was called and the motion failed 2-2. Commissioners Gentile and Stuhlberg dissented, and Commissioners Greenberg and Winn were absent.

Commissioner Stuhlberg moved to continue the item to the March 15, 2007 meeting to allow staff to research the possibility of co-locating on the concrete pole. Commissioner Jenkins seconded the motion, which passed 4-0. Commissioners Greenberg and Winn were absent.

REGULAR AGENDA

4. Case No. 0510-03, PD Amendment, Site Plan Review, Tract Map, Standards Variances, EIR 28-05

Applicant: Press-Telegram Lofts c/o Jim Brophy
Subject Site: 604 Pine Avenue (Council District 1)
Description: Request to amend the Downtown Planned Development District (PD-30) to change the subarea designation for the subject site from Downtown Mixed Use to Downtown Core and amend the allowable height from 100 feet to 250 feet; and request for approval of Site Plan Review and a Tentative Map to demolish portions of the Meeker-Baker Building and portions of the Press-Telegram Building to construct two 22-story buildings and various four- to five-story buildings to develop a mixed-use project consisting of 542 residential units, 14,000 sq.ft. of commercial space; 24,000 sq.ft. of office/gallery space and 1,186 parking spaces, with the following code exceptions: (1) Less than code-required parking; (2) Building setback of 7'6" along portions of Pine Avenue (instead of 0 feet); (3) Building setback of two feet along Locust Avenue (Instead of not less than 10 feet); and (4) Parking structure at the property line along Locust Avenue and 7th Street (instead of a setback of 10 feet).

Derek Burnham presented the staff report recommending adoption of the resolution since staff believes the project has the potential to be an asset to the downtown area and anchor its northern part; however, staff has issues with building design, pedestrian connections and parking, addressed by the suggested conditions of approval.

Craig Chalfant described the significant unavoidable adverse effects the project would cause on aesthetics, air quality, cultural resources, land use and planning, traffic and noise, as well as the overriding social and economic impacts that provide support for proposed project.

Greg Carpenter shared a set of recommended conditions of approval from the Cultural Heritage Commission to address potential significant cultural resources impacts.

Commissioner Sramek expressed concern about approving changes to PD-30 before receiving input from downtown associations.

Bob Stemler, 400 Oceangate, applicant representative, professed that the project would materially restore both buildings to their original grandeur while bringing Pine Avenue up to its intended look and feel, with benefits for nearby schools impacted by the project. Mr. Stemler declared that they agreed with all the conditions of approval except for those related to tower separation, the Locust Avenue setback, parking and a requirement for off-site intersection improvements. Mr. Stemler said he felt that the open space issue was addressed by Condition 5, and that they had also successfully addressed pedestrian access.

Mark Donahue, 650 California Street #400, San Francisco, architect, explained that the project would contain high-caliber housing with attention to historical aspects of the buildings and their unique local character. Mr. Donahue reviewed the design history of the project with a movie showing the proposed renovation from the streetscape and from above.

Pat Gibson, 201 Santa Monica Blvd., Santa Monica 90401, parking consultant, declared that the staff was using inappropriate parking guidelines for the project, and he presented a shared analysis including pedestrian visitors and public transit, showing only a 92-space deficit based on City requirements. Mr. Gibson claimed that staff was not taking into account the historical aspect of the building and subsequent discounts.

Jim Brophy, 604 Pine Avenue, applicant, outlined the original project goal of creating a middle-income housing project and said he understood that the Arts Council, Convention and Visitors Bureau and Economic Development Commission were all in support of the project. Mr. Brophy mentioned the \$62 million expected to be generated in tax revenues over the next 10 years with a portion set aside for affordable housing.

Regarding staff recommendations, Mr. Brophy then stated that they could not have a 10' setback along Locust Avenue since it would make certain units unacceptable and because there was no precedent for that in the area. He said he would be willing to discuss the intersection improvements, but that the tower separation they requested was crucial because of the need to retain the historical aspects of the site.

In response to a query about parking from Commissioner Sramek, who noted he had toured the site, Mr. Brophy said that they would have to add another half level below the project to accommodate additional parking which would add costs to the

units, and that he understood that they were entitled to a parking waiver since they were saving 60% of the historical building.

Dave Roseman, City Traffic Engineer, noted that the project was bringing housing and workforce together, thereby facilitating transit, but that based on City codes and experience, he felt it would be reasonable to use a compromise figure between City parking requirements and the applicant's request.

In response to a query from Chairman Gentile regarding the feasibility of using the parking garage across the street, Mr. Carpenter noted that most of the spaces were already leased out, but that the City was reserving the remaining spaces. He added that given the number of existing buildings downtown without any parking, and the fact that this new development has the ability to provide its own parking, any available spaces should be preserved for non-conforming existing uses.

Mr. Brophy contended that he would have to reduce the no-cost housing set aside in the project for University uses if they had to re-design to meet parking requirements.

Dave Roseman stated that the City garage could use the extra income if spaces were leased out. Mr. Roseman added that the reason for the curb relocation was to accommodate turning public buses to avoid interfering with traffic.

Mo Tidemanis, 6300 State University Drive, Suite 260, expressed support for the project, saying it will provide affordable housing for University faculty and staff while giving the school a downtown presence.

Cheryl Perry, 351 Magnolia, President, adjacent Willmore City Heritage Association Historical District, expressed concerns about the height of the project and its effect on parking, traffic and open space. Ms. Perry asked that the Commission review of PD-30 be completed before the project was approved, and then only with all conditions of approval intact.

Thomas Martin, 440 Chestnut Avenue, expressed opposition to the project, saying it should be 100% parked.

Kraig Kojian, President and CEO, Downtown Long Beach Associates, said they were in full support of project as an opportunity to bring in more residential development downtown.

Richard Fehr, 628 W. 10th Street, said the project would be a good bridge-builder between 6th and 10th Streets, but agreed it should be fully parked.

Shirley Buchanan, West End Community Association, agreed with the staff recommendation.

John Thomas, Long Beach Heritage, 280 Molino Avenue, said he supported the Cultural Heritage Commission recommendations, especially those dealing with preservation of the original lobby, enforcement of the Mitigation Monitoring Plan and waiting for the final review of PD-30.

Don Darnauer, 801 Pine, said he felt this was a great project but that all staff recommendations should be followed to satisfy their concerns.

In response to queries from Chairman Gentile, Mr. Brophy stated that regarding the intersection improvements, it was not so much the cost as the resources, which could be addressed in the future, and that adding a level to accommodate extra parking spaces and redesign of the tower separation was possible if both were issues.

Commissioner Sramek said he felt this was a wonderful project for downtown and agreed with Mr. Roseman that a compromise parking number could be used. Mr. Sramek added that he did not see tower separation as a problem since there is already a diagonal separation designed in, but that there would be a problem with the overlay since it is precedent-setting. Mr. Sramek stated that re-setting the minimum standard for PD-30 without the visioning process to know if this fits in, made it hard to support the project at this moment.

Commissioner Stuhlbarg agreed it was a tough call and that parking shortfalls could be disregarded if local garages could be found to be a source of visitor parking. Mr. Stuhlbarg said he felt the half empty garage across street could be used to satisfy parking requirements, and that the required street improvements was important to accommodate increased traffic. Commissioner Stuhlbarg stated that this project should set a precedent to bring more affordable housing to the City, thereby putting money back into the University and hospitals.

Commissioner Stuhlbarg moved to

- Review and consider EIR 28-05/SCH #2006031124;

- Adopt the Resolution with Findings of Fact and a Mitigation Monitoring Program with revised mitigation measures; and
- Adopt the Resolution with Statements of Overriding Consideration;
- Forward a recommendation of approval to the City Council regarding the proposed amendments to the Downtown Planned Development District (PD-30);
- Approve the requests for Site Plan Review, Tentative Map and Standards Variance requests, subject to conditions of approval to include a requirement for 1186 parking spaces, allow the proposed setbacks, remove the conditions related to tower separation.

Commissioner Jenkins seconded the motion.

Commissioner Jenkins said he felt the potential benefits outweighed the potential negatives, citing the City's need for affordable housing, and saying he could not wait for the determination of the visioning committee.

Chairman Gentile said she thought it was important to have project of this scale and density to create downtown growth, and did not feel there was a parking problem.

The question was called, and the motion passed 3-1. Commissioner Sramek dissented, and Commissioners Greenberg and Winn were absent.

M A T T E R S F R O M T H E A U D I E N C E

There were no matters from the audience.

M A T T E R S F R O M T H E D E P A R T M E N T O F P L A N N I N G A N D B U I L D I N G

Mr. Carpenter noted that the Commission's approval of the Del Amo childcare facility was being appealed to the City Council.

M A T T E R S F R O M T H E P L A N N I N G C O M M I S S I O N

There were no matters from the Planning Commission.

A D J O U R N

The meeting adjourned at 5:50pm.

Respectfully submitted,

Marcia Gold
Minutes Clerk.

Planned Development Amendment, Site Plan Review, Tentative Map, Standards Variance

Conditions of Approval Case No. 0510-03 February 15, 2007

General Conditions of Approval

1. The use permitted hereby on the site, in addition to other uses permitted in the Downtown Core subarea of the Downtown Planned Development District (PD-30) shall be a mixed-use development consisting up to of 542 residential units, approximately 23,000 square feet of office/institutional use, 14,000 square feet of commercial use, and 1,186 parking spaces in a 6-level parking garage, as shown on the plans dated July 18, 2006.
2. The code exception(s) approved for this project is (are) as follows:
 - a. Subterranean parking structure setback of zero feet along Locust Avenue
 - b. Building setback of 7 feet 6 inches along Pine Avenue (instead of a required zero setback);
 - c. 1,186 parking spaces (instead of 1,324 parking spaces)
 - d. Subterranean parking structure setback of less than 10 feet along 7th Street, provided that the project complies with the conditions of approval for the Certificate of Appropriateness.
 - e. Building setback varying from 1 to 7 feet along Locust Avenue (instead of not less than 10 feet)
3. The following waivers from the development standards are granted:
 - Residential privacy standards for units located in the Meeker-Baker Building and Press-Telegram Building.
 - The requirement that 50% of usable open space is configured as private open space and 50% is configured as common open space.
4. The waiver request for less than required usable open space is denied. The project shall be redesigned to comply with the open space requirements of PD-30, except as waived herein.
5. This permit and all development rights hereunder shall **terminate three years** from the effective date (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date) of this permit unless construction is commenced, a business license establishing the use is obtained or a time extension is granted, based on a written and approved request submitted prior to the

expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.

6. 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 from 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). Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval to the satisfaction of the Zoning Administrator.
7. This approval is required to comply with these conditions of approval as long as the use is on the subject site. As such, the site shall allow **periodic re-inspections**, at the discretion of city officials, to verify compliance. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by City Council (Sec. 21.25.412, 21.25.212).
8. All operational conditions of approval of this permit **must be posted** in a location visible to the public, in such a manner as to be readable when the use is open for business.
9. If, for any reason, there is a **violation of any of the conditions** of this permit such that the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, or environmental quality the City may initiate revocation and termination procedures of all rights granted herewith.
10. In the event of **transfer of ownership** of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions that are a part thereof. These specific requirements must be recorded with all title conveyance documents at time of closing escrow.
11. The operator of the approved use shall **prevent loitering** in all parking and landscaping areas serving the use during and after hours of operation. The operator must clean the parking and landscaping areas of trash debris on a daily basis. Failure to do so shall be grounds for permit revocation. If loitering problems develop, the Director of Planning and Building may require additional preventative measures such as but not limited to, additional lighting or private security guards.

12. All conditions of approval **must be printed** verbatim on all plans submitted for plan review to the Planning and Building Department. These conditions must be printed on the site plan or a subsequent reference page.
13. The Director of Planning and Building is authorized to approve **minor modifications** to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project and if no detrimental effects to neighboring properties are caused by said modifications. The Zoning Administrator or Planning Commission shall review any major modifications.
14. Site development, including landscaping, shall conform to the approved plans on file in the Department of Planning and Building. At least **one set of approved plans** containing Planning, Building, Fire, and, if applicable, Redevelopment and Health Department stamps **shall be maintained at the job site**, at all times for reference purposes during construction and final inspection.
15. 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.
16. 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.
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. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.

19. Any graffiti found on site must be removed within 24 hours of its appearance.
20. 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.
21. All parking areas serving the use must be brought into conformance relative to current screening, landscaping, paving, striping and lighting requirements of Chapter 21.41 of the Zoning Ordinance.
22. **Energy conserving equipment**, lighting and construction features shall be utilized on the building.
23. All rooftop mechanical equipment shall be fully screened from public view. Said screening must be architecturally compatible with the building in terms of theme, materials, colors and textures. If the screening is not specifically designed into the building, a rooftop mechanical equipment plan must be submitted showing screening and must be approved by the Director of Planning and Building prior to the issuance of a building permit.
24. Adequately sized trash enclosure(s) shall be designed and provided for this project as per Section 21.46.080 of the Long Beach Municipal Code. The designated trash area shall not abut a street or public walkway and shall be placed at an inconspicuous location on the lot.
25. Compliance is required with these Conditions of Approval as long as this use is on site. As such, the site shall be available for periodic reinspection conducted at the discretion of city officials, to verify that all conditions of approval are being met. The property owner shall reimburse the City for the inspection cost as per special building inspection specifications established by City Council.
26. 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.

Permitting/Construction

27. Demolition permits for the removal and/or partial demolition of the Meeker/Baker Building shall not be issued until all project plans are reviewed and approved and building permits for the project are obtained by the applicant to the satisfaction of the Director of Planning and Building and the Planning and Building Department.
28. Pursuant to the pending amendments to PD-30 related to the Height Overlay District, and prior to the issuance of a Certificate of Occupancy for the residential dwelling units, the developer shall demonstrate to the satisfaction of the Director of Planning and Building that either:
 - a. 10% units shall be deed restricted as workforce housing (affordable to households earning up to 150% of the County Median Family Income (MFI));
OR
 - b. The building has obtained LEED Silver certification.
29. The plans submitted for construction shall provide private storage for each unit (storage cabinets, storage rooms, and/or bicycle storage areas) in accordance with the requirements of PD-30.
30. Prior to the issuance of any building permits, the applicant shall submit a security and fencing plan for the parking garage showing the separation of commercial and residential traffic for review and approval by the Director of Planning and Building.
31. The City of Long Beach shall approve an amendment to the Downtown Planned Development District (PD-30) to allow building heights of 250 feet and densities of 217 dwelling units per acre prior to or concurrent with approval of the Press Telegram project; or the proposed project shall be redesigned to comply with the current standards of PD-30 (mitigation measure).
32. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau must be secured.
33. Separate building permits are required for signs, fences, retaining walls, trash enclosures, flagpoles, pole-mounted yard lighting foundations and planters.

34. Approval of this development project is expressly conditioned upon payment (prior to building permit issuance or prior to Certificate of Occupancy, as specified in the applicable Ordinance or Resolution for the specific fee) of impact fees, connection fees and other similar fees based upon additional facilities needed to accommodate new development at established City service level standards, including, but not limited to, sewer capacity charges, Park Fees and Transportation Impact Fees.
35. The applicant shall file a separate plan check submittal to the Long Beach Fire Department for their review and approval prior to the issuance of a building permit.
36. A grading plan with hydrology and hydraulic calculations showing building elevations and drainage patterns and slopes shall be submitted for the review and approval to the Director of Planning and Building and the Director of Public Works prior to the issuance of a building permit.
37. Grading and construction activities shall conform to Rule 403 of the South Coast Air Quality Management District and shall include the following:
 - a. Use water trucks and hoses to wet exposed and graded areas at least twice daily with complete coverage on all active areas and periodic wash-downs of public streets in the vicinity of all entrances and exits to the project site. Increase frequency of watering to three or more times per day whenever winds exceed 15 miles per hour, and cease grading activities during period of winds greater than 30 miles per hour.
 - b. Water material being excavated and stock-piled.
 - c. Water grading and cover materials being transported.
 - d. Maintain grading and construction equipment in proper tune.
 - e. Schedule truck trips to avoid peak hours (7-9 a.m. and 4-6 p.m., weekdays).
 - f. Discontinue construction during stage II smog alerts (ozone more than or equal to 0.35 ppm.)
38. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):
 - a. Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;
 - b. Saturday: 9:00 a.m. - 6:00 p.m.; and
 - c. Sundays: not allowed
39. All **unused curb cuts** must be replaced with full height curb, gutter, and sidewalk, and any proposed curb cuts shall be reviewed, approved and constructed to the specifications of the Director of Public Works.

40. Any off-site improvements found to be damaged shall be replaced to the satisfaction of the Director of Public Works.
41. Prior to the issuance of a building permit, the applicant must depict all **utility apparatus**, such as, but not limited to, backflow devices and Edison transformers, on both the site plan and the landscape plan. The plans shall display an approval stamp from the respective agency requiring such apparatus. These devices shall be located on private property in building niches or insets and outside of any front, side, or rear yard area that is adjacent to a public street. Furthermore, landscaping or any other screening method approved by the Director of Planning and Building shall screen this equipment, as feasible, from view.
42. 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 Planning and Building. 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.
43. Prior to the issuance of any building permits, the applicant shall submit lighting plans and specifications for all exterior lighting fixtures and light standards to the Planning and Building Department for review and approval. The plans shall include a photometric design study demonstrating that all outdoor light fixtures to be installed are designed or located in a manner as to contain the direct rays from the lights on-site and to minimize spillover of light onto surrounding properties or roadways. All parking structure lighting shall be shielded and directed away from residential uses. Such lighting shall be primarily located and directed so as to provide adequate security (mitigation measure).
44. Prior to the issuance of any building permits, the applicant shall submit plans and specifications for all building materials to the Planning and Building Department for review and approval. All structures facing any public street or neighboring property shall use minimally reflective glass and all other materials used on the exterior of buildings and structures shall be selected with attention to minimizing reflective glare. The use of glass with over 25% reflectivity shall be prohibited in the exterior of all buildings on the project site (mitigation measure).
45. Prior to the issuance of any building permits, the applicant shall demonstrate to the Planning and Building Department that all night lighting installed on private property within the project site shall be shielded, directed away from residential uses, and confined to the project site. Additionally, all lighting shall comply with all applicable

Airport Land Use Plan (ALUP) Safety Policies and FAA regulations (mitigation measure).

46. Prior to the issuance of any building permits, the applicant shall submit plans and specifications showing that building windows are tinted in order to minimize glare from interior lighting (mitigation measure).
47. If a parking garage entrance security system is installed, the system shall provide a method to allow access by guests, employees, and customers of the commercial spaces. The applicant shall submit a detailed description of the parking access system for review and approval by the Director of Planning and Building prior to the issuance of a building permit.
48. The garage shall be designed with a parking ramp slope of no greater than 1:7, and all parking spaces shall have a maximum slope of 1:16 and a minimum vertical clearance of 7 feet.
49. The following shall be implemented during construction to minimize fugitive dust and associated particulate emissions:
 - Water trucks shall be used during construction to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this will require twice daily applications (once in late morning and once at the end of the workday). Increased watering is required whenever wind speed exceeds 15 mph. Grading shall be suspended if wind gusts exceed 25 mph.
 - The amount of disturbed area shall be minimized and onsite vehicle speeds shall be limited to 15 mph or less.
 - 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 generation. Trucks transporting material shall be tarped from the point of origin or shall maintain at least two feet of freeboard.
 - After clearing, grading, earth-moving or excavation is completed, the disturbed area shall be treated by watering, revegetation, or by spreading earth binders until the area is paved or otherwise developed.
 - All material transported off-site shall be securely covered to prevent excessive amounts of dust (mitigation measure).
50. The following shall be implemented throughout construction to reduce emissions of nitrogen oxides:

- When feasible, electricity from temporary power poles on site shall be utilized rather than temporary diesel or gasoline generators.
 - When feasible, on site mobile equipment shall be fueled by methanol or natural gas (to replace diesel-fueled equipment), or, propane or butane (to replace gasoline-fueled equipment).
 - Aqueous Diesel Fuel or biodiesel (B20 with retarded fuel injection timing), if available, shall be used in diesel-fueled vehicles when methanol or natural gas alternatives are not available (mitigation measure).
51. The following shall be implemented throughout construction to reduce emissions of ozone precursors ROC and NOx:
- Equipment engines should be maintained in good condition and in proper tune as per manufacturer's specifications;
 - Schedule construction periods to occur over a longer time period (ie lengthen from 60 days to 90 days) during the smog season so as to minimize the number of vehicles and equipment operating simultaneously; and
 - Use new technologies to control ozone precursor emissions as they become readily available (mitigation measure).
52. Design and construction of the buildings proposed for the Press-Telegram Mixed Use Development shall be engineered to withstand the expected ground acceleration that may occur at the project site. The calculated design base ground motion for the site shall take into consideration the soil type, potential for liquefaction, and the most current and applicable seismic attenuation methods that are available. All on-site structures shall comply with applicable provisions of the current Building Code (mitigation measure).
53. Prior to issuance of a building permit for the new structures, a comprehensive geotechnical investigation and geo-engineering study shall be completed to adequately assess the liquefaction potential and compaction design of the soils underlying the proposed bottom grade of any structure built as part of the proposed project, per City requirements. The borings shall be completed to at least 50 feet below the lowest proposed finished grade of the structure or 20 feet below the lowest caisson or footing (whichever is deeper). If these soils are confirmed to be prone to seismically-induced liquefaction, appropriate techniques to minimize liquefaction potential shall be prescribed and implemented. All on-site structures shall comply with applicable methods of the Uniform Building Code and California Building Code. Suitable measures to reduce liquefaction impacts could include specialized design of foundations by a structural engineer, removal or treatment of liquefiable soils to reduce the potential for liquefaction, drainage to lower the

- groundwater table to below the level of liquefiable soils, in-situ densification of soils, or other alterations to the ground characteristics (mitigation measure).
54. All fill material used for construction shall be approved by a geotechnical or a geotechnical or civil engineer for proper compaction shall certify civil engineer, and all backfill and foundation sub-grade (mitigation measure).
 55. A geotechnical or civil engineer shall approve all fill material used for backfill of any below-grade levels within the project area. In addition, a geotechnical or civil engineer for proper compaction shall certify the backfill (mitigation measure).
 56. Appropriate geotechnical, and geo-engineering investigations, as mandated by the building codes, and City of Long Beach shall be performed prior to the design of any structure. Proper engineering design and conformance with recommendations presented in the comprehensive geotechnical report for the project, in compliance with current building codes are required by the City, will reduce the identified potential geotechnical impacts to a level that is less than significant (mitigation measure).
 57. If constructed at angles greater than approximately 2:1, temporary cut slopes in terrace deposits are susceptible to sloughing and failure. Temporary shoring can be designed to protect the temporary excavations, structures to remain in place, and adjacent properties. This shoring shall be designed to the satisfaction of the project civil engineer and take into account all lateral load parameters and the possible presence of groundwater at the bottom grade of the excavations or the base of the shoring soldier piles used (mitigation measure).
 58. All excavations for parking structures, or buildings shall comply with all applicable regulations of the California Occupational Safety and Hazard Administration guidelines as they pertain to excavations (mitigation measure).
 59. Excavations for underground parking, deep foundations, or deep utilities may encounter ground water. Dewatering may be necessary for excavations. Testing of groundwater to be discharged offsite would be necessary and proper disposal or treatment may be necessary if the groundwater does not meet regulatory standards. Waterproofing would be needed for underground structures sensitive to moisture or inundation. Underground structures would need to be designed for the hydrostatic pressures of potential ground water unless permanent dewatering systems are installed. The removal systems shall be designed to prevent the structure from flooding (mitigation measure).
 60. Prior to issuance of a building permit, soil samples of final sub-grade areas and

excavation sidewalls shall be collected and analyzed for their expansion index. For areas where the expansion index is found to be greater than 20, grading and foundation designs shall be engineered to withstand the existing conditions. The expansion testing may be omitted if the grading and foundations are engineered to withstand the presence of highly expansive soils (mitigation measure).

61. Pursuant to the Long Beach Municipal Code Section 18.95.050 Development Construction: prior to the issuance of any building or grading permit for any project, the construction plans shall include features meeting the construction activities BMPs (CA-10 through CA-12, CA-20, CA-21 and CA-23, and CA-30 through CA-32) and the applicable provisions of the erosion and sediment control BMPs (ESC-1 through ESC-56) published in the "California Storm Water Best Management Practice Handbooks (Construction Activity) (1993)," and BMP (CD-4(2)) of the "Caltrans Storm Water Quality Handbooks, Construction Contractor's Guide and Specifications (1997)," to ensure that every construction site meets the requirements of the regulations during the time of construction (mitigation measure).
62. All stockpiles of excavated material shall be covered with an impervious material during storage and shall be removed from the site within 3 weeks of being excavated or they shall be used for grading or backfill if the material fulfills the requirements of measures above (mitigation measure).
63. Parapets shall be installed around all rooftop ventilation systems (mitigation measure).
64. All trash or product pickups and deliveries shall be restricted to daytime operating hours (7:00AM to 10:00 PM Monday through Friday, and 8:00 AM to 10:00 PM on weekends) (mitigation measure).
65. All diesel equipment shall be operated with closed engine doors and shall be equipped with factory recommended mufflers (mitigation measure).
66. Electrical power shall be used to run air compressors and similar power tools (mitigation measure).
67. For all noise generating construction activity on the project site, additional noise attenuation techniques shall be employed to reduce noise levels. Such techniques shall include, but are not limited to, the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between construction sites and nearby sensitive receptors (mitigation measure).

68. Magnolia Avenue/6th Street. The applicant shall either add an eastbound turn lane or a northbound right-turn lane. Any physical modifications to the intersection shall require the prior approval of City Traffic Engineer. If traffic volume reduction or geometric solution is not implemented, then the Project's impact would be considered significant and unavoidable (mitigation measure).
69. Locust Avenue/7th Street Intersection. To improve traffic operations and safety at this intersection, the applicant shall be responsible for modernizing the traffic signal to current City standards per the direction of the City Traffic Engineer (mitigation measure).
70. Locust Avenue/6th Street Intersection. To improve traffic operations and safety at this intersection, the applicant shall be responsible for modernizing the traffic signal to current City standards per the direction of the City Traffic Engineer (mitigation measure).
71. Pine Avenue/7th Street Intersection. To improve traffic operations at this intersection, the applicant shall be required to modify the southwest corner of the intersection per the direction of the City Traffic Engineer (mitigation measure).
72. The project applicant shall abandon the existing water line on site in accordance with Long Beach Water Department standards. A new 8-inch water line shall be installed in accordance with Long Beach Water Department standards. The size and location will depend on the final configuration of development and the Fire Department's fire flow requirements.
73. The project applicant shall abandon the existing 8-inch sewer line on site. The sewer line shall be abandoned near the property line in accordance with Long Beach Water Department standards. Minor improvements may be required for this abandonment. The applicant shall consult with the City and the Long Beach Water Department for required procedures and improvements (mitigation measure).
74. The project applicant shall replace the existing 10-inch sewer line at the intersection of 6th Street and Solano Court in order to accommodate the increased wastewater volume expected as a result of the proposed project. The 10-inch line shall be replaced with a 15-inch line in accordance with Long Beach Water Department standards. The project applicant shall also replace the currently overloaded 18-inch sewer line at Broadway Avenue in order to accommodate the volume of wastewater estimated to result from the proposed project. The 18-inch line shall be replaced with a 30-inch or 36-inch sewer line in accordance with Long Beach Water Department standards. The applicant shall consult with the City and the Long Beach Water Department for requirements regarding sewer line replacement.

Sewer conveyance improvements shall be completed prior to issuance of building permits (mitigation measure).

75. Prior to the start of any off-site construction, the Subdivider shall submit a construction plan for pedestrian protection, street lane closures, construction staging, shoring excavations and the routing of construction vehicles (excavation hauling, concrete and other deliveries, etc.). Plans shall be submitted for review and approval of the City Engineer, the City Traffic Engineer, Police and Fire Departments, public utility agencies, Long Beach Transit, and MTA Rail Operations, as applicable.
76. The Subdivider proposes to build over the alleys vacated with utility easement reservations. A quitclaim of the utility easement will be processed after all public utilities are removed from the easement area.
77. Temporary construction use of the portion of Locust Avenue between East 6th Street and East 7th Street requires a temporary street occupancy permit (TSO) from the Public Works Department. If curbs, gutters, or sidewalks on the east side of Locust Avenue between 6th and 7th Street are damaged as a result of construction staging, they shall be replaced to the satisfaction of the Director of Public Works.
78. The Subdivider shall construct all improvements needed to provide full ADA accessibility compliance within the adjacent public right-of-way to the satisfaction of the Director of Public Works. If a dedication of additional right-of-way is necessary to satisfy ADA requirements, the additional right-of-way shall be provided.
79. Easements shall be provided to the City of Long Beach for proposed public utility facilities to the satisfaction of the concerned City Department or public agency. If any additional utility rights-of-way are determined to be necessary after completion of the project, said utility right-of-way shall be dedicated to the City of Long Beach by separate instrument.
80. Demolition and reconstruction of curb and gutter, driveways, sidewalks, wheelchair ramps, roadway and alley pavements, removal and relocation of utilities, traffic striping and signing, street tree removals and plantings in the public right-of-way, shall be performed under Public Works street improvement permit. Permits to perform work within the public right-of-way must be obtained from the Public Works permit counter, 10th Floor of City Hall, 333 West Ocean Boulevard, telephone (562) 570-6784.
81. All work within the public right-of-way shall be performed by a contractor holding a

valid State of California contractor's license and City of Long Beach Business License sufficient to qualify the contractor to do the work. The contractor shall have on file with the City Engineer Certification of General Liability Insurance and an endorsement evidencing minimum limits of required general liability insurance.

82. 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.
83. The Subdivider shall remove all existing utility lines under the vacated alleys within the project site and underground them beneath the adjacent roadways. The Subdivider shall resurface and restripe the roadways receiving the relocated utilities to the satisfaction of the Director of Public Works.
84. The Subdivider shall reconstruct and resurface the full width of Locust Avenue between East 6th Street and East 7th Street with new asphalt concrete pavement.
85. The Subdivider shall construct new sidewalk, curb, and curb gutter on the west side of Locust Avenue between East 6th Street and East 7th Street. New sidewalk shall be constructed on East 6th Street between Pine Avenue and Locust Avenue. Sidewalk improvements shall be constructed with Portland cement concrete. Special decorative sidewalk pavements or brickwork shall be subject to the approval of the Director of Public Works.
86. The Subdivider shall provide for the resetting to grade of existing manholes, pullboxes, and utility meters in conjunction with required offsite improvements to the satisfaction of the Director of Public Works.
87. All unused driveways shall be removed and replaced with full-height curb, curb gutter, and sidewalk. The size and configuration of all proposed driveways shall be subject to the 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.
88. The Subdivider shall provide for tree wells and new street tree with root barrier and irrigation along the perimeter of the project site. The Subdivider and/or successors shall privately maintain all street trees, landscaping and sprinkler systems required in connection with this project.

89. The Subdivider shall contact the Street Tree Division of the Department of Public Works, at (562) 570-2770, prior to beginning the tree well construction, tree planting and irrigation system work within the public right-of-way. The Street Tree Division will assist with the size, type and manner in which the street trees are to be installed.
90. The Subdivider shall submit detailed off-site improvement plans to the Department of Public Works for review and approval. Contact the Plan Check Coordinator, Jorge M. Magaña, at (562) 570-6678, to obtain additional information regarding off-site improvement plan check submittals.
91. The Subdivider shall submit a grading/drainage plan with hydrology and hydraulic calculations showing building elevations, drainage pattern and slopes for review and approval by the Director of Planning and Building Services and the Director of Public Works prior to the release of any building permit. If required to comply with the NPDES & SUSMP Regulations, structural or permanent BMP's shall be shown on the grading/drainage plan.
92. 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
93. After completion of the required off-site improvements, the Subdivider or project representative shall contact the Engineering Bureau to initiate the process of clearing any Public Works holds attached to the development project. Contact the Public Works Plan Check Coordinator, Jorge M. Magaña, at (562) 570-6678.
94. As mitigation for increased traffic levels generated by this development project, the Subdivider shall relocate the curbline along the west side of Pine Avenue south of Seventh Street in order to facilitate transit bus turning movements. The existing traffic signal and street light must be relocated, and an ADA compliant curb ramp provided.
95. The Subdivider shall coordinate with the Traffic Operations Division of Public Works for the re-installation of parking meters and markings in conjunction with the offsite improvements on Locust Avenue and on East 6th Street. Notify Mike Sickles,

Superintendent of Traffic Operations, at (562) 570-3263, prior to beginning the driveway construction work.

96. 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.
97. The Subdivider shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
98. All traffic control device installations, including pavement markings within the private parking lot, shall be installed in accordance with the provisions of the Manual On Uniform Traffic Control Devices (MUTCD), 2003 edition (i.e., white parking stalls, stop signs, entry treatment signage, handicapped signage, etc.).

Design/Appearance

99. The plans submitted for plan check review must explicitly call out and describe all materials, textures, accents, colors, window, door, planter, and paving details that were approved by the Site Plan Review Committee and/or the Planning Commission. No substantial changes shall be made without prior written approval of the Site Plan Review Committee and/or the Planning Commission.
100. Final color and material samples for exterior elevations shall be reviewed and approved by the Director of Planning and Building prior to issuance of any building permit.
101. Exterior building materials shall include brick, glass, metal, stone, precast or poured-in-place concrete, and similar materials but shall minimize stucco surfaces to the locations shown on the plans submitted July 22, 2006 to the satisfaction of the Director of Planning and Building.
102. The exterior gates to the loading area accessed from 7th Street shall be decorative to the satisfaction of the Director and Planning and Building.
103. The elevation plans for the reuse of the Press-Telegram Building shall indicate the use of vision glass in the ground floor windows along Pine Avenue and 6th Street. The ground floor uses along Pine Avenue shall consist of active uses including galleries, meeting rooms, classrooms, public displays, and similar uses to the satisfaction of the Director of Planning and Building.

104. The project shall be designed such that the new construction provides window and door openings connecting the abutting tenant spaces to the public plaza on Pine Avenue as a means to activate the Plaza.
105. The elevation plans for the reuse of the Press-Telegram building shall indicate the use of vision glass in the ground floor windows along Pine Avenue and 6th Street. The ground floor uses along Pine Avenue shall consist of active uses including galleries, meeting rooms, classrooms, public displays, and similar uses to the satisfaction of the Director of Planning and Building.
106. The window frames on all punched window openings shall be designed to provide a recess between the exterior building wall and the glass surface of at least 2 inches in order to enhance articulation of the building wall. The final design of the window frames shall be to the satisfaction of the Director of Planning and Building.
107. Consistent with past building design throughout the greater Downtown, in order to enhance pedestrian travel in the Downtown area and provide visual and functional breaks in the project, the final design of the project shall strive to include publicly accessible pedestrian linkages for users of the parking garage through the development that connect the parking garage, public open space and plazas, major building entrances and abutting streets to the satisfaction of the Director of Planning and Building.
108. As required by PD-30, in order to ensure quality design, workmanship, and materials, as well as ensuring that the new construction respects and complements the adjacent historic structures, the final details of exterior building elements (balcony railings, treatment of garage ventilation openings, roof equipment screens, street furniture, bollards, exterior light fixtures, paving materials, canopies and the like) shall be subject to review and approval by the Director of Planning and Building.
109. Prior to the issuance of a building permit, the applicant must submit a sign program for the review and approval of the Site Plan Review Committee prior to the issuance of a building permit. Any conditions of approval relating to the design, style, size, color, or type of sign to be used must be fully incorporated into any future lease agreements between the project and any subsequent lessees.
110. The final design of the high-rise buildings shall be in accordance with one or more of the following design guidelines. In addition, as part of any redesign of these high-rise buildings, a qualified wind consultant shall ensure that the project is designed in accordance with these guidelines:

- Align long axes of each building along a northwest-southeast alignment to reduce exposure of the wide faces of the building to westerly/northwesterly winds.
- West or southeasterly building faces shall be articulated and modulated through the use of architectural devices such as surface articulation; variation; variation of planes, wall surfaces, and heights; and the placement of setbacks and other similar features.
- Utilize properly located landscaping that mitigates high winds. Porous materials (e.g., vegetation, hedges, screens, latticework, perforated metal), which offer superior wind shelter compared to solid surfaces, shall be used.
- Avoid narrow gaps between buildings where winds could be accelerated.
- Avoid breezeways or notches at the upwind corners of the building (mitigation measure).

Operation

111. The ground floor “shopkeeper” storefront spaces along Pine Avenue, 6th Street and 7th Street shall be commercial tenancies; business operators shall obtain business licenses to operate in these spaces. The spaces shall be designed such that the residential portion of the unit has a separate entry from the commercial space.
112. Prior to the sale of any units, the applicant shall submit Covenants, Conditions, and Restrictions (C.C.&Rs) for review and approval by the Director of Planning and Building, and shall record the Covenants Conditions and Restrictions prior to the sale of any units. The C.C.&Rs shall contain the following provisions:
 - a. The subject condominium consists of up to 542 residential units, 1,017 parking spaces for residents, and 169 spaces to be shared for guest and commercial parking.
 - b. A statement that the parking spaces shall be permanently maintained, used solely for the parking of personal vehicles, and shall not be sold or given to any individual who is not an owner of a condominium unit within the development.
 - c. A statement that each pair of tandem parking space shall be reserved for a single unit.
 - d. Provision for all necessary reciprocal parking, access, maintenance, drainage, and utility easements.

- e. A statement that the Homeowners Association shall be responsible for the maintenance of the site drainage system, common areas, street trees, and for the operation and maintenance of the sewer connections to the public sewer in the abutting public right-of-way.
 - f. Provisions restricting the ground level commercial spaces associated with the "shopkeeper units" to be occupied by commercial uses and not utilized for residential purpose, requiring the spaces to maintain open and unobstructed glazing pursuant to PD-30, and requiring users of the commercial spaces of the "shopkeeper units" to obtain commercial business licenses.
 - g. A statement that the Owners Association shall be responsible for compliance by owners of the "shopkeeper units" with the sign program for the project.
 - h. A parking access and security plan with a diagram shall be included in the C.C. &Rs for the parking garage that addresses the method of separation of residential parking from commercial parking, garage security, access restriction, and allocation of parking spaces.
 - i. The Homeowners Association shall be responsible for managing all refuse collection for the project as described in the refuse collection plan.
113. The final tract map shall contain the following notes:
- a. The subject condominium consists of up to 542 residential units, 1,017 parking spaces for residents, and 169 spaces to be shared for guest and commercial parking.
 - b. A statement that each pair of tandem parking spaces shall be reserved for a single unit.

Historic Preservation

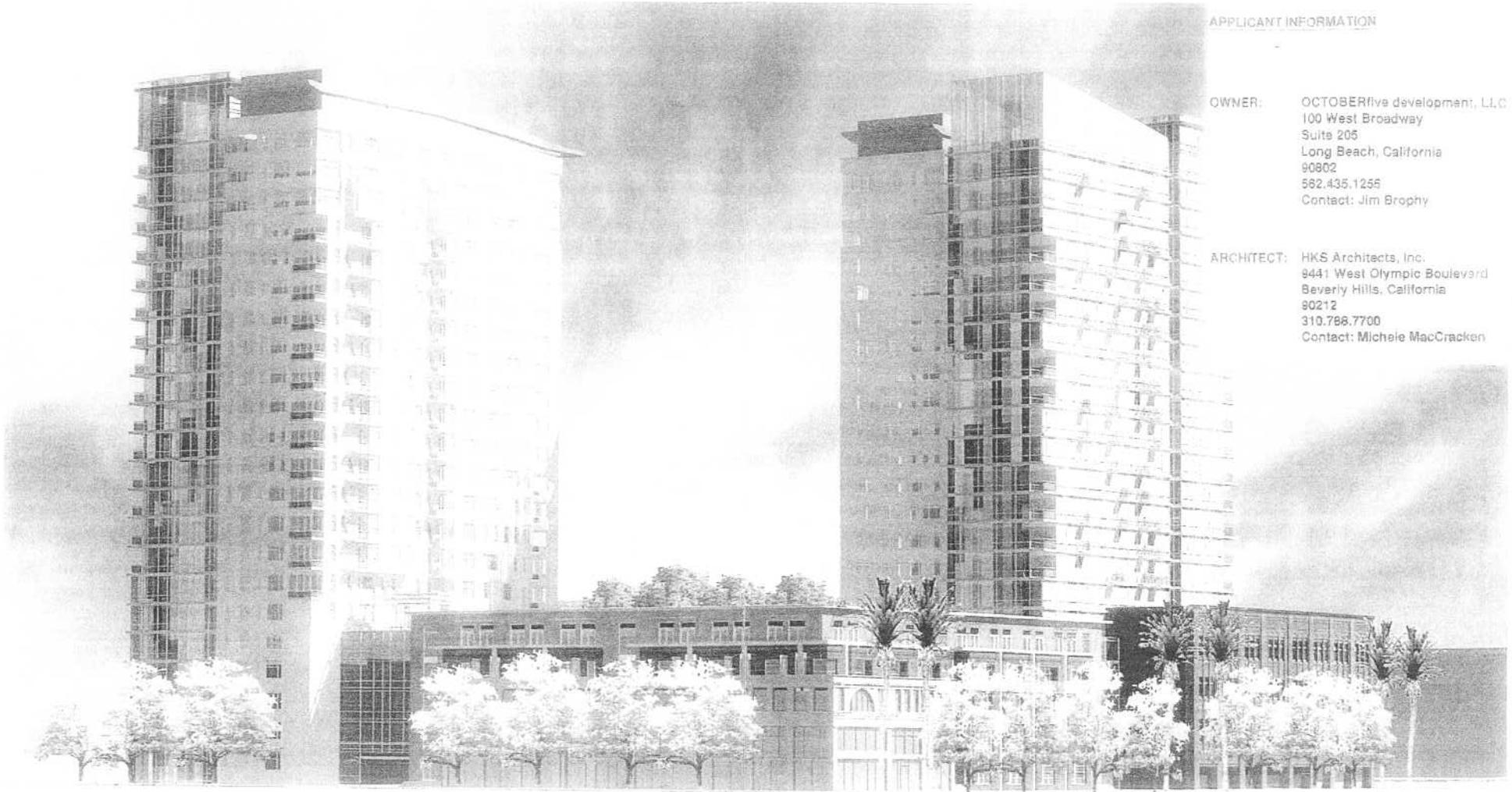
114. The project shall be designed to comply with all conditions of approval adopted by the Cultural Heritage Commission in conjunction with the Certificate of Appropriateness granted on January 17, 2007, as attached.
115. Press-Telegram Documentation Report. In consultation with a qualified historic preservation professional, the applicant shall produce a Documentation Report consisting of black and white archival, quality photographs and measured drawings

of the historic resources to be altered, which along with the Historic Resources Report prepared for this property, shall be submitted to an appropriate repository (mitigation measure).

116. Press-Telegram Interpretive Plan. In consultation with a qualified historic preservation professional, an interpretive plan for the property shall be produced, focusing on the significant historic themes associated with the property. The plan may consist of a public display or other suitable approach to interpreting the history of the property, as determined by the City of Long Beach. A display shall include historic photographs, memorabilia, documents and other appropriate features, and interpretive installations, including equipment. The display shall be open to the public and shall be completed prior to occupancy clearance (mitigation measure).
117. Meeker Documentation Report. In consultation with a qualified historic preservation professional, the applicant shall produce a Documentation Report consisting of black and white archival, quality photographs and measured drawings of the historic resources to be altered, which along with the Historic Resources Report prepared for this property, shall be submitted to an appropriate repository.
118. Meeker Interpretive Plan. In consultation with a qualified historic preservation professional, an interpretive plan for the property shall be produced, focusing on the significant historic themes associated with the property. The plan may consist of a public display or other suitable approach to interpreting the history of the property, as determined by the City of Long Beach.

Attachment #5

Project Plans



APPLICANT INFORMATION

OWNER: OCTOBERfive development, LLC
100 West Broadway
Suite 205
Long Beach, California
90802
562.435.1255
Contact: Jim Brophy

ARCHITECT: HKS Architects, Inc.
9441 West Olympic Boulevard
Beverly Hills, California
90212
310.788.7700
Contact: Michele MacCracken

PRESS TELEGRAM LOFTS - ENTITLEMENT PACKAGE

10/15/2009 10:05:00

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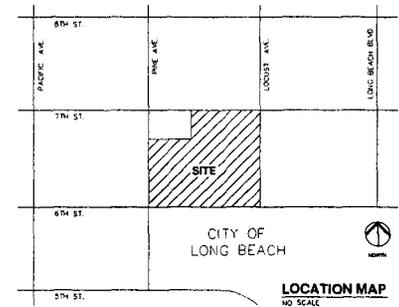
10/15/2009 10:05:00

PRESS TELEGRAM LOFTS
PROJECT SUMMARY

APPLICANT INFORMATION

OWNER: OCTOBERlive development, LLC
100 West Broadway
Suite 205
Long Beach, California
90802
562.435.1255
Contact: Jim Brophy

ARCHITECT: HKS Architects, Inc.
9441 West Olympic Boulevard
Beverly Hills, California
90212
310.788.7700
Contact: Michele MacCracken



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Long Beach, CA 90802

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JULY 18, 2006
JOB #9576.001
3/70

PRESS TELEGRAM LOFTS

Building Square Footage				
Gross SF	Commercial	Residential	Parking	
Parking B2			102,588	
Parking B1	12,500		101,569	
Ground	19,264	16,025	63,100	
Level 2		39,722	66,744	
Level 3		40,191	64,547	
Level 4		43,079	62,861	
Level 5		54,546		
Level 6		25,706		
Level 7		25,706		
Level 8		25,706		
Level 9		25,706		
Level 10		25,706		
Level 11		25,706		
Level 12		25,706		
Level 13		25,706		
Level 14		25,706		
Level 15		25,706		
Level 16		25,706		
Level 17		25,706		
Level 18		25,706		
Level 19		25,706		
Level 20		25,706		
Level 21		25,706		
Level 22		25,706		
	31,764 sf	630,565 sf	461,408 sf	1,123,738 sf

Required Parking Summary: Proposed Residential Unit Mix				
Unit type	Quantity	Req'd spaces per unit	Req'd spaces per unit type	
A 0BR	81	1.0	81	
A 1BR	65	1.5	98	
B	217	1.5	326	
C	147	2.0	294	
D	32	2.0	64	
Total	542		862	

Required Parking Summary: Proposed Commercial				
Commercial Area	Req'd spaces per SF	Required Spaces		
31,764	4 per 1000 sf	TOTAL		
		127		

Required Parking Summary: Overall				
Residential	Guest*	Commercial		
862	216	127		
	TOTAL	1205		

*1 each per every 4 residential spaces

Summary of Parking Per Level (plans as of 6/28/06)					
Level	Standard	Compact	Standard Tandem	Compact Tandem	
B2	78	36	76	28	
B1	85	69	64	38	
Ground	70	16	39	39	
2	80	2	30	74	
3	69	15	27	67	
4	83	3	27	71	
Subtotal	465	141	263	317	1186

Standard: 728 62%
 Compact: 458 38%
 Accessible: 24 2%
 Tandem: 580 49%

Parking Standards:
 Standard Stall 8'-6" x 18'-0"
 Compact Stall 8'-0" x 15'-0"
 Accessible Stall - Car 9'-0" x 18'-0" w/5'-0" adj. loading zone
 Accessible Stall - Van 9'-0" x 18'-0" w/8'-0" adj. loading zone
 Aisle width 24'-0"

Press Telegram Lofts																											
Unit Matrix																											
31-Aug-06																											
Unit Type	Segmentation	Area (sf)	Target	Actual	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	Total Per
A	27%	<700	148	165			3	8	10	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	165
B	27%	701-900	144	138			3	11	7	15	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	138
B ₂	13%	701-900	73	73	6			6	4	6	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	73
C	27%	901-1350	147	147	12			8	4	4	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	147
D	8%	>1351	32	19	10				2		7																19
Total per Floor	100.00%		542	542	28	6	35	25	40	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	542

Open Space Requirement Calculations		
No. of units	542 units	
Open space reqmt.	150 sf/unit	
Req'd program	81,300 sf	
Open space by level	Public	Private
Ground	4,000 sf	-
Lev 2	-	-
Lev 3	-	900 sf
Lev 4	-	1,800 sf
Lev 5 (podium)	47,000 sf	7,750 sf
Lev 6 (roof deck)	10,700 sf	-
Levels 7-22 (towers)	-	9,150 sf
Subtotal	61,700 sf	18,600 sf
TOTAL	81,300 sf	

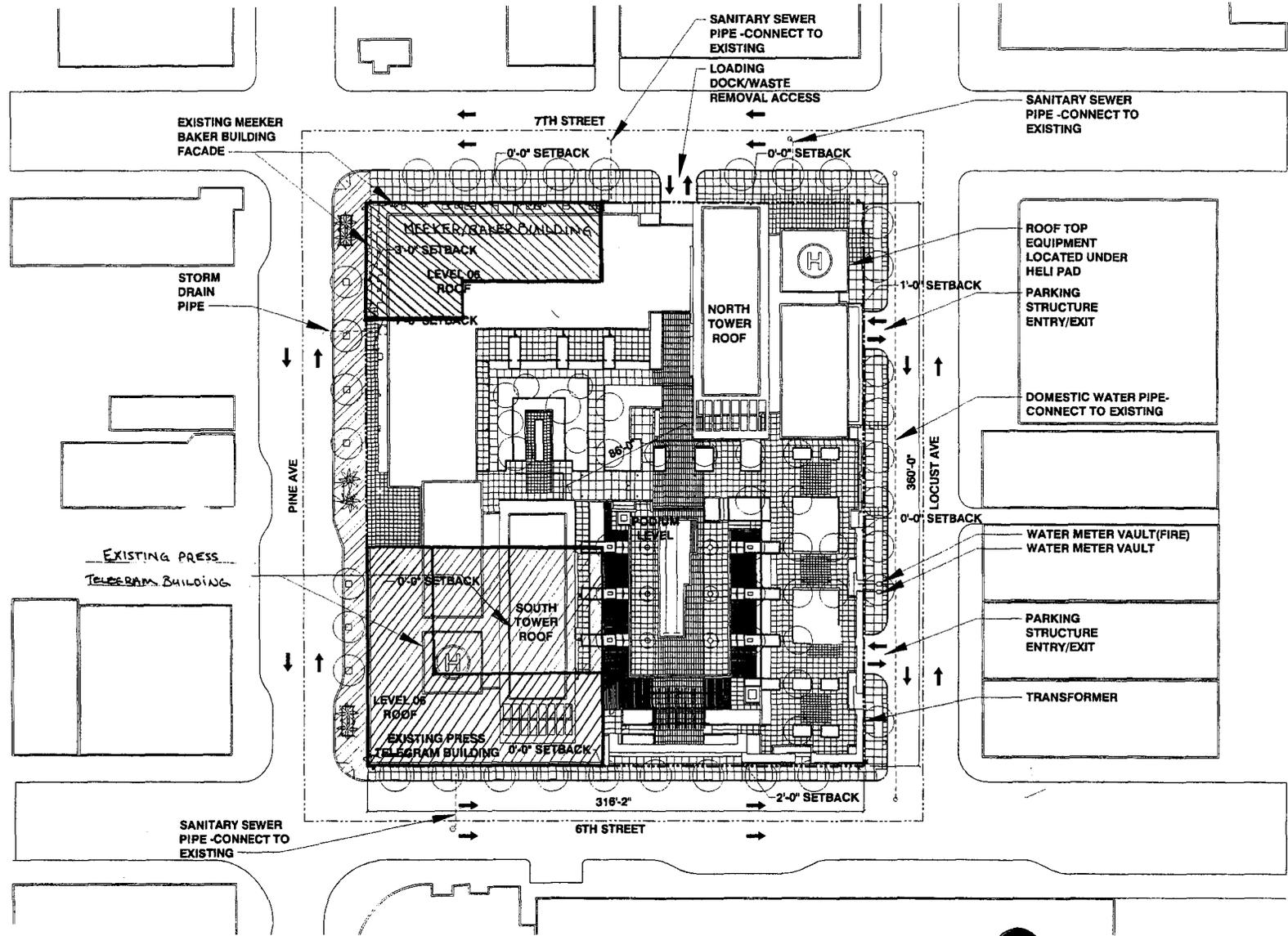


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Long Beach, CA 90802

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OCTOBER 25, 2006
 JOB #9576.001



SITE SUMMARY:

LOT SIZE	120,140 sf
BLDG AREA	104,351 sf
TOTAL BLDG	913,043 sf

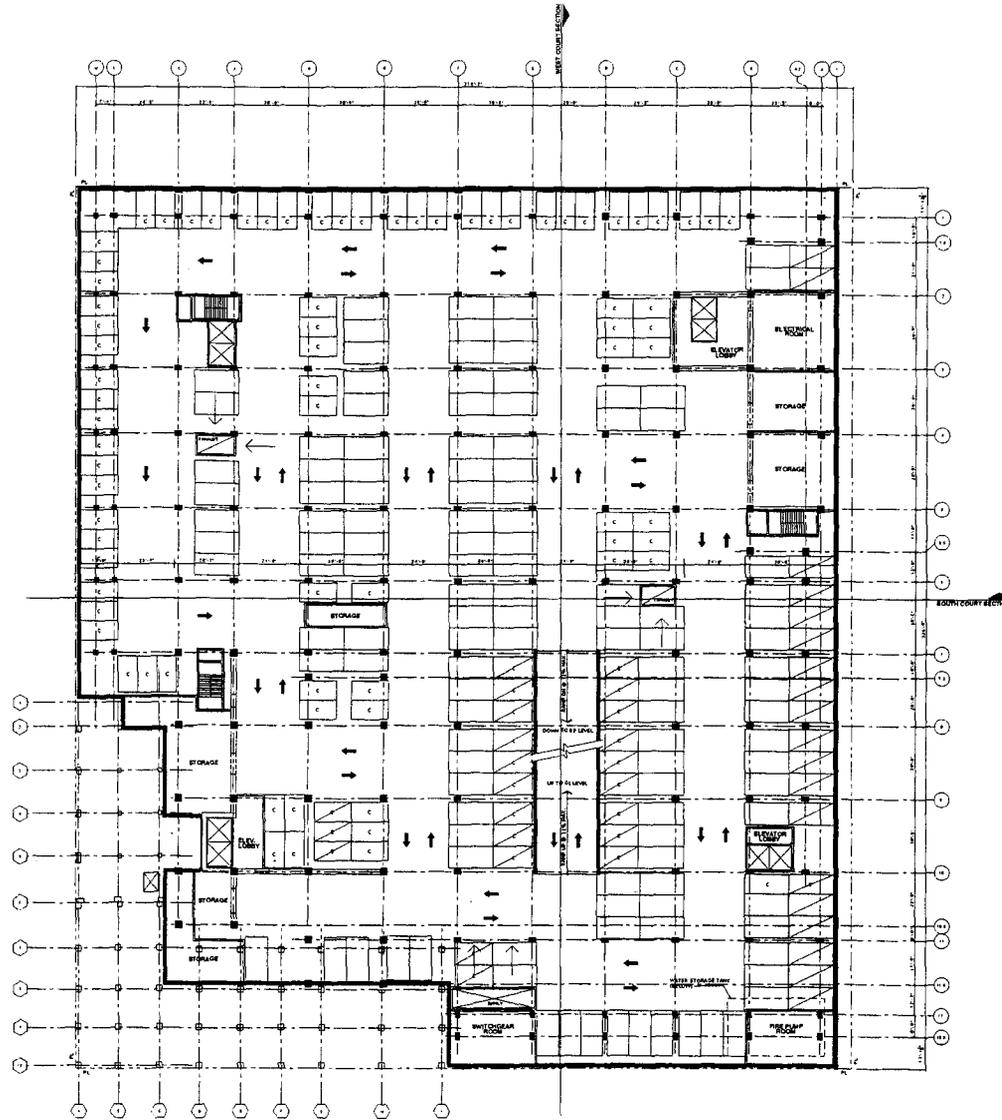


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Long Beach, CA 90802

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JULY 18, 2006
JOB #9576.001
12



- LEGEND**
- CIRCULATION
 - CORE
 - A - STUDIO (600 S.F. - 800 S.F.)
 - B - ONE BEDROOM (801 S.F. - 1200 S.F.)
 - C - TWO BEDROOM (1201 S.F. - 1400 S.F.)
 - D - THREE BEDROOM (1401 S.F. - 1600 S.F.)

TYPICAL LEVEL B1 & B2 PLAN
 0 10 20 30 40 50
 SCALE: 1" = 50'

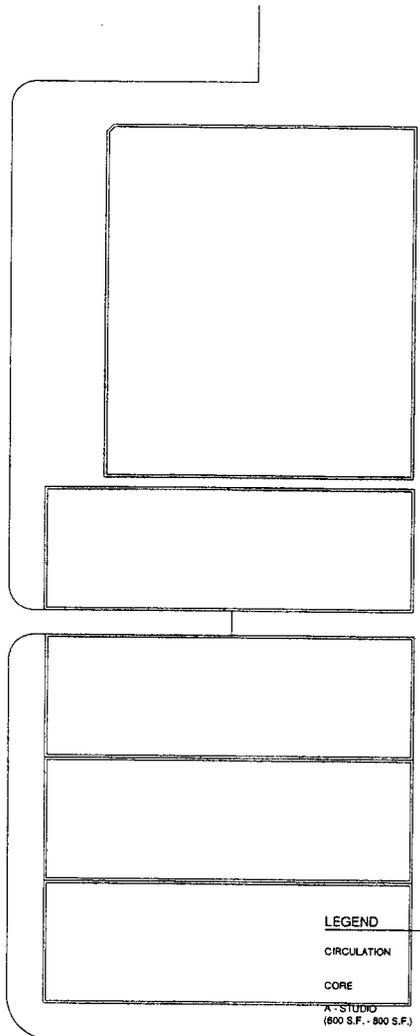
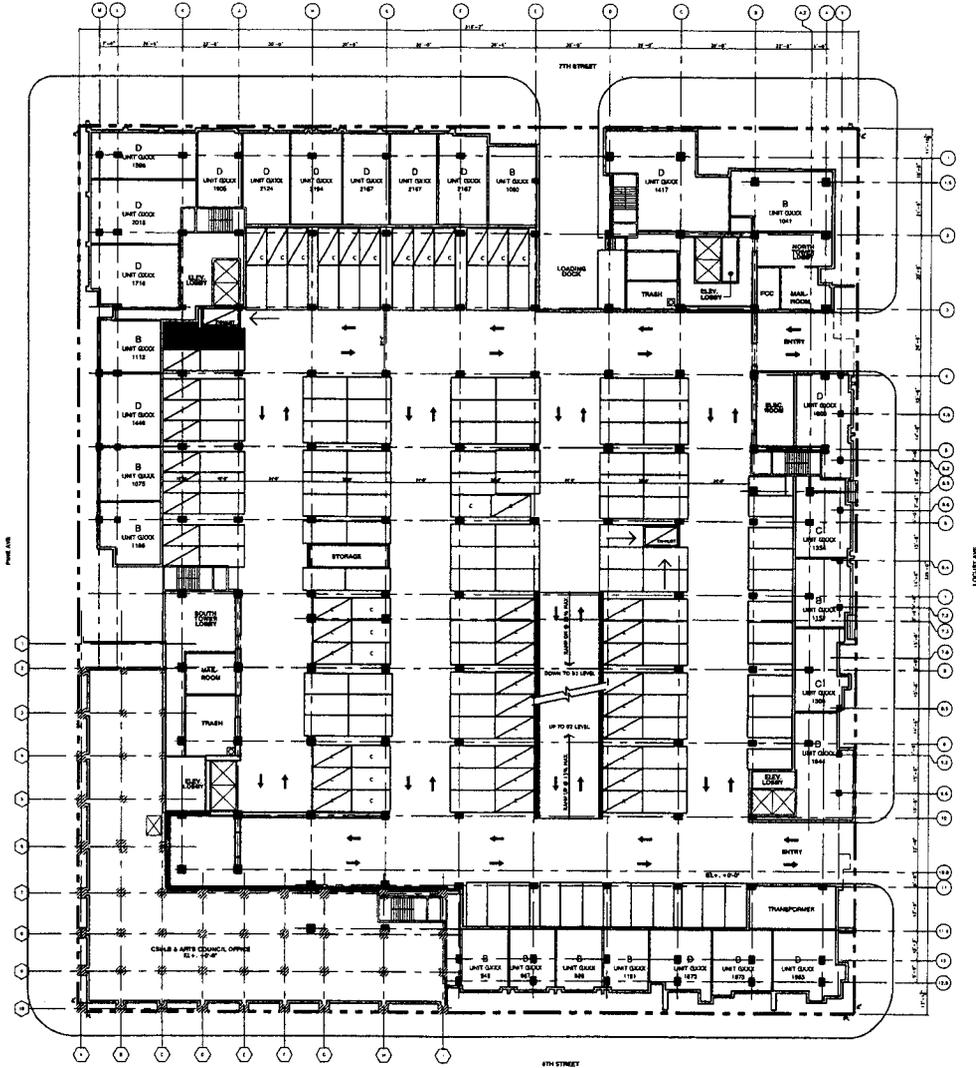
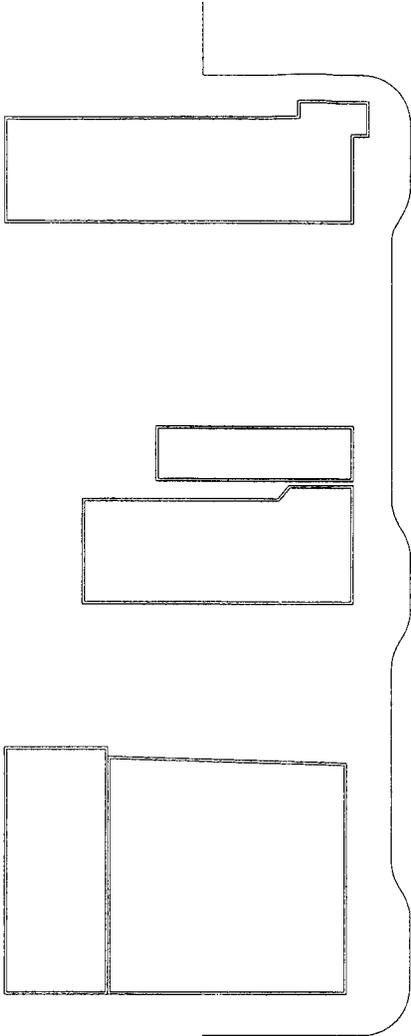


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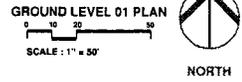
Long Beach, CA 90802

HKS

JULY 18, 2006
 JOB #9576.001



- LEGEND**
- CIRCULATION
 - CORE
 - A - STUDIO (800 S.F. - 900 S.F.)
 - B - ONE BEDROOM (801 S.F. - 1200 S.F.)
 - C - TWO BEDROOM (1201 S.F. - 1400 S.F.)
 - D - THREE BEDROOM (1401 S.F. - 1600 S.F.)

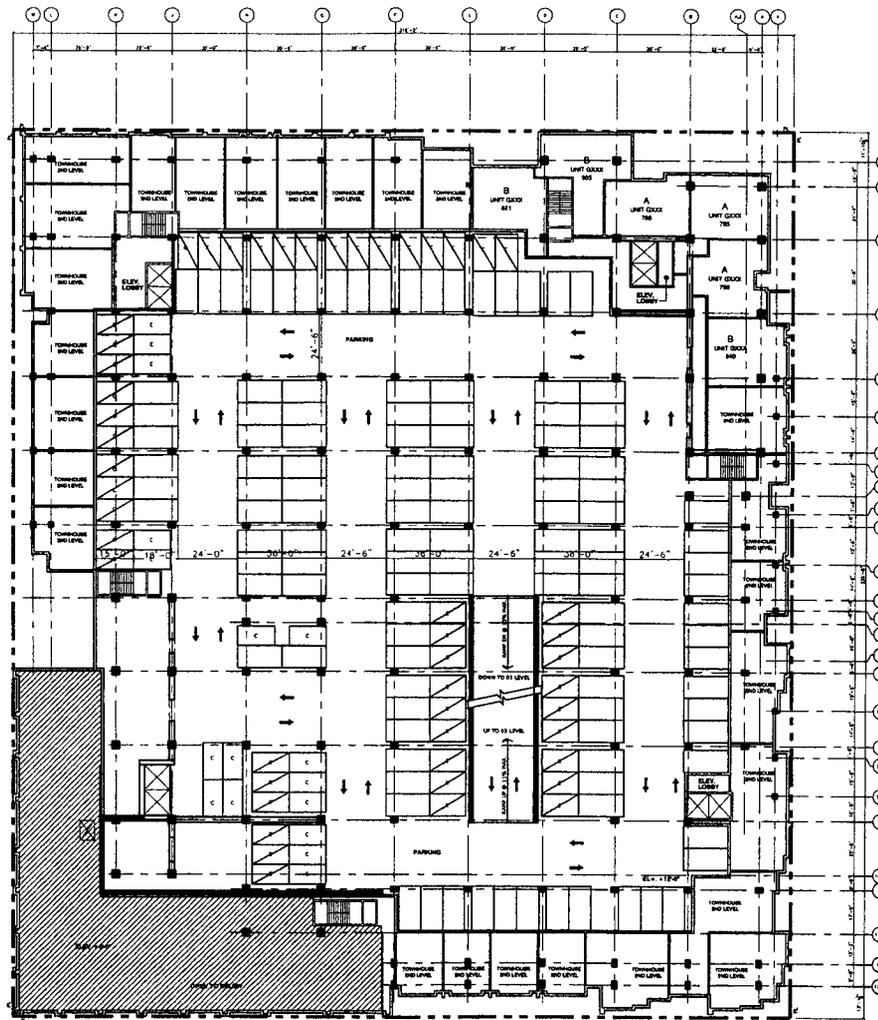


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Long Beach, CA 90802

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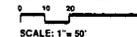
October 13, 2006
JOB #9576.001



LEGEND

- CIRCULATION
- CORE
- A - STUDIO (800 S.F. - 800 S.F.)
- B - ONE BEDROOM (801 S.F. - 1200 S.F.)
- C - TWO BEDROOM (1201 S.F. - 1400 S.F.)
- D - THREE BEDROOM (1401 S.F. - 1600 S.F.)

LEVEL 02 PLAN



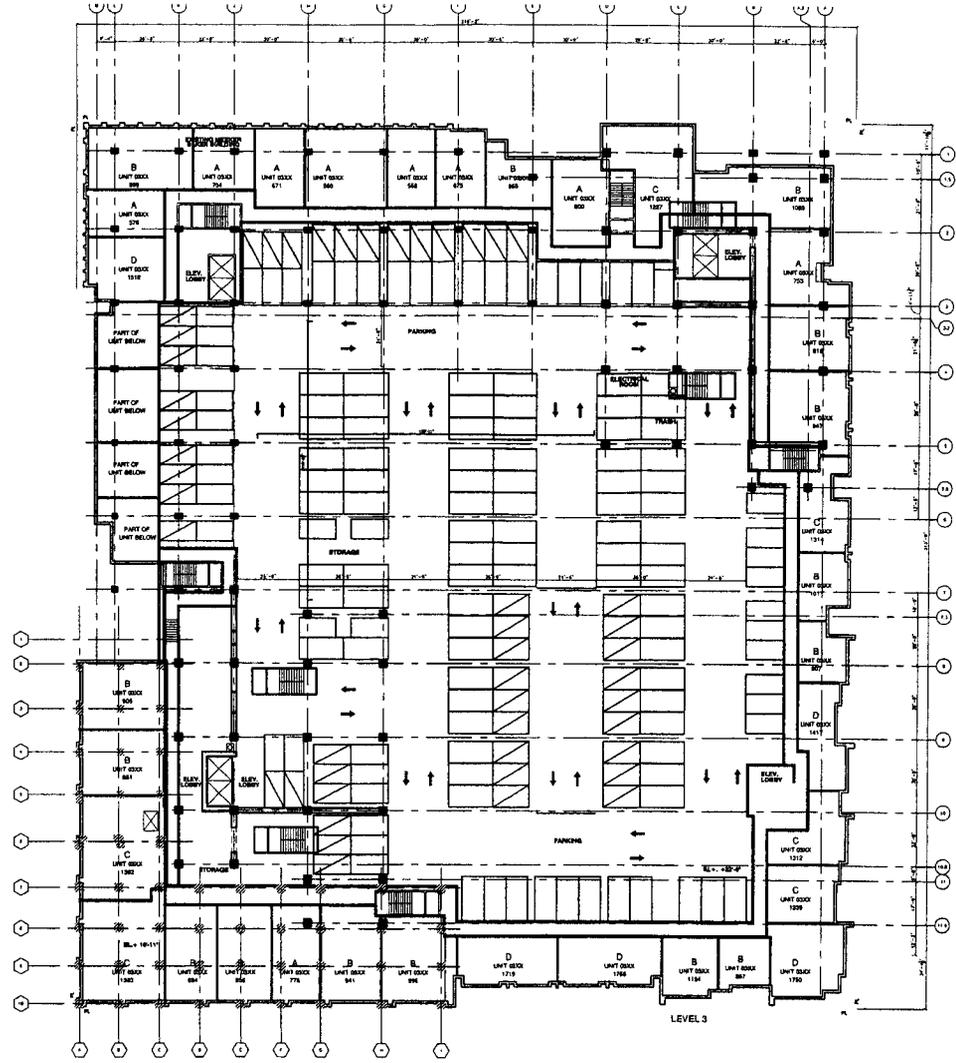
NORTH
(TWO STORY TOWNHOUSES AT LEVELS 01 & 03)

PRESS TELEGRAM LOFTS - ENTITLEMENT PACKAGE

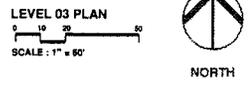
Long Beach, CA 90802

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October 13, 2006
JOB #9576.001



- LEGEND**
- CIRCULATION
 - CORE
 - A - STUDIO (800 S.F. - 900 S.F.)
 - B - ONE BEDROOM (801 S.F. - 1200 S.F.)
 - C - TWO BEDROOM (1201 S.F. - 1400 S.F.)
 - D - THREE BEDROOM (1401 S.F. - 1900 S.F.)

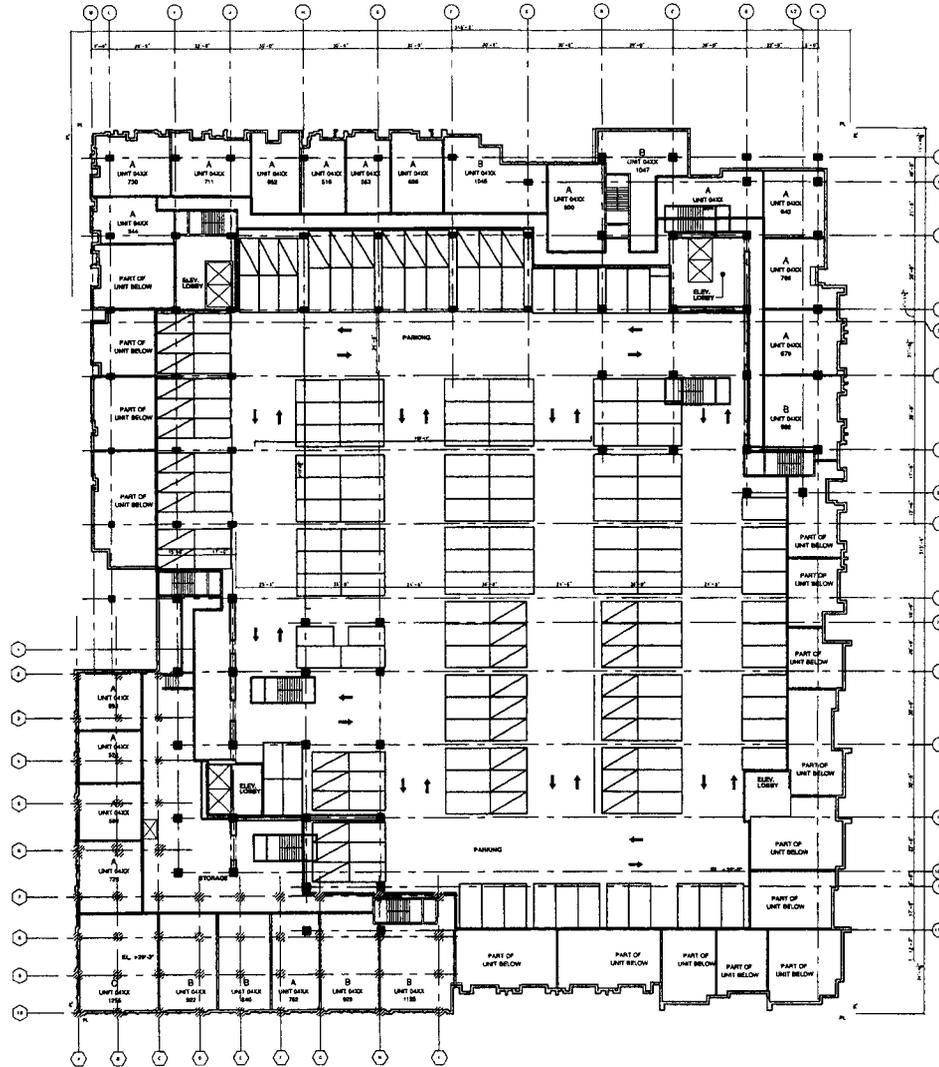


PRESS TELEGRAM LOFTS - ENTITLEMENT PACKAGE

Long Beach, CA 90802

HKS

October 13, 2006
JOB #9576.001



LEGEND

- CIRCULATION
- CORE
- A - STUDIO (800 S.F. - 900 S.F.)
- B - ONE BEDROOM (801 S.F. - 1200 S.F.)
- C - TWO BEDROOM (1201 S.F. - 1400 S.F.)
- D - THREE BEDROOM (1401 S.F. - 1600 S.F.)

LEVEL 04 PLAN

SCALE: 1" = 50'



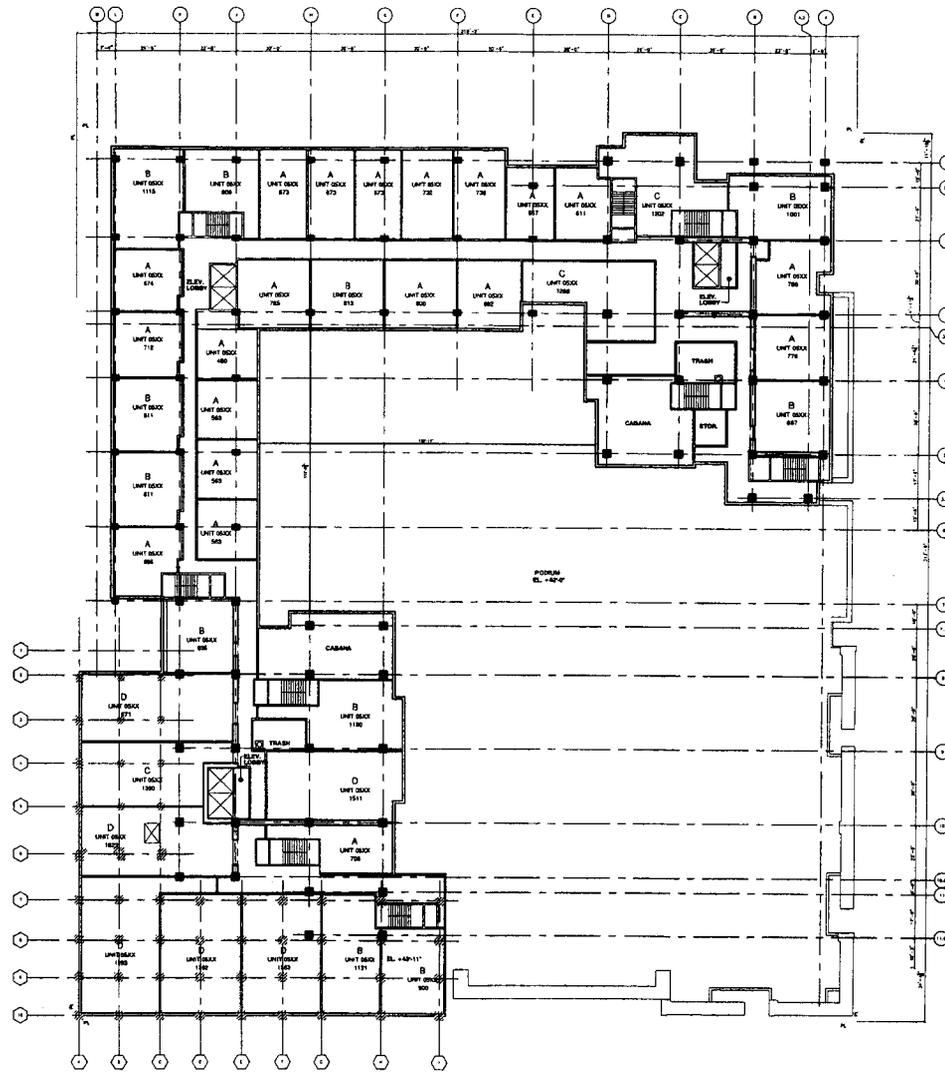
NORTH

PRESS TELEGRAM LOFTS - ENTITLEMENT PACKAGE

Long Beach, CA 90802

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October 13, 2006
JOB #9576.001



LEGEND

- CIRCULATION
- CORE
- A - STUDIO (800 S.F. - 800 S.F.)
- B - ONE BEDROOM (801 S.F. - 1200 S.F.)
- C - TWO BEDROOM (1201 S.F. - 1400 S.F.)
- D - THREE BEDROOM (1401 S.F. - 1600 S.F.)

LEVEL 05 PLAN
 0 10 20 30
 SCALE: 1" = 50'

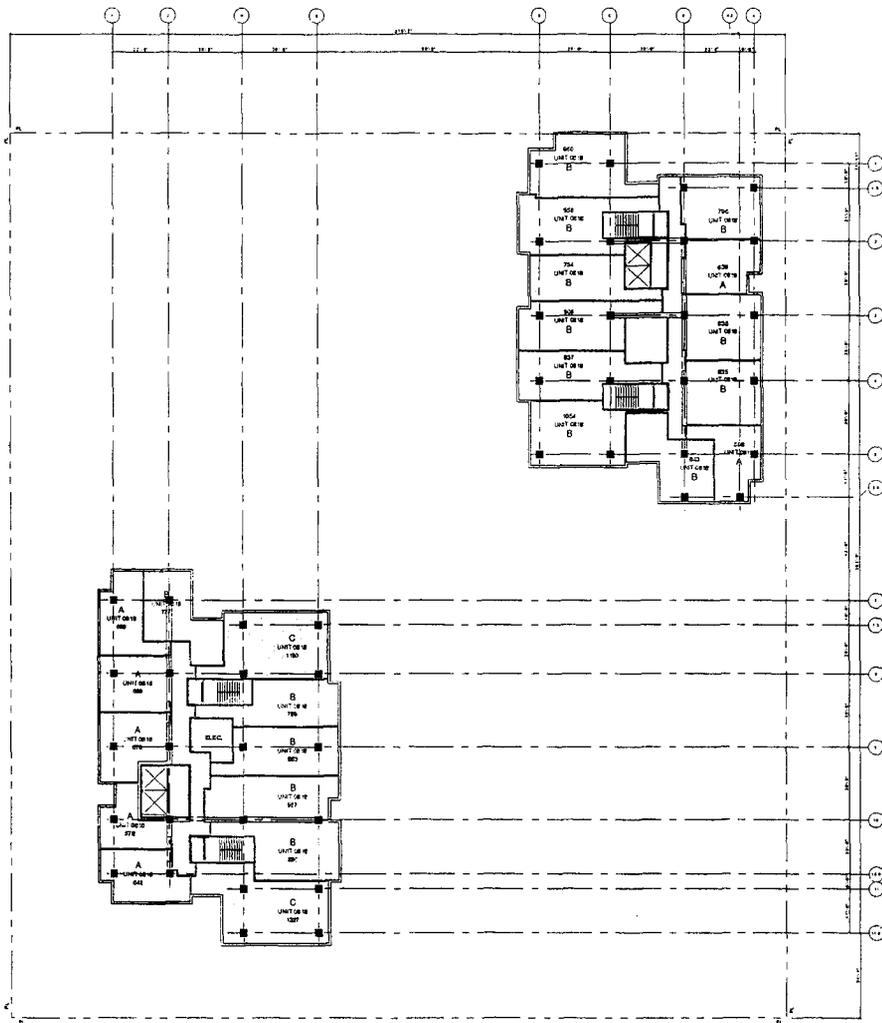


PRESS TELEGRAM LOFTS - ENTITLEMENT PACKAGE

Long Beach, CA 90802

HKS

October 13, 2006
 JOB #9576.001



- LEGEND**
- CIRCULATION 
 - CORE 
 - A - STUDIO (600 S.F. - 900 S.F.) 
 - B - ONE BEDROOM (801 S.F. - 1200 S.F.) 
 - C - TWO BEDROOM (1201 S.F. - 1400 S.F.) 
 - D - THREE BEDROOM (1401 S.F. - 1600 S.F.) 

LEVEL 06 - 22 PLAN
 0 10 20 30
 SCALE: 1" = 50'

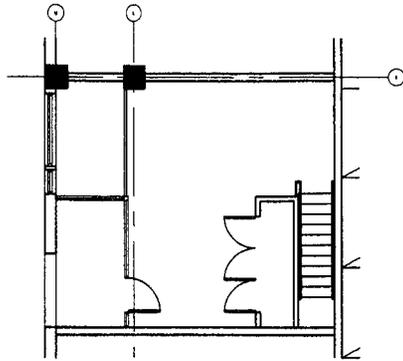


PRESS TELEGRAM LOFTS - ENTITLEMENT PACKAGE

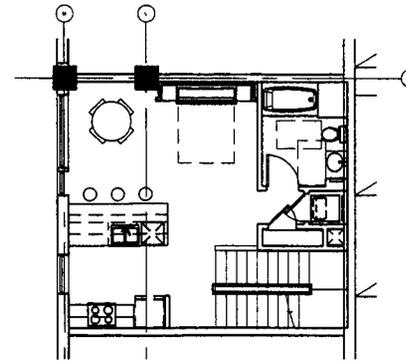
Long Beach, CA 90802

HKS

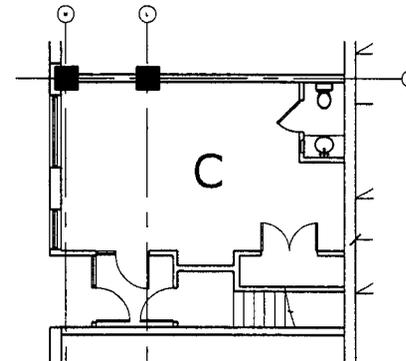
JULY 18, 2006
 JOB #9576.001
 A04



PINE STREET SHOPKEEPER UNIT
 LEVEL 3 UNIT TYPE 'C'
 SCALE: 3/32" = 1'-0"



PINE STREET SHOPKEEPER UNIT
 LEVEL 2 UNIT TYPE 'C'
 SCALE: 3/32" = 1'-0"



PINE STREET SHOPKEEPER UNIT
 GROUND LEVEL UNIT TYPE 'C'
 SCALE: 3/32" = 1'-0"



NORTH

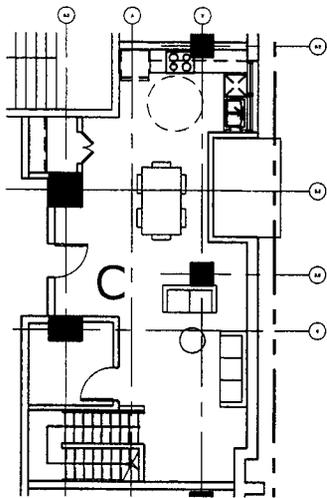
PRESS TELEGRAM LOFTS - ENTITLEMENT PACKAGE

Long Beach, CA 90802

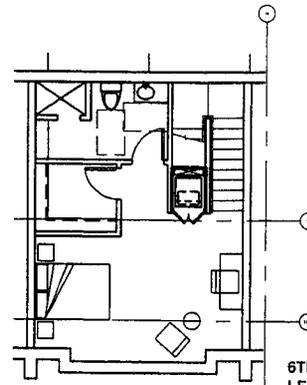
HKS

OCTOBER 25, 2006

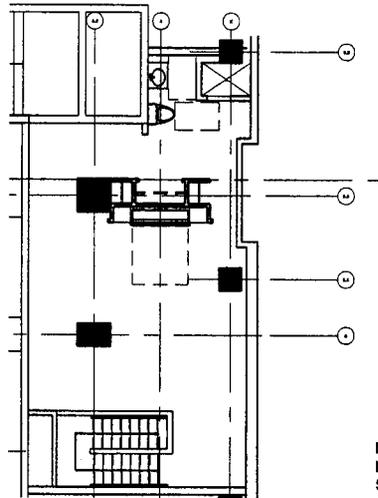
JOB #9576.001



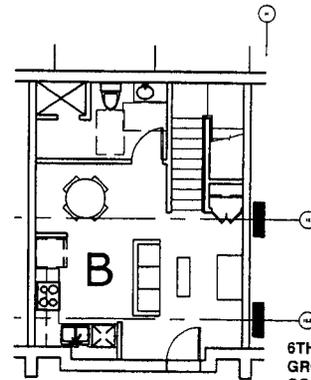
LOCUST AVE UPR TOWNHOUSE
LEVEL 3 TYPE 'C'
SCALE : 3/32" = 1' - 0"



6TH STREET TOWNHOUSE
LEVEL 2 TYPE 'B'
SCALE : 3/32" = 1' - 0"



LOCUST AVE UPR TOWNHOUSE
LEVEL 4 TYPE 'C'
SCALE : 3/32" = 1' - 0"



6TH STREET TOWNHOUSE
GROUND LEVEL TYPE 'B'
SCALE : 3/32" = 1' - 0"



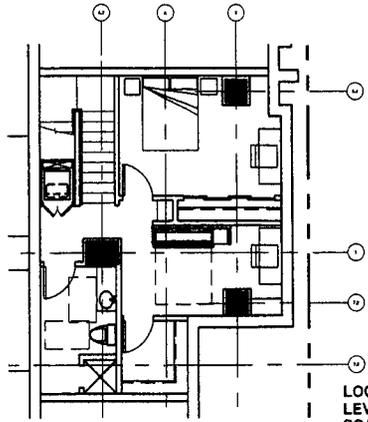
NORTH

PRESS TELEGRAM LOFTS - ENTITLEMENT PACKAGE

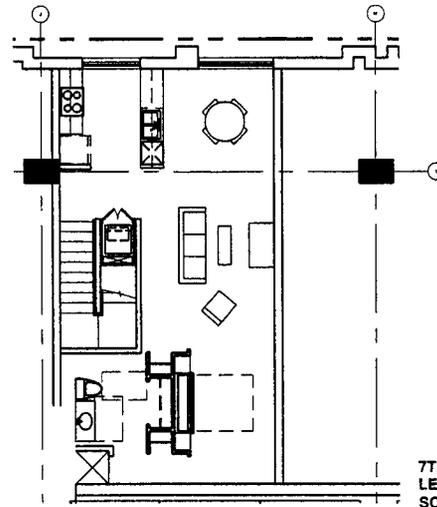
Long Beach, CA 90802

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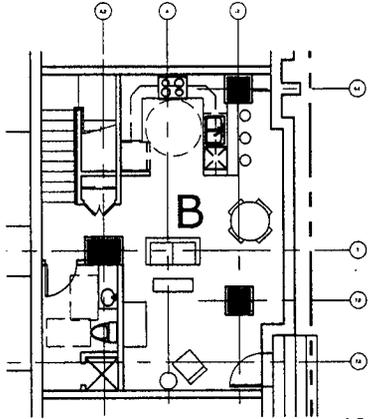
OCTOBER 25, 2006
JOB #9576.001



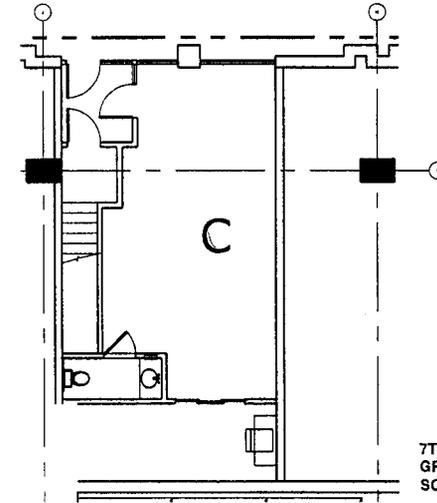
LOCUST STREET TOWNHOUSE
LEVEL 2 UNIT TYPE 'B'
SCALE : 3/32" = 1' - 0"



7TH STREET SHOPKEEPER UNIT
LEVEL 2 UNIT TYPE 'C'
SCALE : 3/32" = 1' - 0"



LOCUST STREET TOWNHOUSE
LEVEL 1 UNIT TYPE 'B'
SCALE : 3/32" = 1' - 0"



7TH STREET SHOPKEEPER UNIT
GROUND LEVEL TYPE 'C'
SCALE : 3/32" = 1' - 0"



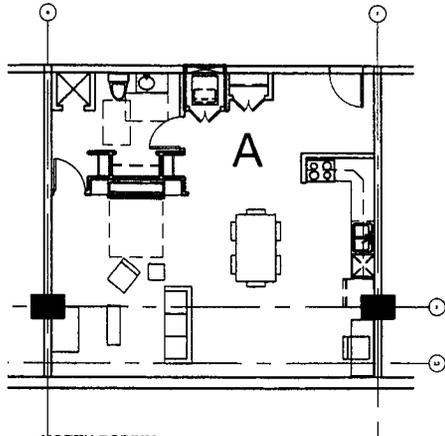
NORTH

PRESS TELEGRAM LOFTS - ENTITLEMENT PACKAGE

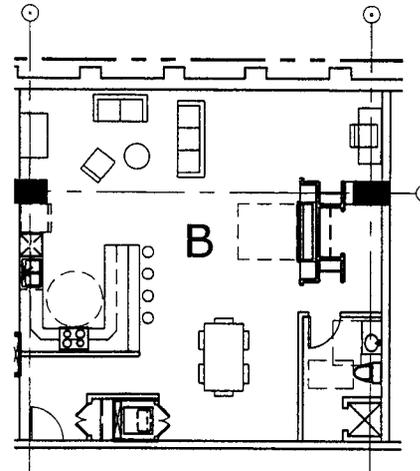
Long Beach, CA 90802

OCTOBER 25, 2006
JOB #9576.001

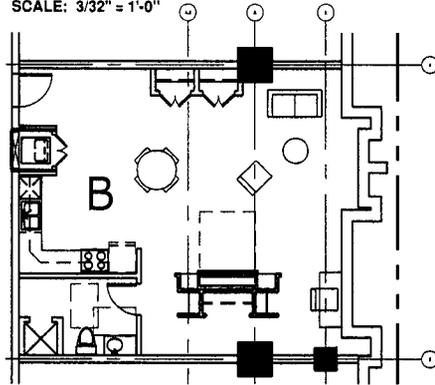




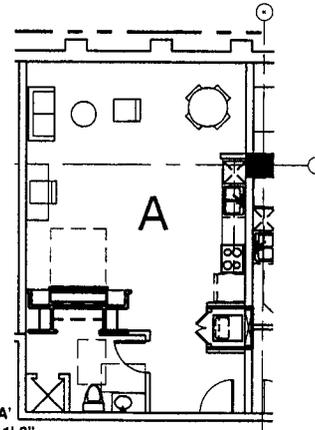
NORTH PODIUM
LEVEL 5 TYPE 'A'
SCALE: 3/32" = 1'-0"



7TH STREET
LEVEL 3 TYPE 'B'
SCALE: 3/32" = 1'-0"



LOCUST AVENUE
LEVEL 4 TYPE 'B'
SCALE: 3/32" = 1'-0"



7TH STREET
LEVEL 3 TYPE 'A'
SCALE: 3/32" = 1'-0"



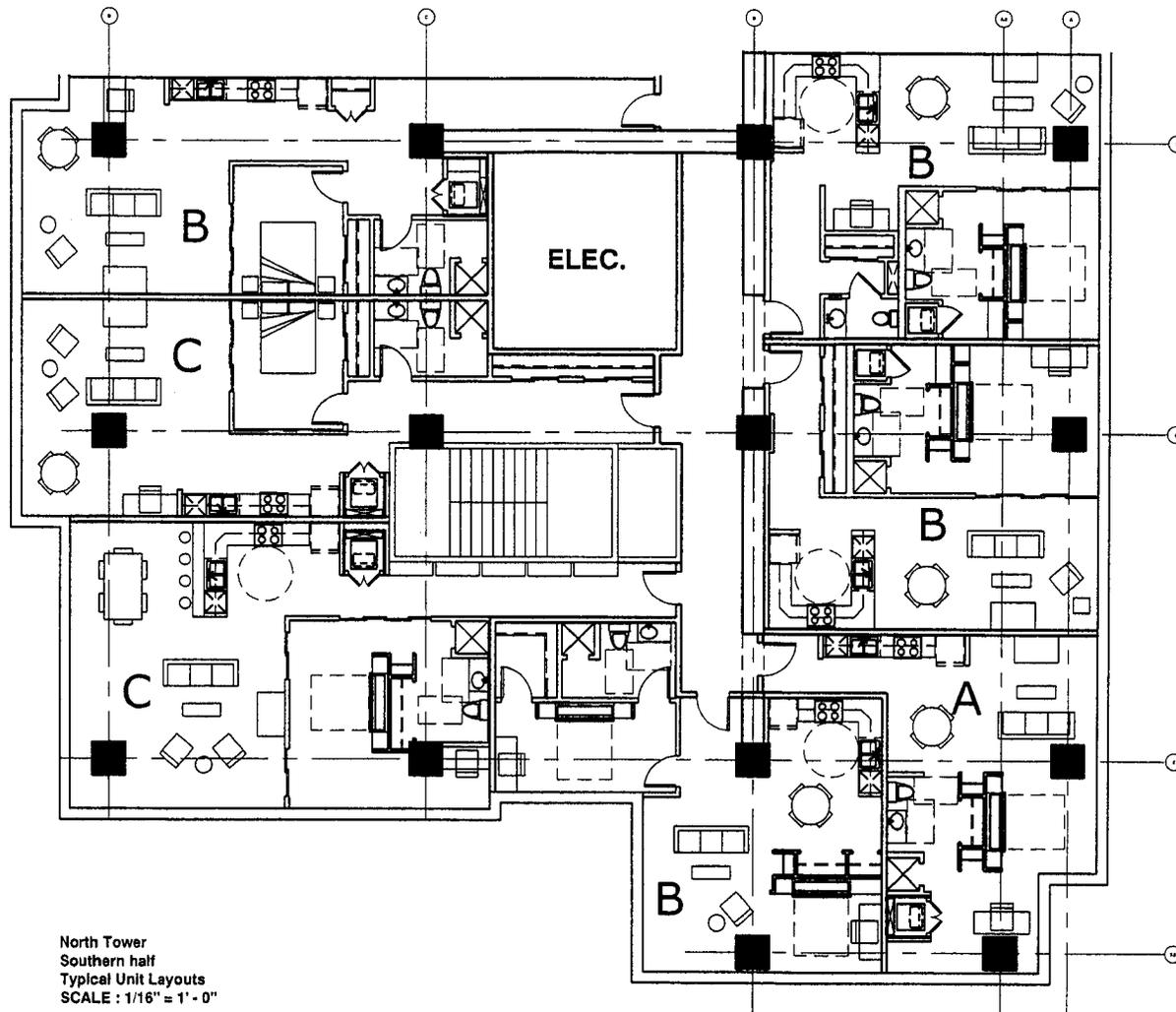
NORTH

PRESS TELEGRAM LOFTS - ENTITLEMENT PACKAGE

Long Beach, CA 90802

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OCTOBER 25, 2006
JOB #9576.001



North Tower
 Southern half
 Typical Unit Layouts
 SCALE : 1/16" = 1' - 0"



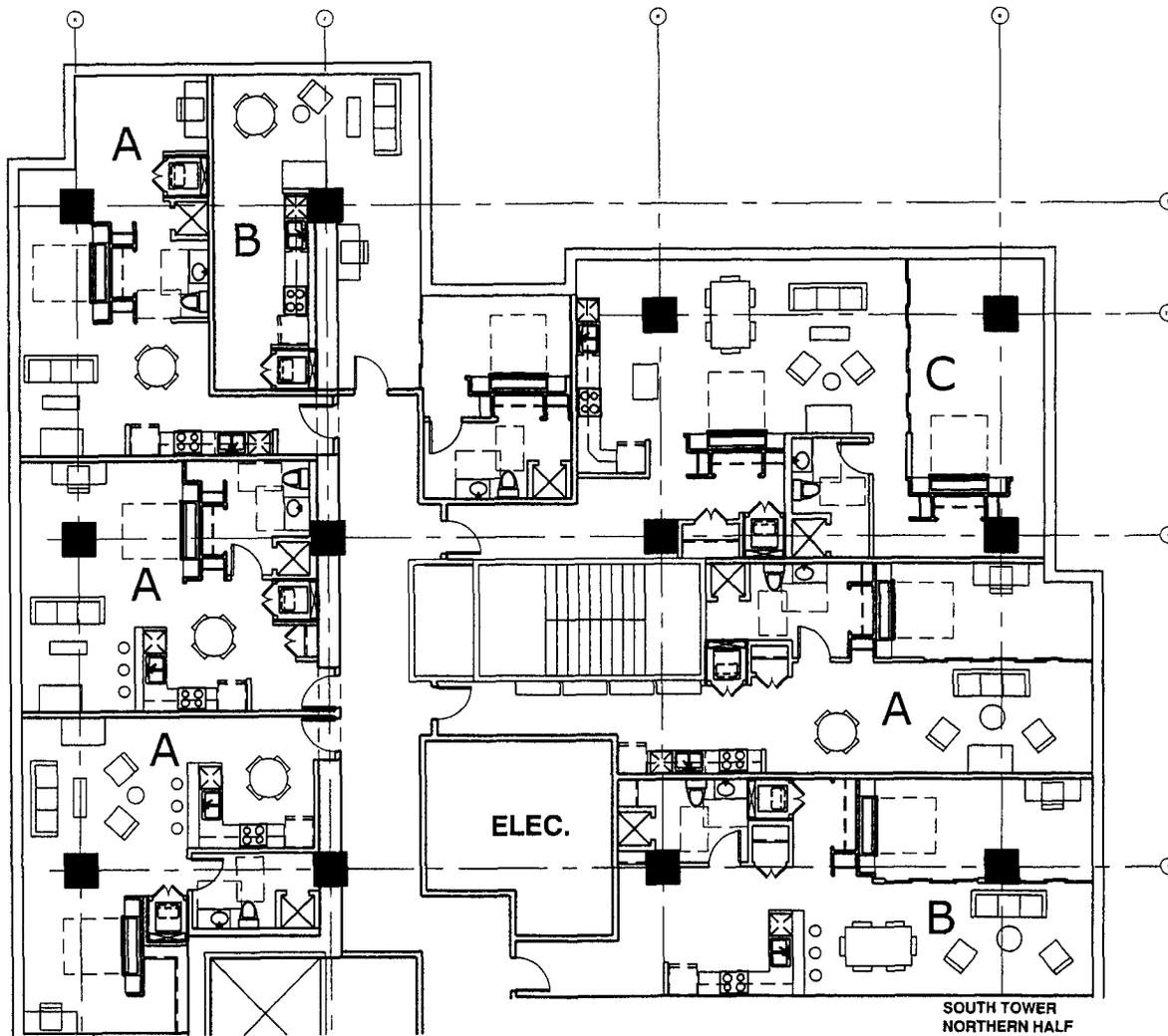
NORTH

PRESS TELEGRAM LOFTS - ENTITLEMENT PACKAGE

Long Beach, CA 90802

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OCTOBER 25, 2006
 JOB #9576.001
 42



SOUTH TOWER
 NORTHERN HALF
 TYPICAL UNIT LAYOUTS
 SCALE: 1/16" = 1' - 0"



NORTH

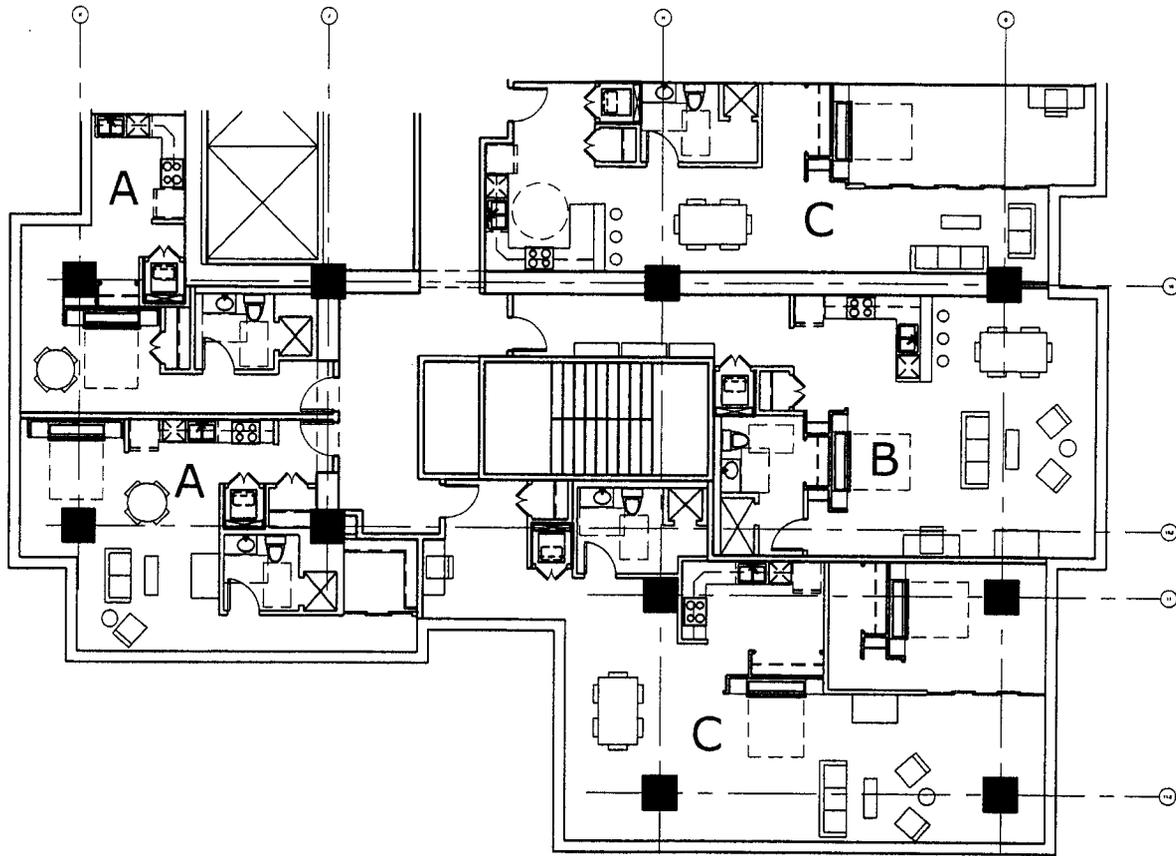
PRESS TELEGRAM LOFTS - ENTITLEMENT PACKAGE

Long Beach, CA 90802

HKS

OCTOBER 25, 2006

JOB #9576.001



SOUTH TOWER
 SOUTHERN HALF
 TYPICAL UNIT LAYOUTS
 SCALE : 1/16" = 1' - 0"

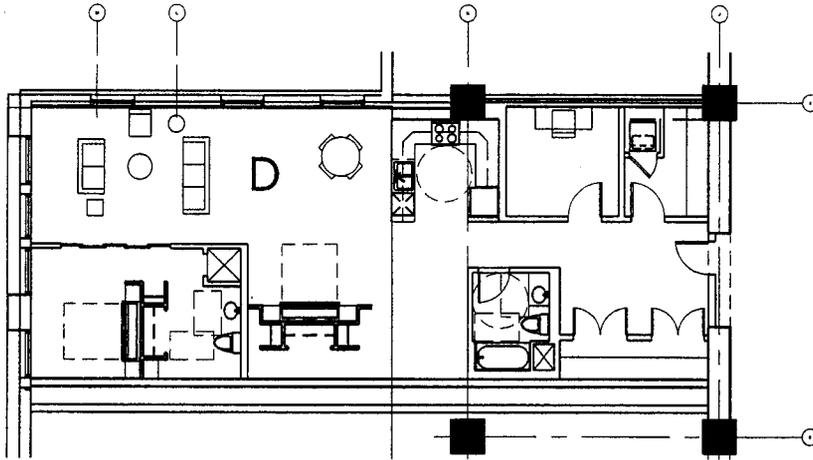


PRESS TELEGRAM LOFTS - ENTITLEMENT PACKAGE

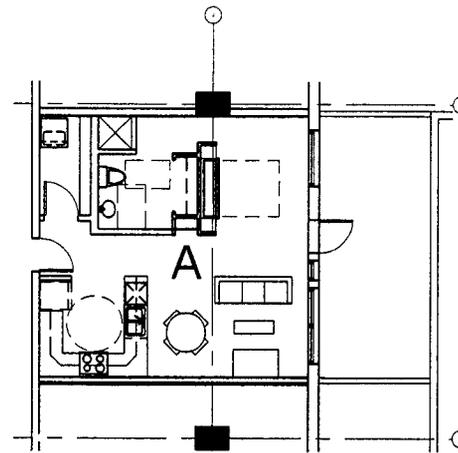
Long Beach, CA 90802

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OCTOBER 25, 2006
 JOB #9576.001



PINE STREET PRESS TELEGRAM BUILDING FLAT
 LEVEL 5 UNIT TYPE 'D'
 SCALE : 3/32" = 1' - 0"



WEST PODIUM FLAT
 LEVEL 5 UNIT TYPE 'A'
 SCALE : 3/32" = 1' - 0"



NORTH

PRESS TELEGRAM LOFTS - ENTITLEMENT PACKAGE

Long Beach, CA 90802

HKS

OCTOBER 25, 2006
 JOB #9576.001

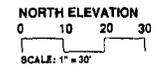
- ROOF
EL = +244'-7"
- 72ND FLOOR
EL = +212'-0"
- 71ST FLOOR
EL = +202'-0"
- 70TH FLOOR
EL = +192'-0"
- 69TH FLOOR
EL = +182'-0"
- 68TH FLOOR
EL = +172'-0"
- 67TH FLOOR
EL = +162'-0"
- 66TH FLOOR
EL = +152'-0"
- 65TH FLOOR
EL = +142'-0"
- 64TH FLOOR
EL = +132'-0"
- 63TH FLOOR
EL = +122'-0"
- 62TH FLOOR
EL = +112'-0"
- 61TH FLOOR
EL = +102'-0"
- 60TH FLOOR
EL = +92'-0"
- 59TH FLOOR
EL = +82'-0"
- 58TH FLOOR
EL = +72'-0"
- 57TH FLOOR
EL = +62'-0"
- 56TH FLOOR
EL = +52'-0"
- 55TH FLOOR
EL = +42'-0"
- 54TH FLOOR
EL = +32'-0"
- 3RD FLOOR
EL = +22'-0"
- 2ND FLOOR
EL = +12'-0"
- GROUND FLOOR
EL = +0'-0"



- | EXTERIOR BUILDING MATERIAL FINISHES | |
|-------------------------------------|---|
| 1 | RESTORED BRICK MASONRY |
| 2 | PRECAST CONCRETE PANEL |
| 3 | ALUMINUM WINDOW WALL SYSTEM |
| 4 | 1 1/2" ALUMINUM MULLION EXTERIOR |
| 5 | PREFABRICATED FORMED ALUMINUM PANEL |
| 6 | PREFABRICATED STEEL FOR EXTERIOR RAILINGS |
| 7 | VARIABLE PARTED GLAZING |
| 8 | PRECAST CORNICE |
| 9 | FORMED METAL WALL PANELS |
| 10 | GLAZED ANODIZED ALUMINUM WINDOWS |
| 11 | BRICK MASONRY WALL SYSTEM |
| 12 | GLASS & ALUMINUM ENTRANCE CANOPY |
| 13 | GLAZED BALCONY RAILING |
| 14 | PAINTED METAL |
| 15 | STUCCO |
| 16 | METAL ROLL-DOWN GRATE |
| 17 | GLASS & ALUMINUM MECHANICAL SCREEN |

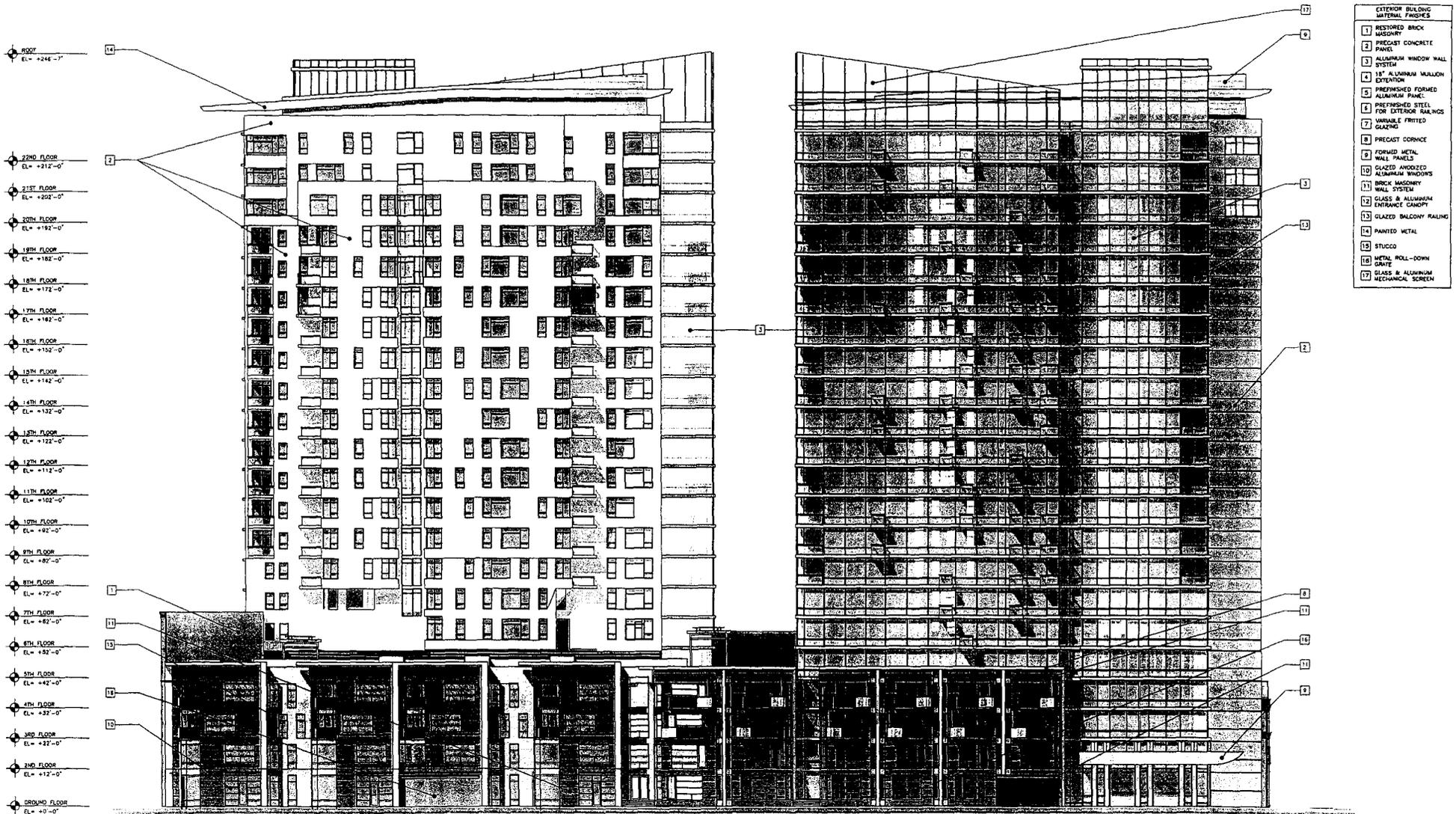
PRESS TELEGRAM LOFTS - ENTITLEMENT PACKAGE

Long Beach, CA 90802



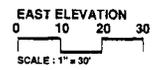
HKS

JULY 18, 2006
JOB #9576.001



PRESS TELEGRAM LOFTS - ENTITLEMENT PACKAGE

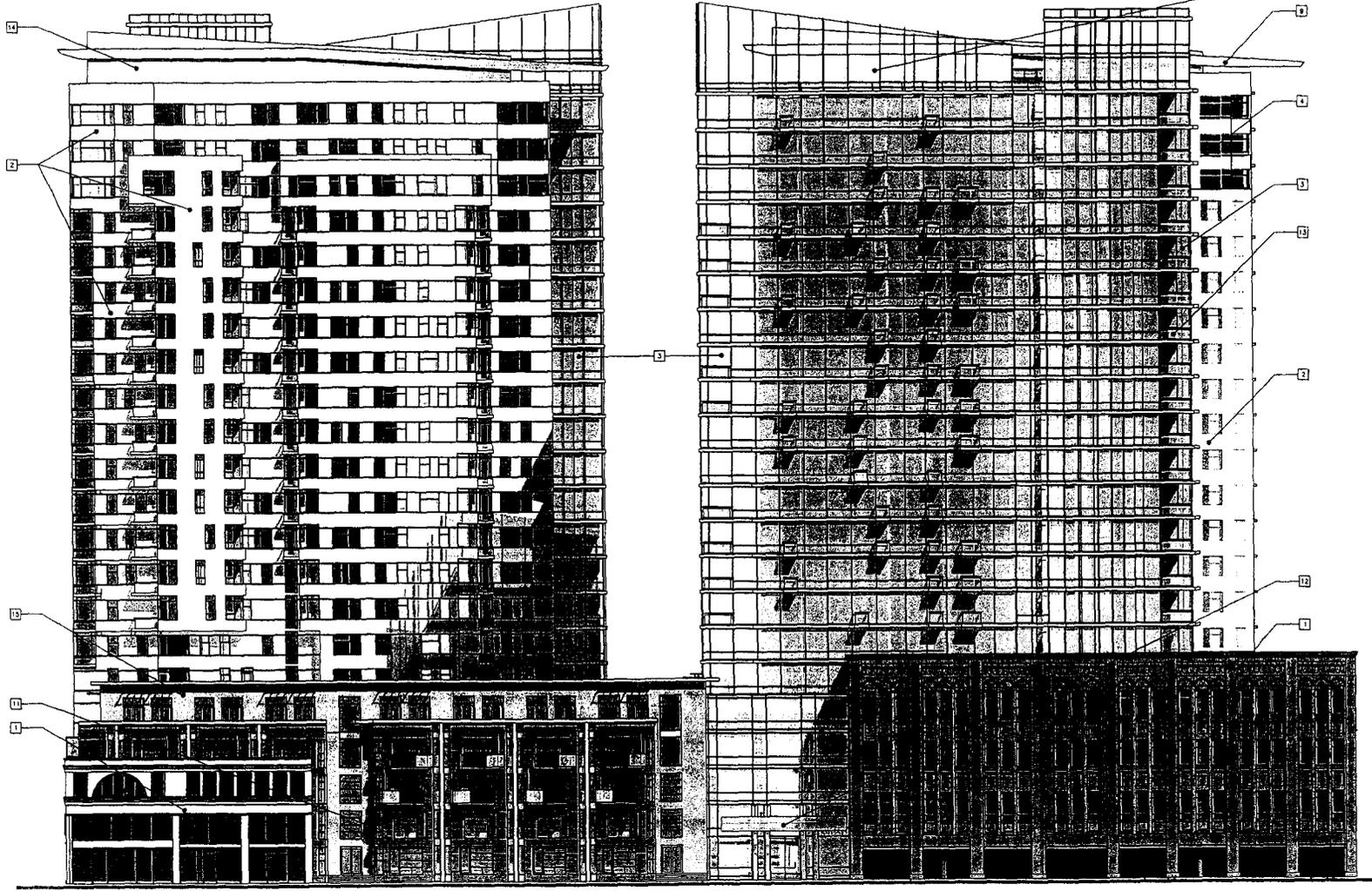
Long Beach, CA 90802



HKS

JULY 18, 2006
 JOB #9576.001

- ROOF
EL = +246'-7"
- 22ND FLOOR
EL = +212'-0"
- 21ST FLOOR
EL = +202'-0"
- 20TH FLOOR
EL = +192'-0"
- 19TH FLOOR
EL = +182'-0"
- 18TH FLOOR
EL = +172'-0"
- 17TH FLOOR
EL = +162'-0"
- 16TH FLOOR
EL = +152'-0"
- 15TH FLOOR
EL = +142'-0"
- 14TH FLOOR
EL = +132'-0"
- 13TH FLOOR
EL = +122'-0"
- 12TH FLOOR
EL = +112'-0"
- 11TH FLOOR
EL = +102'-0"
- 10TH FLOOR
EL = +92'-0"
- 9TH FLOOR
EL = +82'-0"
- 8TH FLOOR
EL = +72'-0"
- 7TH FLOOR
EL = +62'-0"
- 6TH FLOOR
EL = +52'-0"
- 5TH FLOOR
EL = +42'-0"
- 4TH FLOOR
EL = +32'-0"
- 3RD FLOOR
EL = +22'-0"
- 2ND FLOOR
EL = +12'-0"
- GROUND FLOOR
EL = +0'-0"



- 1 RESTORED BRICK MASONRY MATERIAL FINISHES
- 2 PRECAST CONCRETE PANEL
- 3 ALUMINUM WINDOW WALL SYSTEM
- 4 1" ALUMINUM MULLION EXTENSION
- 5 PREFABRICATED FORMED ALUMINUM PANEL
- 6 PREFABRICATED STEEL FOR EXTERIOR RAILINGS
- 7 VARIABLE FINISHED GLAZING
- 8 PRECAST CORNICE
- 9 FORMED METAL WALL PANELS
- 10 GLAZED ANODIZED ALUMINUM WINDOWS
- 11 BRICK MASONRY WALL SYSTEM
- 12 GLASS & ALUMINUM ENTRANCE CANOPY
- 13 GLAZED BALCONY RAILING
- 14 PAINTED METAL
- 15 STUCCO
- 16 METAL ROLL-DOWN DRATE
- 17 GLASS & ALUMINUM MECHANICAL SCREEN

WEST ELEVATION
0 10 20 30
SCALE: 1" = 30'

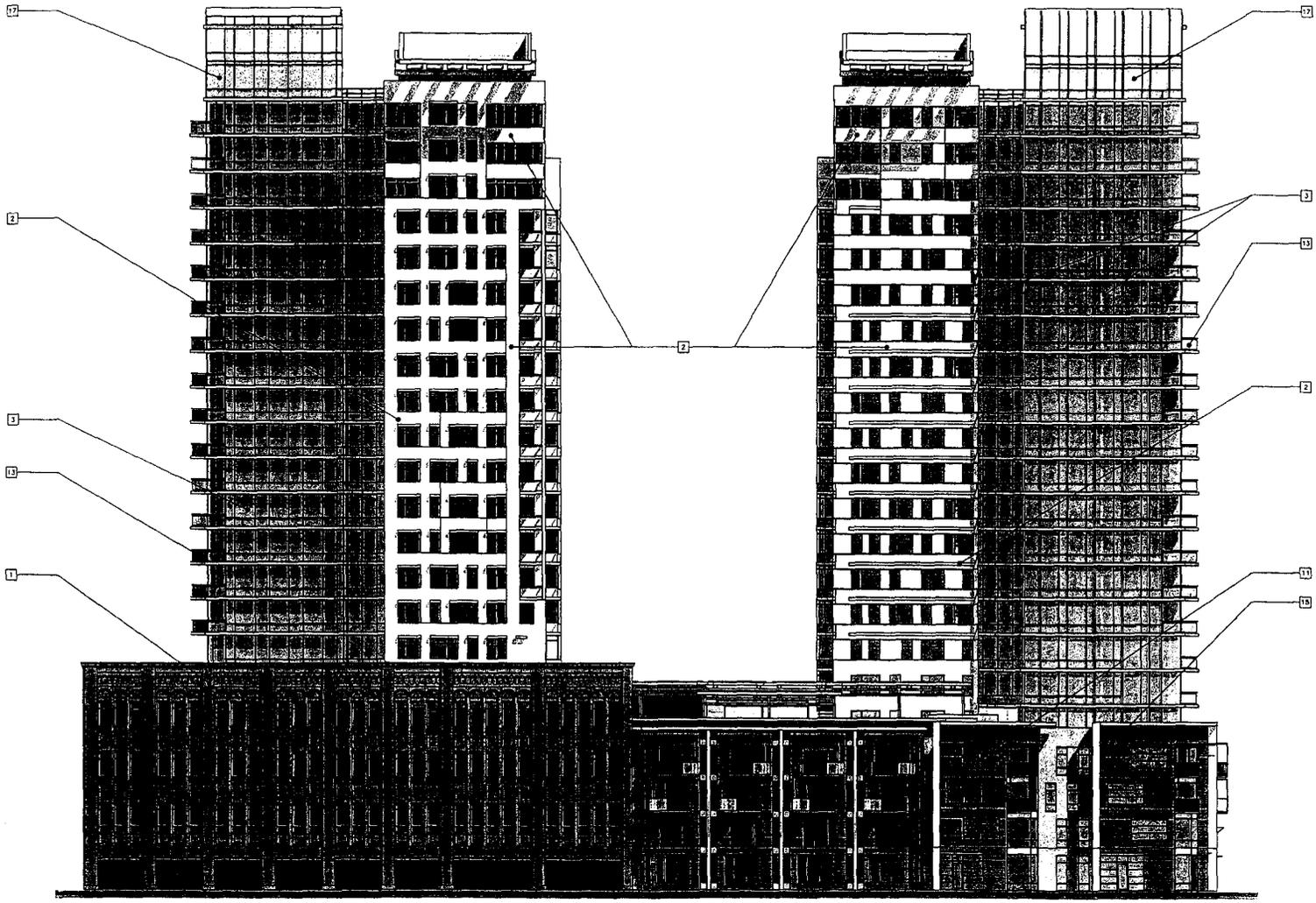
PRESS TELEGRAM LOFTS - ENTITLEMENT PACKAGE

Long Beach, CA 90802

HKS

JULY 18, 2006
JOB #9576.001

- ROOF
D. = +246'-7"
- 22ND FLOOR
E.L. = +212'-0"
- 21ST FLOOR
E.L. = +202'-0"
- 20TH FLOOR
E.L. = +192'-0"
- 19TH FLOOR
E.L. = +182'-0"
- 18TH FLOOR
E.L. = +172'-0"
- 17TH FLOOR
E.L. = +162'-0"
- 16TH FLOOR
E.L. = +152'-0"
- 15TH FLOOR
E.L. = +142'-0"
- 14TH FLOOR
E.L. = +132'-0"
- 13TH FLOOR
E.L. = +122'-0"
- 12TH FLOOR
E.L. = +112'-0"
- 11TH FLOOR
E.L. = +102'-0"
- 10TH FLOOR
E.L. = +92'-0"
- 9TH FLOOR
E.L. = +82'-0"
- 8TH FLOOR
E.L. = +72'-0"
- 7TH FLOOR
E.L. = +62'-0"
- 6TH FLOOR
E.L. = +52'-0"
- 5TH FLOOR
E.L. = +42'-0"
- 4TH FLOOR
E.L. = +37'-0"
- 3RD FLOOR
E.L. = +27'-0"
- 2ND FLOOR
E.L. = +12'-0"
- GROUND FLOOR
E.L. = +0'-0"



- | EXTERIOR BUILDING MATERIAL FINISHES | |
|-------------------------------------|---|
| 1 | RESTORED BRICK MASONRY |
| 2 | PRECAST CONCRETE PANEL |
| 3 | ALUMINUM WINDOW WALL SYSTEM |
| 4 | 8" ALUMINUM MULLION SYSTEM |
| 5 | PREFINISHED FORMED ALUMINUM PANEL |
| 6 | PREFINISHED STEEL FOR EXTERIOR RAILINGS |
| 7 | VARIABLE PRINTED GLAZING |
| 8 | PRECAST CORNICE |
| 9 | FORMED METAL WALL PANELS |
| 10 | GLAZED ANODIZED ALUMINUM WINDOWS |
| 11 | BRICK MASONRY WALL SYSTEM |
| 12 | GLASS & ALUMINUM ENTRANCE CANOPY |
| 13 | GLAZED BALCONY RAILING |
| 14 | PAINTED METAL |
| 15 | STUCCO |
| 16 | METAL ROLL-DOWN GRATE |
| 17 | GLASS & ALUMINUM MECHANICAL SCREEN |

SOUTH ELEVATION
 0 10 20 30
 SCALE: 1" = 30'

PRESS TELEGRAM LOFTS - ENTITLEMENT PACKAGE

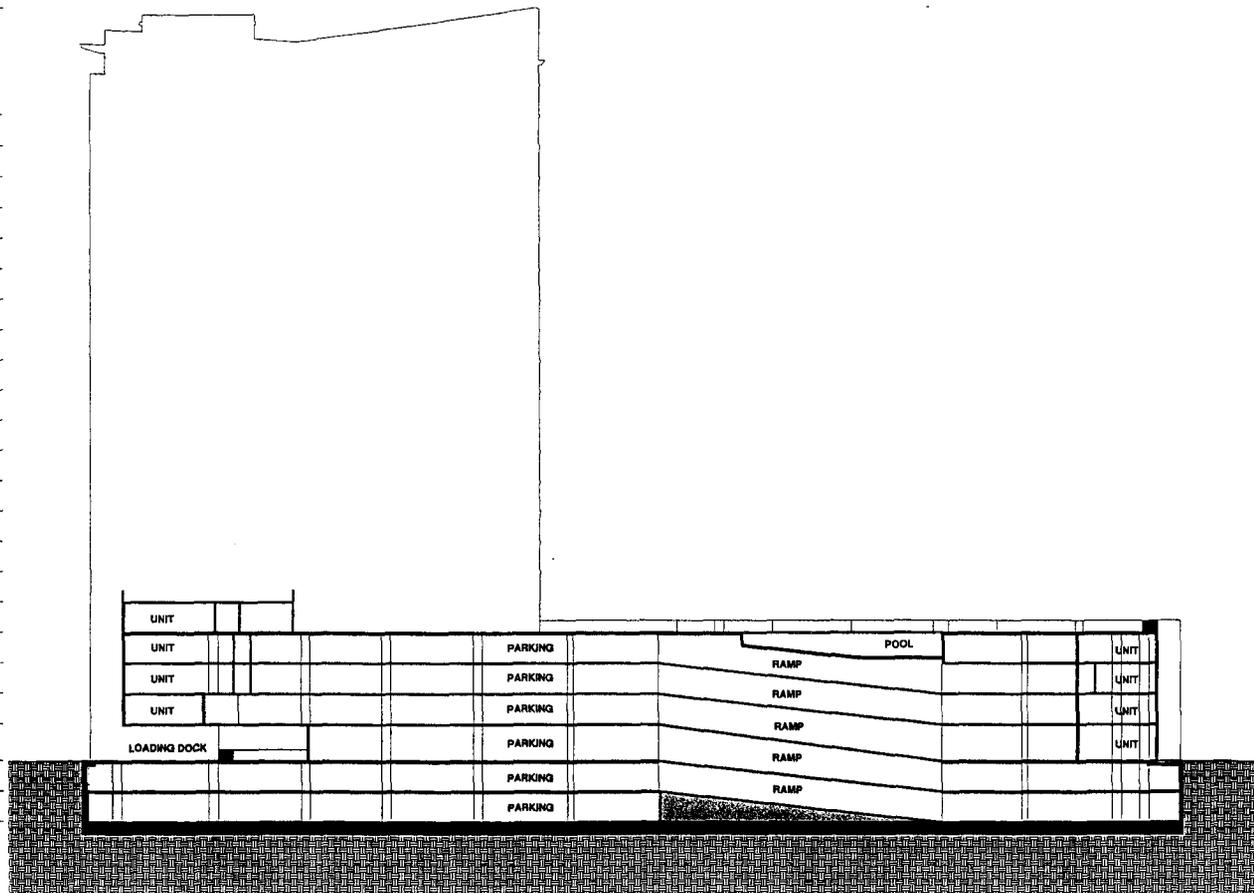
Long Beach, CA 90802

HKS

JULY 18, 2006
 JOB #9576.001



- ROOF
EL. = +242'-0"
- 22ND FLOOR
EL. = +112'-0"
- 21ST FLOOR
EL. = +100'-0"
- 20TH FLOOR
EL. = +110'-0"
- 19TH FLOOR
EL. = +102'-0"
- 18TH FLOOR
EL. = +112'-0"
- 17TH FLOOR
EL. = +113'-0"
- 16TH FLOOR
EL. = +122'-0"
- 15TH FLOOR
EL. = +112'-0"
- 14TH FLOOR
EL. = +122'-0"
- 13TH FLOOR
EL. = +127'-0"
- 12TH FLOOR
EL. = +122'-0"
- 11TH FLOOR
EL. = +122'-0"
- 10TH FLOOR
EL. = +122'-0"
- 9TH FLOOR
EL. = +122'-0"
- 8TH FLOOR
EL. = +122'-0"
- 7TH FLOOR
EL. = +127'-0"
- 6TH FLOOR
EL. = +127'-0"
- 5TH FLOOR
EL. = +127'-0"
- 4TH FLOOR
EL. = +127'-0"
- 3RD FLOOR
EL. = +127'-0"
- 2ND FLOOR
EL. = +127'-0"
- 1ST FLOOR
EL. = +127'-0"
- GROUND FLOOR
EL. = +12'-0"
- BASEMENT LEVEL 1
EL. = -12'-0"
- BASEMENT LEVEL 2
EL. = -22'-0"



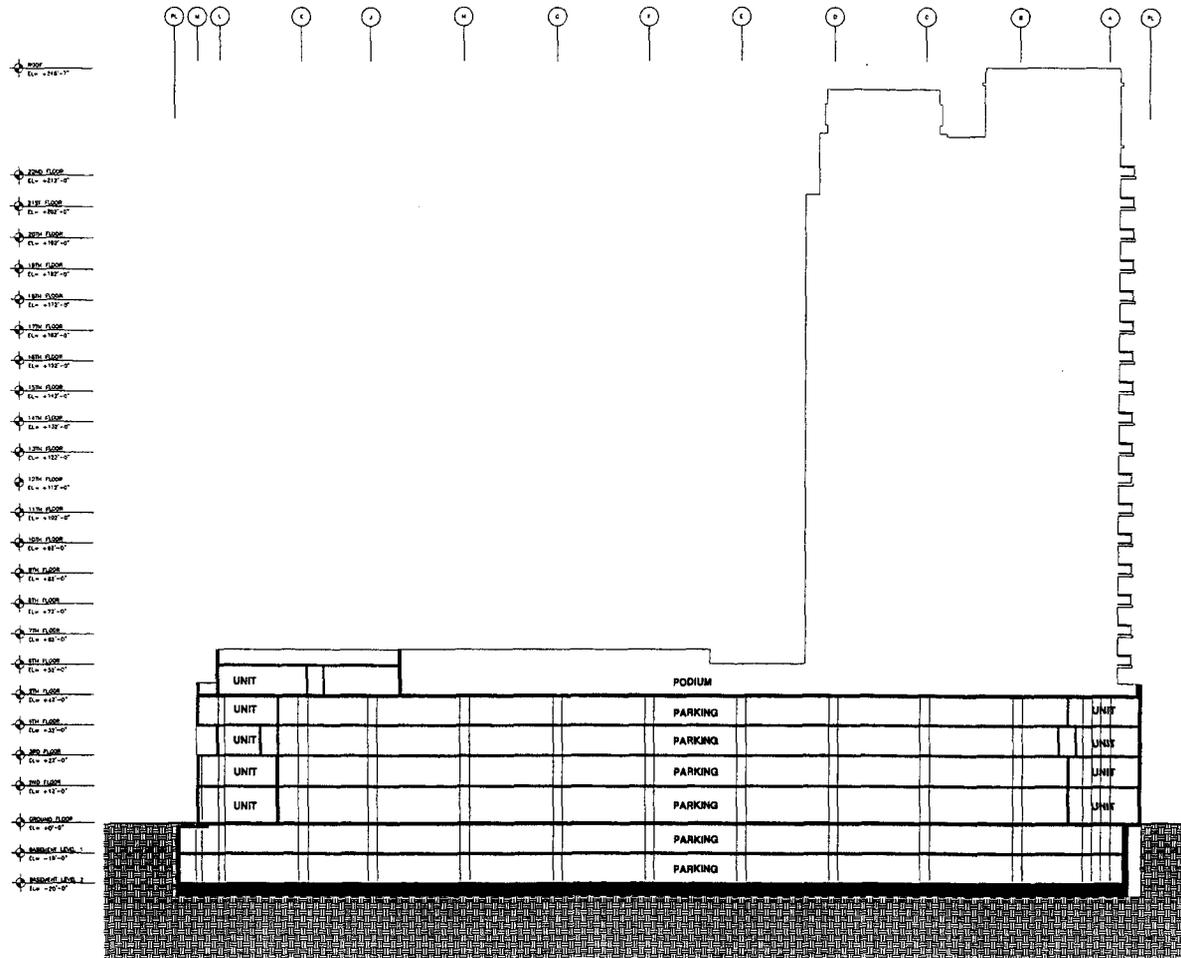
WEST SECTION THROUGH COURTYARD
 0 10 20 30 40
 SCALE: 1" = 40'

PRESS TELEGRAM LOFTS - ENTITLEMENT PACKAGE

Long Beach, CA 90802



JULY 18, 2006
 JOB #9576.001



SOUTH SECTION THROUGH COURTYARD
 0 10 20 30 40
 SCALE: 1" = 40'

PRESS TELEGRAM LOFTS - ENTITLEMENT PACKAGE

Long Beach, CA 90802

HKS

JULY 18, 2006
 JOB #9576.001



ARCHITECTURAL
DRAWING
NO. 1

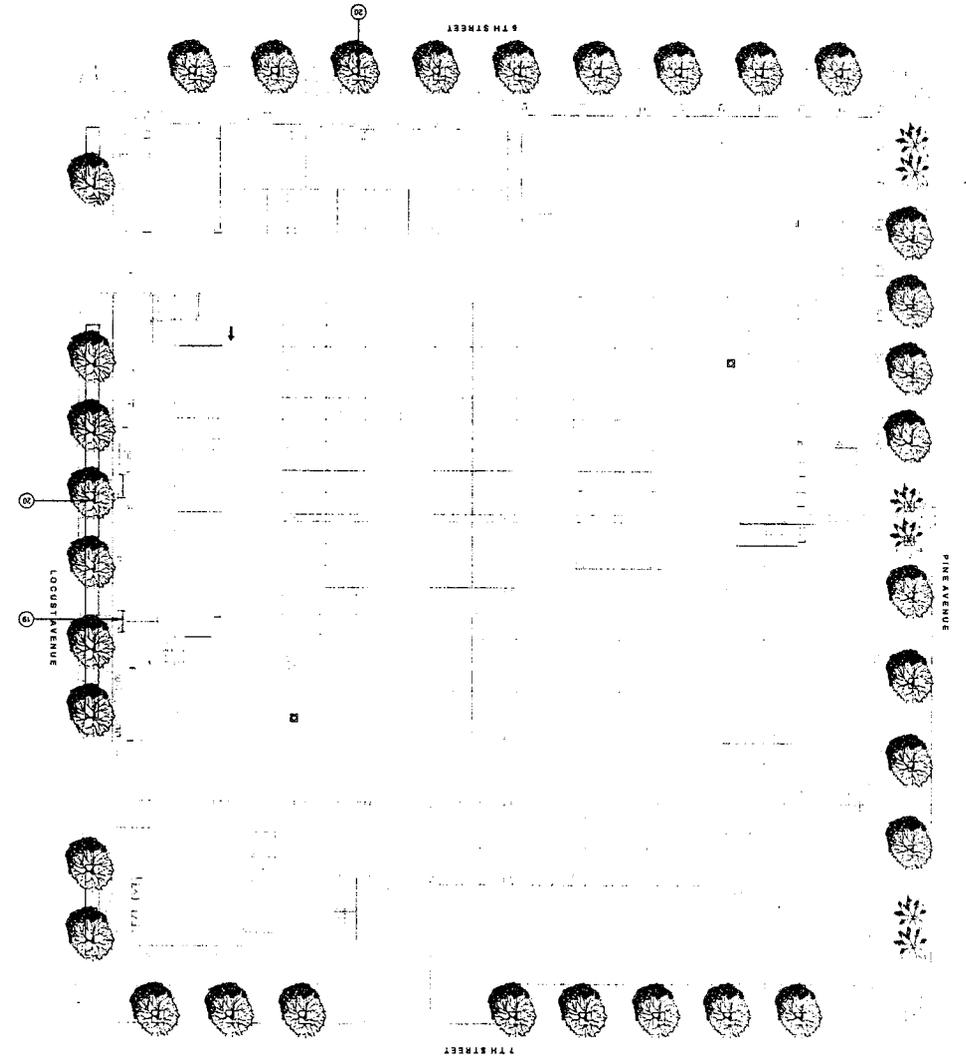


PLAN

LANDSCAPE ARCHITECTURE - EXTERIOR ENVIRONMENT PACKAGE

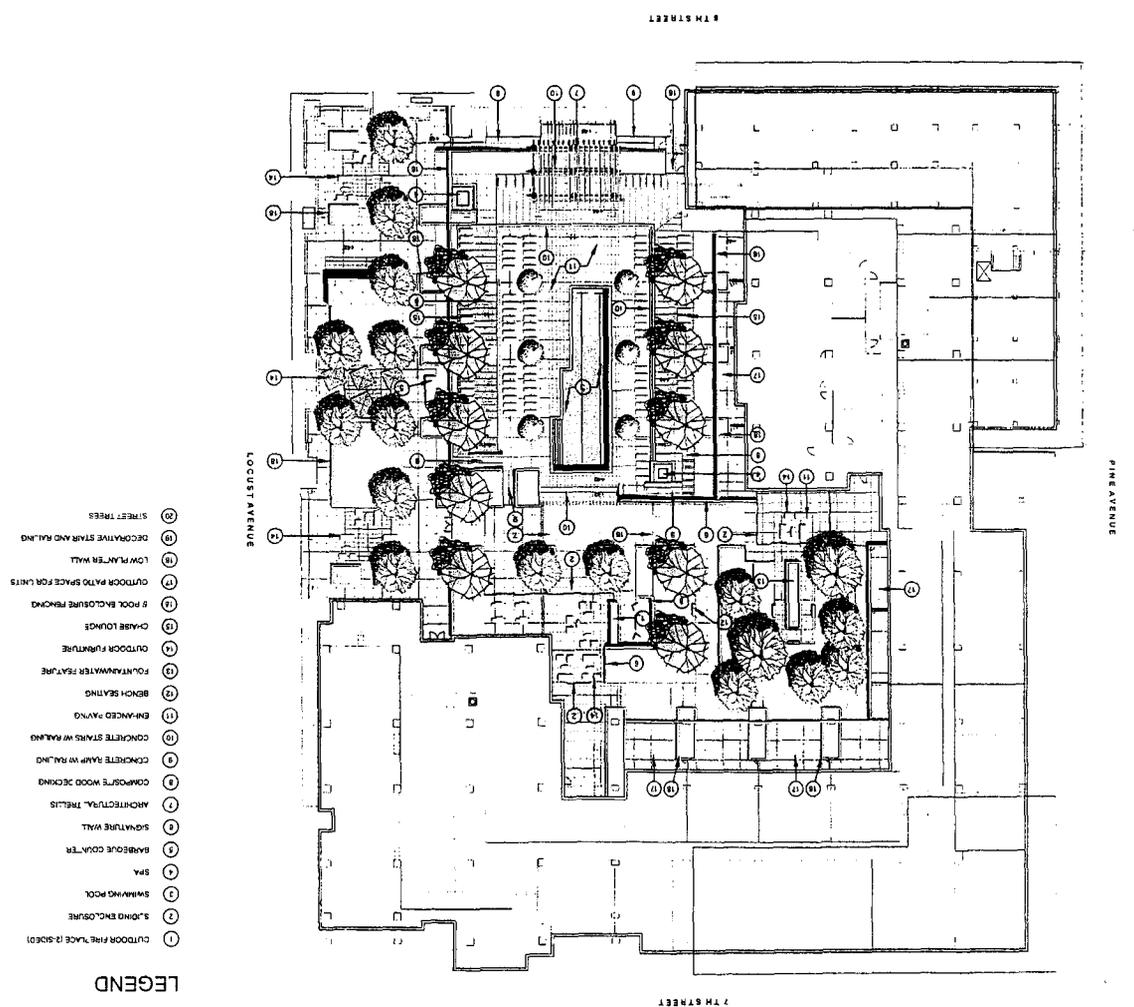
- 1 OUTDOOR FURNITURE (2:8:00)
- 2 SLONG ENCLOSURE
- 3 SWIMMING POOL
- 4 SPA
- 5 BARBECUE COUNTER
- 6 SIGNATURE WALL
- 7 ARCHITECTURAL TRELLIS
- 8 COMPOSITE WOOD DECKING
- 9 CONCRETE RAMP W/ RAILING
- 10 CONCRETE STAIRS W/ RAILING
- 11 ENHANCED PAVING
- 12 BENCH SEATING
- 13 FOUNTAIN/WATER FEATURE
- 14 OUTDOOR FURNITURE
- 15 CHAIRS LOUNGE
- 16 POOL ENCLOSURE FENCING
- 17 OUTDOOR PATIO SPACE FOR UNITS
- 18 LOW PLANTER WALL
- 19 DECORATIVE 3" AM AND RAILING
- 20 STREET TREES

LEGEND





1584 BROADWAY LOUROS - SITE DEVELOPMENT PACKAGE

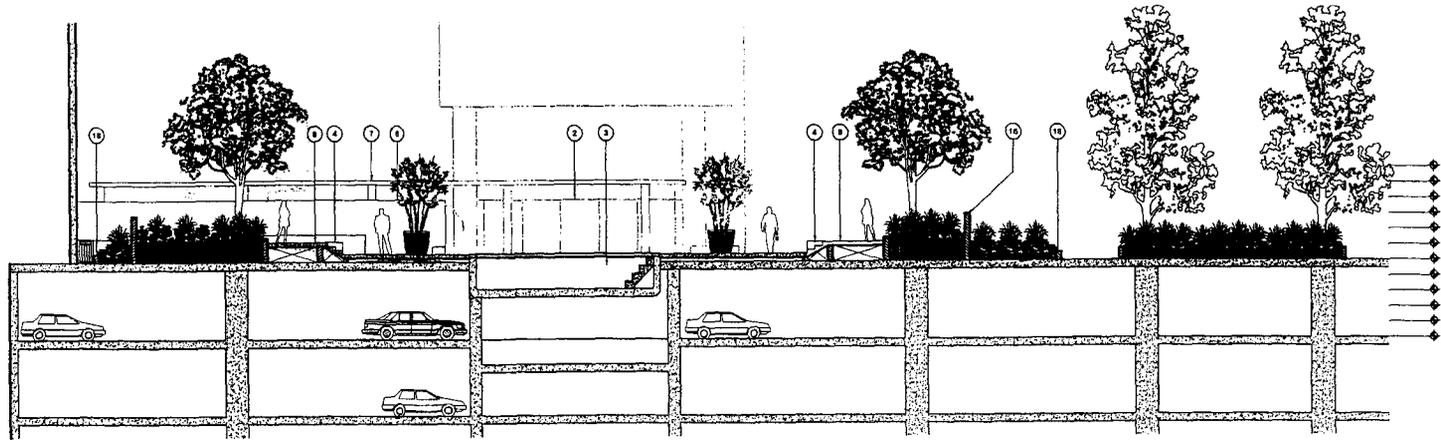


- ① CUTDOOR FIRE PLACE (2-SIDE)
- ② SWIMMING POOL
- ③ SPA
- ④ BARBECUE COULTER
- ⑤ SIGNATURE WALL
- ⑥ ARCHITECTURAL THELLIS
- ⑦ COMPARTS' WOOD DECKING
- ⑧ CONCRETE BARR W/ RAILING
- ⑨ CONCRETE STAIRS W/ RAILING
- ⑩ ENHANCED PAVING
- ⑪ BENCH SEATING
- ⑫ FOUNTAIN/WATER FEATURE
- ⑬ OUTDOOR FURNITURE
- ⑭ CHAIRS LOUNGE
- ⑮ POOL ENCLOSURE PERCHING
- ⑯ OUTDOOR PATIO SPACE FOR LISTS
- ⑰ LOW PLANTER WALL
- ⑱ DECORATIVE STAIR AND RAILING
- ⑳ STREET TREES

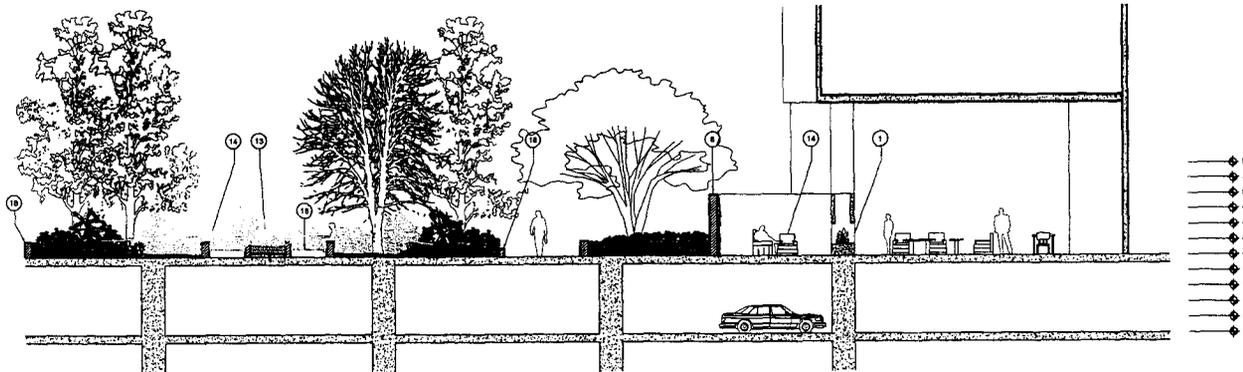
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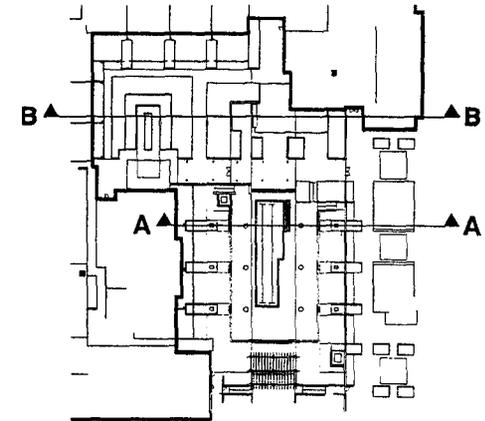
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- ② SLIDING ENCLOSURE
- ③ SWIMMING POOL
- ④ SPA
- ⑤ BARBECUE COUNTER
- ⑥ SIGNATURE WALL
- ⑦ ARCHITECTURAL TRELLIS
- ⑧ COMPOSITE WOOD DECKING
- ⑨ CONCRETE RAMP W/ RAILING
- ⑩ CONCRETE STAIRS W/ RAILING
- ⑪ ENHANCED PAVING
- ⑫ BENCH SEATING
- ⑬ FOUNTAIN/WATER FEATURE
- ⑭ OUTDOOR FURNITURE
- ⑮ CHAIRS LOUNGE
- ⑯ 5' POOL ENCLOSURE FENCING
- ⑰ OUTDOOR PATIO SPACE FOR UNITS
- ⑱ LOW PLANTER WALL
- ⑲ DECORATIVE STAIR AND RAILING
- ⑳ STREET TREES



PODIUM LEVEL SECTION A
SCALE: 1/16" = 1'-0"



PODIUM LEVEL SECTION B
SCALE: 1/16" = 1'-0"



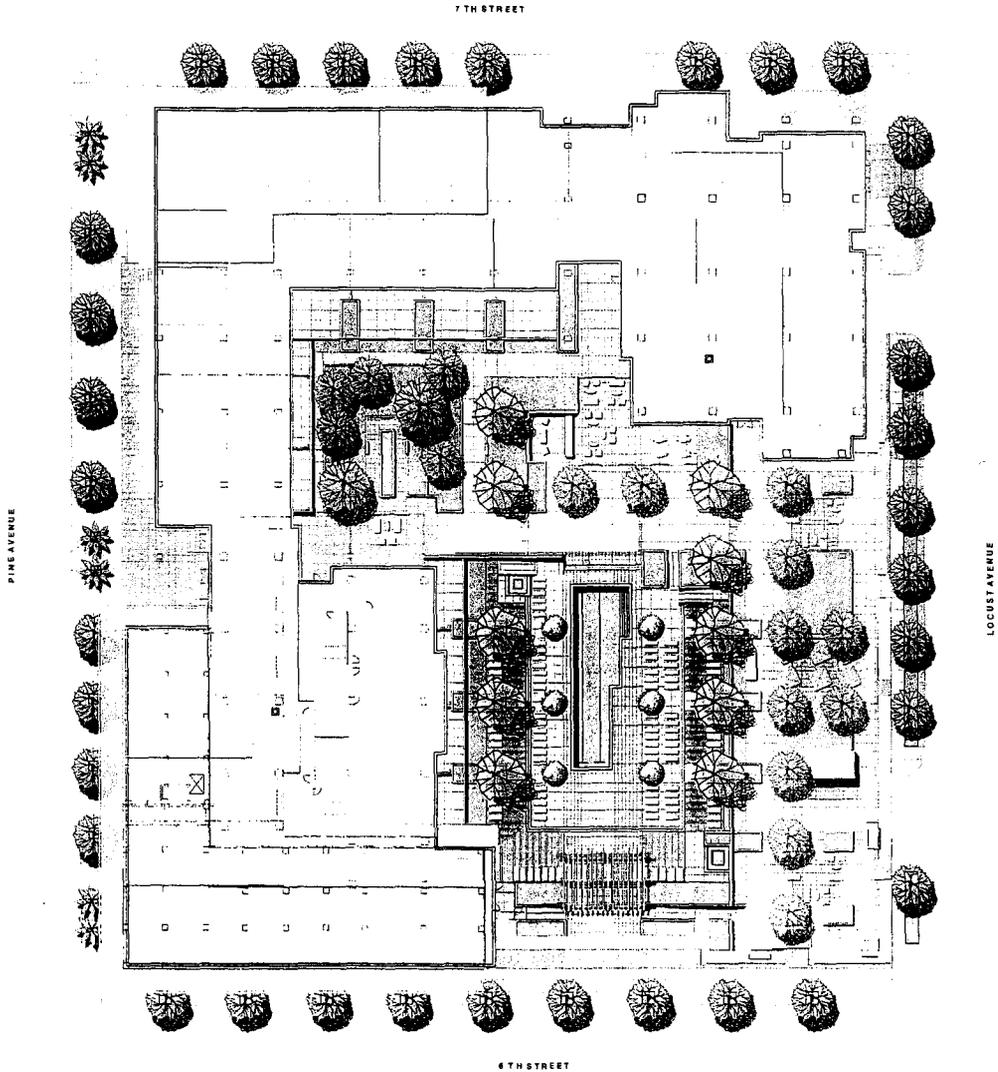
THE TELEGRAM LOFTS - ENTITLEMENT PACKAGE

Long Beach, CA 90802

1511
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HKS

JULY 18, 2006
 JOB #9576.001



PLANT PALETTE LEGEND
GARDEN COURT

SCIENTIFIC NAME	COMMON NAME
AGAVE ATTENUATA	AGAVE
ANGONANTHOS	KANGAROO PAW
ARTEMISA CALIFORNICA	CALIFORNIA SAGEBRUSH
CUPHA IGNEA	CIGAR PLANT
GRASSES FESTUCA PENNSETUM	FESCUE FOUNTAIN GRASS
LANTANA	LANTANA
LAVANDULA ANGLUSTIFOLIA	ENGLISH LAVENDER
LEPTOSPERMUM	TEA TREE
NANDINA DOMESTICA	HEAVENLY BAMBOO
PHORMIUM TENAX	NEW ZEALAND FLAX
ROSMARINUS OFFICINALIS	ROSEMARY
SALVIA	SAGE
SANSEVERIA TRIFASCIATA (SHADE)	SNAKE PLANT
ULMUS PARVIFOLIA	CHINESE EVERGREEN ELM

PERIMETER

SCIENTIFIC NAME	COMMON NAME
ADAPANTHUS AFRICANUS	LEY-OF-THE-NILE
AGAVE ATTENUATA	AGAVE
BAMBUSA OLDHAMII	OLDHAM BAMBOO
BOUGAINVILLEA SPECTABILIS	BOUGAINVILLEA
BRACHYCHTON ACERIFOLIUS	AUSTRALIAN FLAME TREE
BUXUS MICROPHYLLA JAPONICA	JAPANESE BOXWOOD
CANNA	CANNA
DISTICTIS BUCCINATORIA	BLOOD-RED TRUMPET VINE
GREVILLEA NOELFII	GREVILLEA
HEBEROCALLIS HYBRIDS	DAY LILY
LANTANA	LANTANA
NANDINA DOMESTICA	HEAVENLY BAMBOO
PHORMIUM TENAX	NEW ZEALAND FLAX
TRACHELOSPERMUM JASMINOIDES	STAR JASMINE

POOL TERRACE

SCIENTIFIC NAME	COMMON NAME
BOUGAINVILLEA SPECTABILIS	BOUGAINVILLEA
BUXUS MICROPHYLLA JAPONICA	JAPANESE BOXWOOD
CANNA	CANNA
CHAMAEOPUS HUMILIS	MEDITERRANEAN FAN PALM
DISTICTIS BUCCINATORIA	BLOOD RED TRUMPET VINE
GRELERA PARVIFLORA	AUSTRALIAN WILLOW
PHORMIUM TENAX	NEW ZEALAND FLAX
ROSA	SHRUB ROSE
STRELITZIA REGINAE	BIRD OF PARADISE

PRESS TELEGRAM LOFTS - ENTITLEMENT PACKAGE

Long Beach, CA 90802



HORTH



JULY 18, 2006
JOB #9573.001

Attachment #6

Findings of Fact, Statement of Overriding
Consideration, and Mitigation Monitoring Program



City of Long Beach

Working Together to Serve

ROBERT E. SHANNON, CITY ATTORNEY

Memorandum

Date: February 8, 2007

To: Craig Chalfant, Planner

From: Michael J. Mais, Assistant City Attorney *MJM*

Subject: PC Resolution Adopting a Statement of Overriding Considerations and MMRP for the Press-Telegram Mixed-Use Development

The subject resolution is transmitted for placement on the Planning Commission agenda.

If you have any questions, please do not hesitate to contact me.

MJM:kjm

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#06-04425

1 RESOLUTION NO. R-

2
3 A RESOLUTION OF THE PLANNING COMMISSION
4 OF THE CITY OF LONG BEACH ADOPTING A STATEMENT
5 OF OVERRIDING CONSIDERATIONS FOR THE PRESS-
6 TELEGRAM MIXED-USE DEVELOPMENT PROJECT (STATE
7 CLEARINGHOUSE NO. SCH2006031124) IN ACCORDANCE
8 WITH THE PROVISIONS OF THE CALIFORNIA
9 ENVIRONMENTAL QUALITY ACT (CEQA) AND STATE AND
10 LOCAL GUIDELINES AND MAKING CERTAIN FINDINGS
11 AND DETERMINATIONS RELATIVE THERETO; AND (ii)
12 ADOPTING A MITIGATION MONITORING AND REPORTING
13 PROGRAM (MMRP)

14
15 WHEREAS, the October Five Development has proposed the
16 construction of two high rise structures on an approximate 2.5 acre site, comprising
17 approximately one city block, at the northern edge of downtown Long Beach, with
18 primary frontage on Pine Avenue between 6th Street and 7th Street, which Project would
19 include a 542 residential component, and approximately 32,300 square feet of
20 commercial development. The project is more fully described in the Environmental
21 Impact Report (EIR), which EIR was certified by the Planning Commission on
22 November 16, 2006. A copy of said EIR is incorporated herein by this reference as
23 though set forth in full, word for word ("Project");

24 WHEREAS, the Project approvals include a Site Plan Review, Tentative
25 Subdivision Map, Amendment to the PD-30 Zone District Regulations, Variance for
26 Parking Standards, Waiver of Development Standards, and Certificate of
27 Appropriateness from the Cultural Heritage Commission;

28 WHEREAS, the City began an evaluation of the proposed project in

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

1 March of 2006 by issuing a Notice of Preparation (NOP) followed by a thirty (30) day
2 comment period, together with a public scoping meeting held on April 13, 2006,
3 Planning Commission Study Session held on September 7, 2006, and circulation of the
4 EIR between August 18, 2006 and October 2, 2006, and subsequent certification of the
5 EIR by the Planning Commission on November 16, 2006;

6 WHEREAS, implementation and construction of the Project constitutes a
7 "project" as defined by CEQA, Public Resources Code sections 21000 *et seq.*, and the
8 City is the Lead Agency for the Project under CEQA;

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

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

15 WHEREAS, the Planning Commission reviewed and considered the
16 information in, and the comments to, the EIR and the responses thereto at a duly
17 noticed Planning Commission meeting held on November 16, 2006, at which time
18 evidence, both written and oral, was presented to and considered by the Planning
19 Commission;

20 WHEREAS, the Planning Commission has read and considered all
21 environmental documentation comprising the EIR, comments and the responses to
22 comments, and errata included in the EIR, and did determine that the EIR had
23 considered all potentially significant environmental impacts of the Project and that it was
24 complete and adequate and fully complied with all requirements of CEQA;

25 WHEREAS, the Planning Commission did evaluate and consider all
26 significant impacts, mitigation measures, and project alternatives identified in the EIR;

27 WHEREAS, CEQA and the State CEQA Guidelines require that where the
28 decision of a public agency allows the occurrence of significant environmental effects

1 that are identified in the EIR, but are not mitigated to a level of insignificance, that the
2 public agency state in writing the reasons to support its action based on the EIR and/or
3 other information in the record; and

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

10 NOW, THEREFORE, the Planning Commission of the City of Long Beach
11 does hereby find, determine and resolve:

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

14 Sec. 2. The EIR has been completed and certified in compliance with
15 CEQA and the State CEQA Guidelines.

16 Sec. 3. The EIR, which reflects the Planning Commission's independent
17 judgment and analysis, has been adopted, approved, and certified as complete and
18 adequate under CEQA.

19 Sec. 4. Pursuant to Public Resources Code section 21081 and State
20 CEQA Guidelines section 15091, the Planning Commission has reviewed and hereby
21 adopts the Facts, Findings and Statement of Overriding Considerations Regarding the
22 Environmental Effects for the Press-Telegram Mixed Use Project as shown on the
23 attached Exhibit "A", which document is incorporated herein by reference as though set
24 forth in full, word for word. Furthermore, the Planning Commission adopts the
25 Mitigation Monitoring and Reporting Program as shown on the attached Exhibit "B",
26 which document is incorporated herein by this reference as though set forth in full, word
27 for word, and hereby makes each mitigation measure a condition of project approval.

28 Sec. 5. Pursuant to State CEQA Guidelines section 15091(e), the record

PLANNING COMMISSION RESOLUTION NO. _____

EXHIBIT "A"

**FACTS, FINDINGS AND STATEMENT OF OVERRIDING
CONSIDERATIONS REGARDING THE ENVIRONMENTAL
EFFECTS FOR THE PRESS-TELEGRAM MIXED USE PROJECT**

SCH # 2006031124

Lead Agency:
CITY OF LONG BEACH
PLANNING COMMISSION
333 West Ocean Boulevard, Seventh Floor
Long Beach, California 90802
Contact: Ms. Angela Reynolds
562.570.6357

January 2007

Exhibit "A"

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STATEMENT OF FACTS AND FINDINGS

I INTRODUCTION

The California Environmental Quality Act (CEQA) requires that a Lead Agency issue two sets of findings prior to approving a project that will generate a significant impact on the environment. The Statement of Facts and Findings is the first set of findings where the Lead Agency identifies the significant impacts, presents facts supporting the conclusions reached in the analysis, makes one or more of three findings for each impact, and explains the reasoning behind the agency's findings.

The following statement of facts and findings has been prepared in accordance with the California Environmental Quality Act (CEQA) and Public Resources Code Section 21081. *CEQA Guidelines* Section 15091 (a) provides that:

No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding.

There are three possible finding categories available for the Statement of Facts and Findings pursuant to Section 15091 (a) of the *CEQA Guidelines*.

(1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

These findings relevant to the project are presented in Sections V and VI.

The Statement of Overriding Considerations is the second set of findings. Where a project will cause unavoidable significant impacts, the Lead Agency may still approve the project where its benefits outweigh the adverse impacts. Further, as provided in the



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

The City of Long Beach, the CEQA Lead Agency, finds and declares that the proposed Press-Telegram Mixed Use Project Environmental Impact Report (EIR) has been completed in compliance with CEQA and the *CEQA Guidelines*. The City of Long Beach Planning Commission finds and certifies that the EIR was reviewed and information contained in the EIR was considered prior to approving the proposed Press-Telegram Mixed Use Project, herein referred to as the "project."

Based upon its review of the EIR, the Lead Agency finds that the EIR is an adequate assessment of the potentially significant environmental impacts of the proposed project, represents the independent judgment of the City, and sets forth an adequate range of alternatives to this project. The Planning Commission certified the EIR at its hearing of November 16, 2006.

The Final EIR is composed of the following elements:

- Draft Press-Telegram Mixed Use Project Environmental Impact Report, August 2006;
- Responses to Comments on the draft EIR, November 2006;
- Errata sheets to the Draft EIR (corrected pages); and
- Mitigation monitoring program.

The remainder of this document is organized as follows:

- II. Description of project proposed for approval;
- III. Effects determined to be less than significant in the Initial Study/Notice of Preparation;
- IV. Effects determined to be less than significant;
- V. Effects determined to be less than significant with mitigation and findings;
- VI. Environmental effects which remain significant and unavoidable after mitigation and findings; and
- VII. Alternatives to the proposed project.



II DESCRIPTION OF PROJECT PROPOSED FOR APPROVAL

The project site consists of ten assessor's parcels, for a total of approximately 2.5 acres. The site is located in the northernmost area of Downtown Long Beach, and comprises one full city block bordered to the east by Locust Avenue, to the west by Pine Avenue, to the north by 7th Street and to the south by 6th Street. The site is bisected by Tribune Court, a private alley. The site is currently developed with six structures, including the Press Telegram facilities, which house the newspaper's offices, non-operational printing facility, storage space and other support uses; the Meeker Building (also known as the Baker Building), which houses retail and restaurant uses as well as nonconforming residential uses; and a fast food restaurant.

The Press Telegram Loft Project would be a mixed use development with 542 residential units, 32,300 square feet of commercial and institutional space, and a parking structure. The project would involve construction of two high-rise structures on the 2.5-acre Press-Telegram site. Each tall structure would be approximately 22 stories and 250 feet in height. A four-story podium would surround both the high rise structures and the general perimeter of the site. All existing development on the site would be demolished to accommodate the project with the exception of portions of the Press-Telegram Building and the façade of the Meeker Building. An amendment to the PD-30 Zone District requirements for building height and residential density would be required in order for the project to be approved.

The proposed 542 residences will include a mix of studio, 1-, 2-, and 3-bedroom units. Sixty of these units are proposed to be sold at the developer's cost to California State University Long Beach for faculty housing.

The commercial component would entail approximately 32,300 square feet of space. Of this, 10,650 square feet would be located on the ground floor of the portion of the Press-Telegram Building that would remain and be renovated and 13,650 square feet would be provided in the building's basement. Approximately 8,000 square feet would be used for work space for the proposed live/work units, located in a new structure that would be built behind the Meeker Building's façade, which would be retained and restored. The commercial space in the Press-Telegram Building is tentatively proposed to be used by California State University Long Beach's Center for Community Engagement and the Arts Council of Long Beach. The proposed use and distribution of the commercial space would include 16,320 square feet of offices, distributed between the ground floor (4,350 square feet) and basement (11,970 square feet); 4,900 square feet of exhibit space on the ground floor; and 3,080 square feet of classroom space on the ground floor.

The new parking structure will consist of four above-ground levels and three subterranean levels, which would provide a total of 1,186 on-site parking spaces. Vehicular access to the parking structure would be taken from two driveways on Locust Avenue, and one service driveway would be provided on 7th Street.

Two existing buildings on the site are of historic interest, the Meeker Building (also known as the Baker Building), a City-designated historic landmark located on the southeast corner of 7th Street and Pine Avenue, and the Press-Telegram Building, occupying much of southwest corner of the site.



The applicant proposes to retain and restore all of the original 1924-built portions of the Press-Telegram building, with the exception of the manufacturing facility. In addition, approximately 40 feet of office space behind the Pine Avenue façade of the 1930 and 1948 additions would be retained and renovated. The remaining structure would comprise an L-shaped four story building on the corner of Pine Avenue and 6th Street. The complete structure behind the two-story façade of the Meeker Building would be removed to allow for a continuation of the proposed parking structure below grade. Floors and walls would then be replaced with new construction. The façade would undergo a major renovation to restore it to its original condition. The 8,000 square feet of ground floor space in this building would be used for the work space for the proposed live/work units, with the upper floors occupied by residences.

To prepare the site, the entire 2.5-acre project area would be excavated to a depth of approximately 35 feet, with the exception of the area beneath the portion of the Press-Telegram Building proposed to remain for adaptive reuse. It is assumed that approximately 130,200 cubic yards of material would be exported from the site. Site preparation and construction duration for the project is estimated at between 22 and 26 months.



III EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT IN THE INITIAL STUDY/NOTICE OF PREPARATION

The City of Long Beach Planning and Building Department conducted an Initial Study to determine significant effects of the project. In the course of this evaluation, certain impacts of the project were found to be less than significant due to the inability of a project of this scope to create such impacts or the absence of project characteristics producing effects of this type. The effects determined not to be significant are not included in primary analysis sections of the Final EIR (refer to Appendix A, *Initial Study and Notice of Preparation*, in the Draft EIR).

AESTHETICS

Would the proposal:

Have a substantial adverse effect on a scenic vista or substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Less Than Significant Impact. The project site is located approximately one mile from the Pacific Ocean and is not located along a designated scenic corridor. According to the General Plan, no officially designated State scenic routes or highways occur near the project site. The project site lacks important scenic resources, as it is currently developed with commercial buildings and surface parking lot in a highly urbanized area. The project is not expected to block views of offsite scenic resources such as the Pacific Ocean, as they are not visible from public viewing areas near the site. Therefore, development of the project would not affect any scenic vistas or scenic resources

AGRICULTURAL RESOURCES

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?

No Impact. The project site is urbanized and is not designated as Prime Farmland, Unique Farmland or Farmland of Statewide Importance. Project implementation would not result in the conversion of farmland to non-agricultural use.

Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. Implementation of the project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. The project site is zoned Downtown Planned Development (PD-30) allowing for a mix of residential and commercial uses.

Involve other changes in the existing environment which due to their location or nature, could result in conversion of Farmland, to non-agricultural use?



No Impact. The proposed project does not involve changes in the existing environment that could result in conversion of Farmland to non-agricultural uses. The project site is urbanized and there are no farmland uses that are occurring on-site or in the immediate vicinity.

BIOLOGICAL RESOURCES

Would the Project:

Have a substantial adverse effect, 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?

No Impact. The project site is predominately urbanized and built-out. The proposed project would not result in significant adverse impacts to Federal or State listed or other designated species.

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?

No Impact. As previously stated, the project site is predominately urbanized and built-out. No riparian habitat or sensitive natural communities exist on-site. According to the Conservation Element of the *General Plan*, riparian habitat within the City is limited along streams and flood channels, where disturbance is minimal. No impacts are anticipated.

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, costal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact. No federally protected wetlands occur on-site. Therefore, implementation of the proposed project would not result in any impacts to wetlands.

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?

No Impact. No migratory wildlife corridors or native wildlife nurseries exist in the project area. Therefore, implementation of the proposed project would not result in any impacts to wildlife movement.

Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance.



No Impact. Implementation of the proposed project would not conflict with any local policies or ordinances that protect biological resources. No impacts would occur.

Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. The project site is not subject to an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other habitat conservation plan. Therefore, the project would not result in impacts in this regard.

GEOLOGY AND SOILS

Would the Project:

Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

No Impact. The project site is characterized by relatively flat topography. Project implementation is not anticipated to expose people or structures to landslides. No impact would occur.

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 waste water?

No Impact. It would not be necessary to install septic tanks or alternative wastewater disposal systems. No impact would occur in this regard.

HAZARDS AND HAZARDOUS MATERIALS

Would the Project:

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? 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?

No Impact. The project site is not located in the vicinity of any public or private airstrips. No safety impacts relating to airports would occur.

Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

No Impact. The project site is in an urbanized area that is not subject to wildland fire hazards. No wildland fire impacts would occur.



HYDROLOGY AND WATER QUALITY

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

Less Than Significant Impact. The proposed project involves the partial demolition of existing structures and the construction of two high-rise towers. Because the site is currently developed with commercial structures and a surface parking lot, the proposed project would not substantially increase the area covered by impervious surfaces. Therefore, the amount of surface runoff would remain relatively unaltered. In addition, the proposed project would be required to comply with all state and federal requirements pertaining to preservation of water quality and reduction of runoff to offsite areas, including Best Management Practices (BMPs) and the implementation of a Standard Urban Storm Water Mitigation Plan (SUSMP). Finally, earthwork for project construction would involve greater than one acre of land, and therefore would require a National Pollutant Discharge Elimination System (NPDES) permit. Compliance with the NPDES program and other applicable standards would reduce impacts relating to water quality standards to a less than significant level.

Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

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

Less Than Significant Impact. Because the site is currently developed with commercial structures and a surface parking lot, the proposed project would not increase the area covered by impervious surfaces. Therefore, the amount of surface runoff would remain unaltered. The drainage pattern of the project site would not change substantially. However, site clearing, grading, and compaction of soil necessary for project construction has the potential to result in discharge of sediment and temporary water quality impacts. The proposed project would occur on greater than one acre of land, and therefore would require a National Pollutant Discharge Elimination System (NPDES) permit. Compliance with the NPDES program would ensure less than significant project impacts related to RWQCB water quality standards. Standard construction practices and adherence to federal, state, and local requirements for the control of erosion and stormwater runoff would reduce impacts relating to erosion and siltation to a less than significant level.

Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? Otherwise substantially degrade water quality?



Less Than Significant Impact. Because the proposed project would not increase on-site impervious surfaces, the proposed project is not expected to contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. The proposed project would result in less than significant impacts related to the construction of new storm water drainage facilities or expansion of existing facilities.

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? Place within a 100-year flow hazard area structures which would impede or redirect flood flows. 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?

Less Than Significant Impact. According to the Long Beach Public Safety Element (1975), the project site is located outside the 100-year flood zone. Therefore, no significant flood impacts are anticipated. Thus, significant flooding impacts would not occur.

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? Inundation by seiche, tsunami or mudflow?

Less Than Significant Impact. There are no dams or levees located within the vicinity of the project site; thus, there is no potential for flooding due to dam failure. The project site is not located near any landlocked water; therefore, impacts from seiches would not occur. The project site is located approximately one mile from the Pacific Ocean and would not be inundated by a tsunami (General Plan Public Safety Element, 1975). Therefore, no impacts from dam or levee failures, seiches, or tsunamis would occur.

LAND USE AND PLANNING

Would the Project:

Physically divide an established community?

No Impact. The proposed project involves the development of an existing city block. The project would not physically divide an established community. No impacts would occur.

Conflict with any applicable habitat conservation plan or natural community conservation plan?

No Impact. As previously stated, the project does not conflict with any adopted habitat conservation plans or natural community conservation plans. No impact would occur.



MINERAL RESOURCES

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?

No Impact. Oil is the primary mineral resource within the City of Long Beach. The project site is not currently utilized for oil extraction and oil extraction would not occur as a result of project implementation. No impacts to mineral resources would occur.

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?

No Impact. The General Plan does not identify the project site as an important mineral resource recovery site. No impacts would occur.

NOISE

Would the Project result in:

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?

No Impact. The project site is not located within an airport land use plan or within two miles of a public airport or public use airport. Therefore, project implementation would not expose people residing or working in the project area to excessive noise relating to public airport operations.

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?

No Impact. The project site is not located within the vicinity of a private airstrip. Exposure of people residing or working in the project site to excessive noise levels due to operation of a private airstrip would not occur.

POPULATION AND HOUSING

Would the project: Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. Implementation of the proposed project would not displace any housing or people, as the site is currently used for commercial and industrial space and not for residential purposes. No impact would occur.



UTILITIES AND SERVICE SYSTEMS

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?

Less Than Significant Impact. Because the site is currently entirely developed with structures and surface parking, the proposed project would not increase the area covered by impervious surfaces. Therefore, the amount of surface runoff would remain unaltered and the proposed project would be required to comply with all regulatory requirements pertaining to storm water runoff. Any new facilities would be within or directly adjacent to the project site and would not result in significant impacts.

TRANSPORTATION/TRAFFIC

Would the Project:

Result in change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

No Impact. Due to the nature and scope of the proposed land uses, project implementation would not affect air traffic patterns and would not result in safety risks.

Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less Than Significant Impact. The proposed project would not involve the construction of new roadways, nor would it reconfigure existing roadways. Impacts related to design feature hazards would be less than significant.

Result in inadequate emergency access?

Less Than Significant Impact. Emergency access to the site is provided via four roadways: Locust Avenue, Pine Avenue, 6th Street, and 7th Street. Although an on-site alley (Tribune Court) would be removed as a result of the propose project, current use of this alley is generally limited to the property owners and their patrons. All plans for development would be subject to the review of the City of Long Beach Fire Department for compliance with fire and emergency access standards. Compliance with Long Beach Fire Department requirements would reduce impacts related to emergency access to a less than significant level.

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

Less Than Significant Impact. No conflicts with adopted policies supporting alternative transportation modes such as bus facilities and bicycle access/parking are anticipated to occur. The proposed project involves the



development of residential and commercial uses in a mixed use development within walking distance of downtown services and other commercial and employment centers. The project site is also in close proximity to existing public transportation including several bus routes and the downtown Metro light rail station. Impacts would be less than significant.



IV EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT

The City of Long Beach Planning Commission found that the proposed project would have a less than significant impact with respect to a number of environmental topics. A less than significant environmental impact determination was made for each of the topic areas listed below.

AESTHETICS

Visual Quality of the Project Site. The visual character of the project site would be altered through the introduction of two high-rise structures surrounded by a nearly continuous four-story "podium" to a site which is partially developed with one-to four-story structures and partially covered with surface parking and accessways. However, due to the moderate visual character and quality of the site and the highly urbanized context, the change from relatively low-profile development and open space to high rise development is considered a Class III, less than significant, impact.

AIR QUALITY

Project Operation. Operation of the proposed project would generate air pollutant emissions, but such emissions would not exceed SCAQMD operational significance thresholds. Therefore, the project's operational impact to regional air quality would be Class III, less than significant.

Carbon Monoxide Concentrations from Increased Traffic. Project traffic, together with cumulative traffic growth in the area, would not create carbon monoxide concentrations exceeding state or federal standards. Localized air quality impacts would therefore be Class III, less than significant.

Consistency with Regional Plans. The proposed project would generate population growth, but such growth is within the population projections upon which the Air Quality Management Plan (AQMP) are based. Therefore, impacts associated with AQMP consistency would be Class III, less than significant.

HISTORIC RESOURCES

Impacts to Offsite Historic Structures. The project would not result in adverse impacts to 601 Pine Avenue or the Walker's Department Store Building due to the extensive new construction and redevelopment which has occurred in downtown Long Beach, which has substantially altered the historic setting and context. Impacts would be Class III, less than significant.

GEOLOGY

Subsidence. The proposed project is located within an area of known subsidence. Based on the ongoing fluid injection program and the regional



nature of the subsidence, the potential for subsidence to affect the proposed development or specific structures is considered low. This is considered a Class III, less than significant, impact.

NOISE

Noise from Project-Generated Traffic. Project-generated traffic would incrementally increase noise levels on area roadways. However, the change in noise levels would be inaudible. Therefore, the effect of increased traffic noise from the project on existing uses is considered a Class III, less than significant, impact.

Operational Noise from On Site. Onsite operations would generate noise levels that may periodically be audible to existing uses near the project site. However, such noise is not expected to exceed City Noise Ordinance standards. Therefore, this is considered a Class III, less than significant, impact.

POPULATION AND HOUSING

Population Growth. The proposed project would add 542 housing units, and an estimated 1,572 residents and 44 jobs within the City. Because these increases are within SCAG projections for the City of Long Beach, impacts related to housing and population growth are considered Class III, less than significant.

Housing Element Consistency. The proposed project could be found to be consistent with applicable Housing Element policies. Impacts relating to Housing Element policy are therefore considered Class III, less than significant.

PUBLIC SERVICES AND UTILITIES

Schools. The proposed project would generate an estimated 72 school-age students. This could adversely affect school facilities. However, with payment of required school impact fees, impacts would be reduced to a Class III, less than significant, level.

Fire Protection. The proposed project would incrementally increase demands on the Long Beach Fire Department. However, this increase would not require the construction of new fire protection facilities. Therefore, this is considered a Class III, less than significant, impact.

Police Protection. The proposed project would incrementally increase demands on the Long Beach Police Department. However, the increase would not require the construction of new police protection facilities. Therefore, this is considered a Class III, less than significant, impact.

Parks. The proposed project would generate demand for parkland. However, the applicant would be required to pay parkland in-lieu fees in the amount



established by the City of Long Beach. With collection of these fees, the City could provide additional facilities to meet project-generated demand. Impacts would therefore be Class III, less than significant.

Water. Buildout of the proposed project would incrementally increase water demand in the City of Long Beach. However, Long Beach Water Department water supplies are sufficient to meet the projected demand. Therefore, the impact on water supplies is considered to be Class III, less than significant.

Solid Waste. The proposed project would incrementally increase the long-term generation of solid waste at the site. However, the City's solid waste and recycling systems have adequate capacity to accommodate the increases. Therefore, impacts to the City's solid waste handling system are considered Class III, less than significant.

Electricity and Natural Gas. The proposed project would incrementally increase electricity and natural gas consumption within the City. However, because energy resources are available to serve the project, impacts to energy are considered Class III, less than significant.

TRANSPORTATION AND CIRCULATION

Congestion Management Program. The proposed would not significantly affect freeway mainline locations or CMP arterial monitoring intersections. Therefore, the project's CMP impact would be Class III, less than significant.

Transit. The proposed project would generate an estimated 10 transit riders during the AM peak hour and 11 transit riders during the PM peak hour. Because this number of riders would not require service expansions, transit-related impacts would be Class III, less than significant.



V EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT WITH MITIGATION AND FINDINGS

The City of Long Beach Planning Commission, having reviewed and considered the information contained in the Final EIR, the Technical Appendices and the administrative record, finds, pursuant to California Public Resources Code 21081 (a)(1) and *CEQA Guidelines* 15091 (a)(1) that changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen to below a level of significance the following potentially significant environmental effects identified in the Final EIR in the following categories: Aesthetics, Air Quality, Geology, Hazards and Hazardous Materials, Land Use and Planning, Traffic and Circulation, and Utilities and Service Systems. The potentially significant adverse environmental impacts that can be mitigated are listed below. The City of Long Beach Planning Commission finds that these potentially significant adverse impacts can be mitigated to a level that is considered less than significant after implementation of mitigation measures identified in the Final EIR.

AESTHETICS/LIGHT AND GLARE

The project's potential impacts with regard to aesthetics, light and glare and shade and shadow that can be mitigated or are otherwise less than significant are discussed in Section 4.1, *Aesthetics*, of the Draft EIR. The Draft EIR is incorporated herein by reference.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

Long Term Light and Glare. *The proposed project would result in new sources of light and glare on and around the project site, due to the increased height and scale of development as well as the larger proportion of glazing and potentially reflective materials such as aluminum shown in the conceptual renderings in contrast with the existing development on the site.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings

The potential aesthetic impacts from light and glare have been eliminated or substantially lessened to less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

- AES-2(a) Lighting Plans and Specifications.** Lighting Plans and Specifications. Prior to the issuance of any building permits, the applicant shall submit lighting plans and specifications for all exterior lighting fixtures and light standards to the Planning and Building Department for review and approval. The plans shall



include a photometric design study demonstrating that all outdoor light fixtures to be installed are designed or located in a manner as to contain the direct rays from the lights on-site and to minimize spillover of light onto surrounding properties or roadways. All parking structure lighting shall be shielded and directed away from residential uses. Such lighting shall be primarily located and directed so as to provide adequate security.

AES-2(b) Building Material Specifications. Prior to the issuance of any building permits, the applicant shall submit plans and specifications for all building materials to the Planning and Building Department for review and approval. All structures facing any public street or neighboring property shall use minimally reflective glass and all other materials used on the exterior of buildings and structures shall be selected with attention to minimizing reflective glare. The use of glass with over 25% reflectivity shall be prohibited in the exterior of all buildings on the project site.

AES-2(c) Light Fixture Shielding. Prior to the issuance of any building permits, the applicant shall demonstrate to the Planning and Building Department that all night lighting installed on private property within the project site shall be shielded, directed away from residential uses, and confined to the project site. Additionally, all lighting shall comply with all applicable Airport Land Use Plan (ALUP) Safety Policies and FAA regulations.

AES-2(d) Window Tinting. Prior to the issuance of any building permits, the applicant shall submit plans and specifications showing that building windows are tinted in order to minimize glare from interior lighting.

AIR QUALITY

The project's potential impacts with regard to air quality that can be mitigated or are otherwise less than significant are discussed in Section 4.2, *Air Quality*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

"Wind Tunnel" Effect. *Construction of two 22-story high rise structures in a location where high-rise structures (defined as 100 feet or higher) do not currently exist could result in wind speeds of over 36 mph.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*



Facts in Support of Findings

The potential impacts resulting from increased wind speeds as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of a mitigation measure identified in the Draft EIR.

Mitigation Measure:

AQ-4 Building Design. The final design of the high-rise buildings shall be in accordance with one or more of the following design guidelines. In addition, as part of the design review process for these high-rise buildings, a qualified wind consultant shall ensure that the project is designed in accordance with these guidelines:

- *Align long axes of each building along a northwest-southeast alignment to reduce exposure of the wide faces of the building to westerly/northwesterly winds.*
- *West or southeasterly building faces shall be articulated and modulated through the use of architectural devices such as surface articulation; variation; variation of planes, wall surfaces, and heights; and the placement of setbacks and other similar features.*
- *Utilize properly-located landscaping that mitigates high winds. Porous materials (e.g., vegetation, hedges, screens, latticework, perforated metal), which offer superior wind shelter compared to solid surfaces, shall be used.*
- *Avoid narrow gaps between buildings where winds could be accelerated.*
- *Avoid breezeways or notches at the upwind corners of the building.*

(The project as currently proposed may already meets some of these criteria, including avoidance of narrow gaps between buildings.)

GEOLOGY

The project's potential impacts with regard to geology that can be mitigated or are otherwise less than significant are discussed in Section 4.4, *Geology*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

Ground Shaking. *Seismically-induced ground shaking could damage proposed structures and infrastructure, potentially resulting in loss of property or risk to human health and safety.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings



The potential impacts from ground shaking as a result of the proposed project have been eliminated or substantially lessened to a of less than significant level by virtue of a mitigation measure identified in the Draft EIR.

Mitigation Measure:

GEO-1 UBC and CBC Compliance. Design and construction of the buildings proposed for the Press-Telegram Mixed Use Development shall be engineered to withstand the expected ground acceleration that may occur at the project site. The calculated design base ground motion for the site shall take into consideration the soil type, potential for liquefaction, and the most current and applicable seismic attenuation methods that are available. All on-site structures shall comply with applicable provisions of the 1997 Uniform Building Code and the 1998 California Building Code.

Ground Shaking - Liquefaction. *Seismic activity could produce ground shaking that results in liquefaction. Liquefaction could potentially cause structural failure, resulting in loss of property or risk to human health and safety.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings

The potential impacts from ground shaking-liquefaction as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of a mitigation measure identified in the Draft EIR.

Mitigation Measure:

GEO-2 Additional Geotechnical and Geo-Engineering Analysis. Prior to issuance of a building permit for the new structures, a comprehensive geotechnical investigation and geo-engineering study shall be completed to adequately assess the liquefaction potential and compaction design of the soils underlying the proposed bottom grade of any structure built as part of the proposed project, per City requirements. The borings shall be completed to at least 50 feet below the lowest proposed finished grade of the structure or 20 feet below the lowest caisson or footing (whichever is deeper). If these soils are confirmed to be prone to seismically-induced liquefaction, appropriate techniques to minimize liquefaction potential shall be prescribed and implemented. All on-site structures shall comply with applicable methods of the Uniform Building Code and California Building Code. Suitable measures to reduce liquefaction impacts



could include specialized design of foundations by a structural engineer, removal or treatment of liquefiable soils to reduce the potential for liquefaction, drainage to lower the groundwater table to below the level of liquefiable soils, in-situ densification of soils, or other alterations to the ground characteristics.

Ground Shaking-Seismic Settlement. *Seismic activity could produce ground shaking that results in seismic settlement of material underlying the site. Settlement potential at the site is low; however, if the underlying material is improperly compacted, it can settle during earthquakes or due to construction-related loading.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings

The potential impacts from ground shaking-seismic settlement as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

GEO-3(a) Construction Fill Material Certification. All fill material used for construction shall be approved by a geotechnical or civil engineer, and all backfill and foundation sub-grade shall be certified by a geotechnical or civil engineer for proper compaction.

GEO-3(b) Backfill Material Certification. All fill material used for backfill of any below-grade levels within the project area shall be approved by a geotechnical or civil engineer. In addition, the backfill shall be certified by a geotechnical or civil engineer for proper compaction.

Sloughing/Groundwater. *The proposed project includes below-grade parking structures, deep foundations, and deep utilities. Terrace deposits underlying the site may be susceptible to sloughing and failure during excavation. In addition, groundwater could be encountered at the base of the excavations during construction and require dewatering. There is also the potential for groundwater and/or percolating surface water to collect in the bottom of structures after construction.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings



The potential impacts from sloughing and groundwater intrusion as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

- GEO-4(a) Geotechnical Investigations.** Appropriate geotechnical, and geo-engineering investigations, as mandated by the building codes, and City of Long Beach shall be performed prior to the design of any structure. Proper engineering design and conformance with recommendations presented in the comprehensive geotechnical report for the project, in compliance with current building codes are required by the City, will reduce the identified potential geotechnical impacts to a level that is less than significant.
- GEO-4(b) Temporary Shoring.** If constructed at angles greater than approximately 2:1, temporary cut slopes in terrace deposits are susceptible to sloughing and failure. Temporary shoring can be designed to protect the temporary excavations, structures to remain in place, and adjacent properties. This shoring shall be designed to the satisfaction of the project civil engineer and take into account all lateral load parameters and the possible presence of groundwater at the bottom grade of the excavations or the base of the shoring soldier piles (if used).
- GEO-4(c) Safety Standards.** All excavations for parking structures, or buildings shall comply with all applicable regulations of the California Occupational Safety and Hazard Administration guidelines as they pertain to excavations.
- GEO-4(d) Groundwater.** Excavations for underground parking, deep foundations, or deep utilities may encounter ground water. Dewatering may be necessary for excavations. Testing of groundwater to be discharged offsite would be necessary and proper disposal or treatment may be necessary if the groundwater does not meet regulatory standards. Waterproofing would be needed for underground structures sensitive to moisture or inundation. Underground structures would need to be designed for the hydrostatic pressures of potential ground water unless permanent dewatering systems are installed. The removal systems shall be designed to prevent the structure from flooding.

Soil Expansion. *The native soils below the project site include terrace deposit sands, which typically have a low expansion potential. However, silts and local clays are also found under the site. These types of soils can be expansive. Expansive soils can cause subtle damage that can compromise a building's structural integrity.*



Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings

The potential impacts from soil expansion as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of a mitigation measure identified in the Draft EIR.

Mitigation Measure:

GEO-5 Soil Expansion Analysis. Prior to issuance of a building permit, soil samples of final sub-grade areas and excavation sidewalls shall be collected and analyzed for their expansion index. For areas where the expansion index is found to be greater than 20, grading and foundation designs shall be engineered to withstand the existing conditions. The expansion testing may be omitted if the grading and foundations are engineered to withstand the presence of highly expansive soils.

Erosion and Sedimentation. *During project construction, heavy equipment would be used to excavate soil. In addition, other grading would occur. This would necessitate on site stockpile storage and disruption to the soil surface, which could potentially become subject to erosion, with potential off-site sedimentation and pollutant discharges.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings

The potential impacts from erosion and sedimentation as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

GEO-6(a) Best Management Practices. Pursuant to the Long Beach Municipal Code Section 18.95.050 Development Construction: prior to the issuance of any building or grading permit for any project, the construction plans shall include features meeting the construction activities BMPs (CA-10 through CA-12, CA-20, CA-21 and CA-23, and CA-30 through CA-32) and the applicable provisions of the erosion and sediment control BMPs (ESC-1 through ESC-56)



published in the "California Storm Water Best Management Practice Handbooks (Construction Activity) (1993)," and BMP (CD-4(2)) of the "Caltrans Storm Water Quality Handbooks, Construction Contractor's Guide and Specifications (1997)," to ensure that every construction site meets the requirements of the regulations during the time of construction.

- GEO-6(b) Covering and Removal of Stockpiles.** All stockpiles of excavated material shall be covered with an impervious material during storage and shall be removed from the site within 3 weeks of being excavated or they shall be used for grading or backfill if the material fulfills the requirements of measures GEO-3(a and b) above.

HAZARDS AND HAZARDOUS MATERIALS

The project's potential impacts with regard to hazards and hazardous materials that can be mitigated or are otherwise less than significant are discussed in Section 4.5, *Hazards and Hazardous Materials*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

Asbestos/Lead-Based Paints. *The proposed project would require the demolition of buildings and structures that could contain asbestos or lead-based paints. Therefore, there is potential for a significant hazard to the public or the environment through the release of hazardous materials.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings

The potential impacts related to asbestos/lead-based paints have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

- HAZ-1(a) Lead-Based Paint and Asbestos Surveys.** Prior to issuance of a demolition or renovation permit, a lead-based paint and asbestos survey shall be performed by a licensed sampling company. All testing procedures shall follow California 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 California and Federal standards.



HAZ-1(b) Asbestos Removal. Prior to any demolition or renovation, onsite structures that contain asbestos must have the asbestos containing material removed according to proper abatement procedures recommended by the asbestos consultant. All abatement activities shall be in compliance with California and Federal OSHA, and with the South Coast Air Quality Management District requirements. Only asbestos trained and certified abatement personnel shall be allowed to perform asbestos abatement. All asbestos containing material removed from onsite 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, where the material was moved to, and include 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.

HAZ-1(c) Lead Removal. Prior to the issuance of a permit for the renovation or demolition of any structure, a licensed lead-based paint consultant shall be contracted to evaluate the structure 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 California and Federal OSHA, and with the South Coast Air Quality Management District 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. In addition, the material shall be taken to a landfill or receiving facility licensed to accept the waste. Following completion of the lead based paint abatement, the lead based paint consultant shall provide a report documenting the abatement procedures used, the volume of lead based paint removed, where the material was moved to, and include 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.

Soil and Groundwater Contamination. *Industrial uses and storage of hydrocarbons, heavy metals, and acids on in the vicinity may threaten soil and groundwater quality at the property. There remains the possibility that site soil and/or groundwater has been contaminated by historic activity onsite.*

Findings



1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings

The potential impacts related to soil and/or groundwater contamination have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

- HAZ-2(a) Excavation and Demolition Contingency Plans.** All excavation and demolition projects conducted within the Press Telegram Site area shall have a contingency plan to be implemented in the event that contaminants or structural features that could be associated with contaminants or hazardous materials are suspected or discovered. The contingency plan shall identify appropriate measures to be followed if contaminants are found or suspected. The appropriate measures shall identify personnel to be notified, emergency contacts, and a sampling protocol to be implemented. The excavation and demolition contractors shall be made aware 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 excavation or demolition, and identify the person authorized to make that determination.
- HAZ-2(b) Soil Sampling.** If contaminants are detected, the results of the soil sampling shall be forwarded to the local regulatory agency (Long Beach/Signal Hill CUPA, Los Angeles Regional Water Quality Control Board, or the State of California Environmental Protection Agency Department of Toxic Substances Control). The agency should review the data and either sign off on the property or determine if any additional investigation or remedial activities are deemed necessary.
- HAZ-2(c) Soil Remediation.** If concentrations of contaminants warrant site remediation, contaminated materials shall be remediated either prior to construction of structures or concurrent with construction. The contaminated materials shall be remediated under the supervision of an environmental consultant licensed to oversee such remediation. The remediation program shall also be approved by a regulatory oversight agency, such as the (Long Beach/Signal Hill Unified Program Agency CUPA), Los Angeles Regional Water Quality Control Board, or the State of California Environmental



Protection Agency 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 project, the remediation approach implemented, and the analytical results after completion of the remediation, including all waste disposal or treatment manifests.

- HAZ-2(d) Groundwater Sampling and Remediation.** If, during the soil sampling, groundwater contamination is suspected, or if soil contamination is detected at depths at or greater than 30 feet below grade, then the applicant shall perform a groundwater sampling assessment. If contaminants are detected in groundwater at levels that exceed maximum contaminant levels for those constituents in drinking water, or if the contaminants exceed health risk standards such as Preliminary Remediation Goals, one in one million cancer risk, or a health risk index above 1, then the results of the groundwater sampling shall be forwarded to the appropriate regulatory agency (Long Beach/Signal Hill Unified Program Agency CUPA), Los Angeles Regional Water Quality Control Board, or the State of California Environmental Protection Agency Department of Toxic Substances Control). The agency shall review the data and sign off on the property or determine if any additional investigation or remedial activities are deemed necessary.

LAND USE AND PLANNING

The project's potential impacts with regard to land use and planning that can be mitigated or are otherwise less than significant are discussed in Section 4.6, *Land Use and Planning*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

Land Use Compatibility. *The proposed mixed use project would be generally compatible with existing adjacent commercial, school and residential uses, with incorporation of mitigation measures included in the transportation, air quality, and noise sections of the EIR.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings

The potential impacts to land use compatibility as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.



The mitigation measures recommended in Sections 4.10, *Transportation and Circulation*, 4.7, *Noise* and 4.2, *Air Quality* of the EIR would reduce impacts that could lead to land use conflicts to levels that would avoid significant land use compatibility impacts.

Zoning Ordinance Inconsistency/Site Plan Review Process. *The proposed Press-Telegram project is inconsistent with the requirements of the PD-30 Zone District, including those relating to height, density, parking and development with and adjacent to historic structures. In addition, the project plans and description as submitted have not been through the City's Site Plan Review process.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings

The potential impacts due to Zoning Ordinance and Site Plan Review process inconsistency have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

LU-3(a) Site Plan Review. Prior to the issuance of any building permit, the applicant shall continue to work with City staff to address the issues raised during the Conceptual Site Plan Review process to the satisfaction of the Planning Commission. The project plans submitted for Site Plan Review approval shall incorporate all required revisions to the satisfaction of the Planning Commission.

LU-3(b) Zoning Code Amendment. The City of Long Beach shall approve an amendment to the Downtown Planned Development District (PD-30) to allow building heights of 250 feet and densities of 217 dwelling units per acre prior to or concurrent with approval of the Press Telegram project; or the proposed project shall be redesigned to comply with the current standards of PD-30.

TRAFFIC AND CIRCULATION

The project's potential impacts with regard to traffic and circulation that can be mitigated or are otherwise less than significant are discussed in Section 4.10, *Traffic and Circulation*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.



Parking. *Depending upon how the non-residential components of the proposed project are used, onsite parking may be sufficient to meet project demand. However, the 1,186 parking spaces provided by the proposed project are 204 spaces short of the City Code requirement.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings

The potential impacts to parking as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of a mitigation measure identified in the Draft EIR.

Mitigation Measure:

- T-3 Parking Management.** The project applicant shall complete a parking demand study, including a shared parking analysis, after a class program is defined in order to determine whether the amount of parking proposed is sufficient to adequately accommodate the anticipated demand. The results of the analysis shall be subject to the review and approval of the City traffic engineer. If the parking demand study determines that the parking proposed for the project would be sufficient, a variance shall be requested in accordance with the City's Zoning Regulations. However, if the study determines that parking would be insufficient and the variance request is denied, the project shall meet the City's parking requirements in accordance with the Zoning Regulations.

UTILITIES AND SERVICE SYSTEMS

The project's potential impacts with regard to utilities and service systems that can be mitigated or are otherwise less than significant are discussed in Section 4.11, *Utilities and Service Systems*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

Water Infrastructure. *Although buildout of the proposed project would incrementally increase water demand in the City of Long Beach, Long Beach Water Department water supplies are sufficient to meet the projected demand. However, proposed structures would be located over existing on-site water lines.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings



The potential impacts related to water infrastructure have been eliminated or substantially lessened to a less than significant level by virtue of the mitigation measure identified in the Draft EIR.

Mitigation Measure:

- U-1 On-site Water Line Abandonment and Installation of New Water Line.** The project applicant shall abandon the existing water line on site in accordance with Long Beach Water Department standards. A new 8-inch water line shall be installed in accordance with Long Beach Water Department standards. The size and location will depend on the final configuration of development and the Fire Department's fire flow requirements.

Wastewater Infrastructure. *The proposed project would generate an estimated net increase of 92,410 gallons of wastewater per day, which would flow to the Joint Water Pollution Control Plant. The treatment plant has sufficient capacity to accommodate this increase in wastewater generation. However local conveyance infrastructure may not be of adequate size to convey peak flows from the Press-Telegram Mixed Use Development.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings

The potential impacts related to wastewater infrastructure have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

- U-2(a) On-site Sewer Line Abandonment.** The project applicant shall abandon the existing 8-inch sewer line on site. The sewer line shall be abandoned near the property line in accordance with Long Beach Water Department standards. Minor improvements may be required for this abandonment. The applicant shall consult with the City and the Long Beach Water Department for required procedures and improvements.
- U-2(b) Off-site Sewer Line Replacement.** The project applicant shall replace the existing sewer connection at the intersection of 6th Street and Solano Court in order to accommodate the increased wastewater volume expected as a result of the proposed project. The 10-inch connection shall be replaced with a 15-inch connection in accordance with Long Beach Water Department standards. The existing 8-inch Vitreous Clay Pipe (VCP) running west on 6th street turns south for 11 feet, then turns west after increasing its size to a 15-inch pipe. Because of the expected increase



in waste water flow from the project, it is required by the City of Long Beach to increase the size of the 90 degree elbows up to 15 inches. It has been determined that the increased flow of waste water from the project site will put too great a stress on the 8-inch elbows and therefore the elbows must be made larger. The 11 feet of VPC line and the 90 degree elbow fittings to be replaced are approximately 15 feet below street level.

A second sewer change is required at the intersection of Broadway and Pacific Avenue. The existing 15-inch sewer line running south down Pacific Avenue presently ties into an 18-inch main sewer line. It is projected that the increased flow of waste water from the project would overload the 18-inch main line and therefore a piping change is needed. The City recommends that the 15-inch line be removed from entering the 18-inch line and be re-routed into either a 30-inch main or a 36-inch main line located approximately 20 feet deep at that location.

The applicant shall consult with the City and the Long Beach Water Department for requirements regarding sewer connection replacement. Sewer conveyance improvements shall be completed prior to issuance of building permits.



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

The EIR for the Press-Telegram Mixed Use Development Project identifies potentially significant environmental impacts within six issue areas which cannot be fully mitigated and are therefore considered significant and unavoidable ("Class I"). Those impacts are related to Aesthetics, Air Quality, Historic Resources, Land Use and Planning, Noise and Transportation and Circulation. The City of Long Beach Planning Commission, having reviewed and considered the information contained in the Final EIR, Technical Appendices and the administrative record, finds, pursuant to California Public Resources Code 21081 (a)(3) and CEQA Guidelines 15091 (a)(3), that to the extent these impacts remain significant and unavoidable, such impacts are acceptable when weighed against the overriding social, economic, legal, technical, and other considerations set forth in the Statement of Overriding Considerations, included as Section VIII of these Findings. The Class I impacts identified in the EIR and EIR Revisions document are discussed below, along with the appropriate findings per CEQA Guidelines Section 15091.

AESTHETICS/LIGHT AND GLARE

SIGNIFICANT AND UNAVOIDABLE IMPACT.

Shade and Shadow. *The proposed high rise structures would cast shadows or partial shadows onto adjacent properties, particularly in the wintertime when shadows are most extreme. Shadows from the project would fall on sensitive residential and school uses for more than three hours during the winter months.*

Findings

Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.

Facts in Support of Findings

The increase in building massing and scale would result in enlarged shade and shadow impacts to residential and school uses located west and north of the site. Outside of reducing the building height, no mitigation measures that could feasibly reduce the significant shade and shadow impacts resulting from the proposed project are available. Shade and shadow impacts are considered significant and unavoidable.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding the Press-Telegram Mixed Use Project provide additional facts in support of these findings. Unavoidable significant effects are acceptable when balanced against the facts set forth therein.



Mitigation Measures:

No mitigation measures that could feasibly reduce the significant shade and shadow impacts to a less than significant level are available.

AIR QUALITY

SIGNIFICANT AND UNAVOIDABLE IMPACT AFTER MITIGATION.

Temporary (Construction) Air Emissions. *Project construction would generate air pollutant emissions that exceed SCAQMD construction thresholds for ozone precursor NOx. Construction-related emissions are also expected to exceed the LST thresholds for NOx, and exhaust PM10.*

Findings

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.*

Facts in Support of Findings

With implementation of feasible mitigation measures during construction of the proposed project, emissions from construction equipment exhaust and soil disturbance would be minimized. However, construction emissions from the proposed project would exceed the daily emissions threshold for NOx established by the SCAQMD. Because construction emissions would exceed established SCAQMD thresholds, even with implementation of feasible mitigation measures, impacts would be significant and unavoidable. The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding the Press-Telegram Mixed Use Project provide additional facts in support of these findings. Any remaining unavoidable significant effects are acceptable when balanced against the facts set forth therein.

Mitigation Measures:

AQ-1(a) Fugitive Dust Control Measures. The following shall be implemented during construction to minimize fugitive dust and associated particulate emissions:

- *Water trucks shall be used during construction to keep all areas of vehicle movements damp enough to prevent dust from leaving the site. At a minimum, this will require twice daily applications (once in late morning and once at the end of the workday). Increased watering is required whenever wind speed exceeds 15 mph. Grading shall be suspended if wind gusts exceed 25 mph.*



- *The amount of disturbed area shall be minimized and onsite vehicle speeds shall be limited to 15 mph or less.*
- *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 generation. Trucks transporting material shall be tarped from the point of origin or shall maintain at least two feet of freeboard.*
- *After clearing, grading, earth-moving or excavation is completed, the disturbed area shall be treated by watering, revegetation, or by spreading earth binders until the area is paved or otherwise developed.*
- *All material transported off-site shall be securely covered to prevent excessive amounts of dust.*

AQ-1(b) NO_x Control Measures. The following shall be implemented throughout construction to reduce emissions of nitrogen oxides:

- *When feasible, electricity from temporary power poles on site shall be utilized rather than temporary diesel or gasoline generators.*
- *When feasible, on site mobile equipment shall be fueled by methanol or natural gas (to replace diesel-fueled equipment), or, propane or butane (to replace gasoline-fueled equipment).*
- *Aqueous Diesel Fuel or biodiesel (B20 with retarded fuel injection timing), if available, shall be used in diesel fueled vehicles when methanol or natural gas alternatives are not available.*

The following measure is required to further reduce emissions of construction-related ozone precursors (ROC and NO_x).

AQ-1(c) Ozone Precursor Control Measures. The following shall be implemented throughout construction to reduce emissions of ozone precursors ROC and NO_x:

- *Equipment engines should be maintained in good condition and in proper tune as per manufacturer's specifications;*
- *Schedule construction periods to occur over a longer time period (ie lengthen from 60 days to 90 days) during the smog season so as to minimize the number of vehicles and equipment operating simultaneously; and*
- *Use new technologies to control ozone precursor emissions as they become readily available.*

CULTURAL RESOURCES

SIGNIFICANT AND UNAVOIDABLE IMPACT AFTER MITIGATION.

Historic Resources – Press-Telegram Building. *The proposed Press-Telegram Mixed Use Development Project would involve the partial demolition of the Press-Telegram Building.*



Findings

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.*

Facts in Support of Findings

Based on the analysis in Section 4.3 of the Draft EIR, *Historic Resources*, the Press-Telegram Building is currently eligible for designation as a City Landmark. The proposed project would involve the removal of a substantial quantity of historic building fabric, including roughly 40% of the above-ground interior spaces of the building related to its historic use, as well as the permanent attachment of new construction which does not respect the materials, features, size, scale and proportion, and massing of the historic property. The printing presses would also be removed from their context in the facility. Consequently, the proposed activities would potentially make a building that is currently eligible for City Landmark designation ineligible for designation as a City Landmark. Therefore, the project would result in a significant adverse impact on an historic resource.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide additional facts in support of these findings. Any remaining, unavoidable significant effects are acceptable when balanced against the facts set forth therein.

Mitigation Measures:

- HR-1(a) Press-Telegram Documentation Report.** In consultation with a qualified historic preservation professional, the applicant shall produce a Documentation Report consisting of black and white archival, quality photographs and measured drawings of the historic resources to be altered, which along with the Historic Resources Report prepared for this property, shall be submitted to an appropriate repository.
- HR-1(b) Press-Telegram Interpretive Plan.** In consultation with a qualified historic preservation professional, an interpretive plan for the property shall be produced, focusing on the significant historic themes associated with the property. The plan may consist of a public display or other suitable approach to interpreting the history of the property, as determined by the City of Long Beach. A display shall include historic photographs, memorabilia, documents and other appropriate features, and interpretive installations, including



equipment. The display shall be open to the public and shall be completed prior to occupancy clearance.

- HR-1(c) Secretary of the Interior Standards.** To the greatest extent feasible, all modifications to historic building on the property shall be undertaken in conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. These alterations should not unnecessarily destroy historic materials or architectural features which characterize the property, and to the greatest extent feasible, shall be based on historical documentation and/or forensic evidence of original conditions.

Historic Resources - Meeker (aka Baker) Building. *The proposed Press-Telegram Mixed Use Project would involve the partial demolition of the Meeker Building, a designated City landmark.*

Findings

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.*

Facts in Support of Findings

The proposed project would involve the demolition of extensive historic building fabric for the property at 650 Pine Avenue (the Meeker Building), a designated City landmark, including all of the interior spaces of the building related to its historic use. The complete structure behind the two-story façade of the building would be removed, and floors and walls would then be replaced with new construction. The facade would undergo a major restoration to its original condition. Although the applicant proposes to retain the façade of the Meeker Building as an offsetting factor, the majority of the interior of the residential and commercial uses would be demolished to accommodate proposed new structures and underground parking. These proposed activities would result in a significant adverse impact to an historic resource. Potential incompatibilities of scale and design of the proposed 22-story buildings may also contribute to a reduction in the historic value of the remaining portions of the Meeker Building due to an alteration of the site setting. With the proposed modifications, the Meeker Building would no longer be eligible for listing on the NRHP or the CRHR. Therefore, the impact to the Meeker Building would be significant.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide additional facts in support of these findings. Any remaining unavoidable significant effects are acceptable when balanced against the facts set forth therein.



Mitigation Measures:

- HR-2(a) Meeker Documentation Report.** In consultation with a qualified historic preservation professional, the applicant shall produce a Documentation Report consisting of black and white archival, quality photographs and measured drawings of the historic resources to be altered, which along with the Historic Resources Report prepared for this property, shall be submitted to an appropriate repository.
- HR-2(b) Meeker Interpretive Plan.** In consultation with a qualified historic preservation professional, an interpretive plan for the property shall be produced, focusing on the significant historic themes associated with the property. The plan may consist of a public display or other suitable approach to interpreting the history of the property, as determined by the City of Long Beach.
- HR-2(c) Secretary of the Interior Standards.** To the greatest extent feasible, all modifications to historic building on the property shall be undertaken in conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. These alterations should not unnecessarily destroy historic materials or architectural features which characterize the property, and to the greatest extent feasible, shall be based on historical documentation and/or forensic evidence of original conditions.

Cumulative Impacts.

Development associated with the proposed project and other related cumulative projects would result in cumulatively considerable cultural resources impacts.

Findings

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.*

Facts in Support of Findings

Implementation of the proposed project, in combination with past, present, and potential future cumulative development in the area, could continue to alter the historic character of the City and result in significant cumulative impacts to historic resources. Where historic properties have been demolished or degraded, mitigation measures such as those proposed in this EIR are not always sufficient to reduce project specific impacts to less than significant levels. In



addition, approval of projects with significant and unavoidable impacts to historic resources could be seen as establishing a pattern of development/ redevelopment that includes continued significant loss of historic resources. Cumulative impacts would therefore be significant and unavoidable.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide additional facts in support of these findings. Any remaining, unavoidable significant effects are acceptable when balanced against the facts set forth therein.

Mitigation Measures:

Refer to mitigation measures HR-1 and HR-2.

LAND USE AND PLANNING

SIGNIFICANT AND UNAVOIDABLE IMPACT AFTER MITIGATION.

General Plan Inconsistency. *The proposed Press-Telegram project would implement a number of City of Long Beach planning goals and policies. However, the demolition of most of the Meeker (aka Baker) Building and much of the Press-Telegram Building, could be found to be inconsistent with the General Plan's goals and policies related to preservation of historic resources. In addition, the project does not meet the District's open space requirements, making it potentially inconsistent with Policy 4.10 of the Open Space and Recreation Element.*

Findings

Changes or alterations have been required which reduce the significant environmental effect as identified in the Draft EIR.

Facts in Support of Findings

Tables 4.6-2, 4.6-3 and 4.6-4 in Section 4.6 of the draft EIR, *Land Use and Planning*, contain discussions of the proposed plan's consistency with applicable policies of the Long Beach General Plan, Redevelopment Implementation Plan and Strategic Plan, respectively. Consistent with the scope and purpose of this EIR, the discussion primarily focuses on those policies that relate to avoiding or mitigating environmental impacts, and an assessment of whether any inconsistency with these standards creates a significant physical impact on the environment. The project appears to be consistent with the majority of the goals, policies and objectives of the General Plan and other policy documents. However, potential inconsistencies with goals and policies relating to preservation of historic resources and provision of adequate open space are identified, and would be considered significant and unavoidable impacts. The ultimate determination of whether the proposed project is consistent with the General Plan and Zoning Ordinance lies with the decision-making bodies (Planning Commission and City Council).



In order to approve the project, the Planning Commission would have to find that the project as proposed is consistent with the identified goals and policies relating to preservation of historic resources and provision of adequate open space.

Mitigation Measures:

Mitigation measures HR-1 and HR-2, discussed in Draft EIR Section 4.3, *Historic Resources*, require documentation of the historic resources, interpretive plans and modifying buildings within guidelines to preserve historic resources to the extent feasible. These would help to reduce the impact to historic resources, but would not reduce them to a less than significant level. This could be found to be an inconsistency with policies relating to historic resource preservation. Payment of park facility impact fees would reduce the potential inconsistency with Open Space and Recreation policies, but without meeting the ordinance requirement for onsite open space, the project could still be found to be inconsistent with Policy 4.10.

NOISE

SIGNIFICANT AND UNAVOIDABLE IMPACT AFTER MITIGATION.

Temporary Construction Noise. *Project construction would intermittently generate high noise levels and groundborne vibrations on and adjacent to the site. These noise levels would affect sensitive receptors near the project site.*

Findings

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.*

Facts in Support of Findings

The grading/excavation phase of project construction tends to create the highest noise levels because of the operation of heavy equipment. Noise levels associated with heavy equipment typically range from about 78 to 88 dBA at 50 feet from the source. Continuous operation of this equipment during a nine-hour workday can cause noise levels onsite and at adjacent receptor locations that are well above ambient levels. Areas within a few hundred feet of construction sites would be exposed to audible construction noise levels. Sensitive receptors, including residences and International Elementary School, are located within 100 feet of the site.

At these distances to sensitive receptors, the amount of heavy equipment and number of hours associated with the scale of demolition, excavation and foundation conditioning involved with



the proposed project could result in construction-related noise as high as 88 dBA at the surrounding residences and school athletic field, and 82 dBA at the nearest school building. Although ambient noise levels in the area are high (>70 dBA) due to traffic on Pine Avenue, Sixth Street, and Seventh Street, construction noise would be audible at the elementary school, and the surrounding residences as the increase above ambient would be greater than 3 dBA, generally the level of increase that is audible. This is considered a significant impact.

Construction contractors would be required to comply with restrictions in the Noise Ordinance that limit the times when construction may occur. This would address potential impacts to nearby residences. However International Elementary School is an active sensitive receptor during daytime hours. Thus, adherence to the time limits set forth in the Noise Ordinance would not reduce the impact to International Elementary School. Therefore, impacts to the school would be significant.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide additional facts in support of these findings. Any remaining unavoidable significant effects are acceptable when balanced against the facts set forth therein.

Mitigation Measures:

- N-3(a) **Diesel Equipment Mufflers.** All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.
- N-3(b) **Electrically-Powered Tools.** Electrical power shall be used to run air compressors and similar power tools.
- N-3(c) **Additional Noise Attenuation Techniques.** For all noise-generating construction activity on the project site, additional noise attenuation techniques shall be employed to reduce noise levels. Such techniques shall include, but are not limited to, the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between construction sites and nearby sensitive receptors.

TRAFFIC AND CIRCULATION

SIGNIFICANT AND UNAVOIDABLE IMPACT AFTER MITIGATION.

Project and Cumulative Traffic Impact. *Project-generated traffic, in combination with cumulative traffic growth, would result in a significant impact at 1 of 42 study area intersections (Magnolia Avenue/6th Street) based on City of Long Beach significance criteria. Mitigation is available for that impact, but physical constraints make expansion of the roadway cross-section difficult.*

Findings



Specific economic, legal, social, technological, or other considerations, particularly physical constraints associated with implementation of the mitigation measure, make infeasible the mitigation measures or project alternatives identified in the environmental impact report.

Facts in Support of Findings

Based on the City's significance criteria, the project's impact would be significant at the intersection of Magnolia Avenue and 6th Street.

The Magnolia Avenue/6th Street intersection is physically constrained with existing developments located close to the street. This makes expansion of the roadway cross-section infeasible. Another option for addressing the project impact at this intersection is to reduce project-generated traffic by 8%. A project alternative that would reduce traffic by this amount is discussed in Section 6.0, *Alternatives*.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide additional facts in support of these findings. Any remaining, unavoidable significant effects are acceptable when balanced against the facts set forth therein.

Mitigation Measures:

T-1(a) Magnolia Avenue/6th Street. The applicant shall either add an eastbound turn lane or a northbound right-turn lane. Any physical modifications to the intersection shall require the prior approval of City Traffic Engineer. If traffic volume reduction or geometric solution is not implemented, then the Project's impact would be considered significant and unavoidable.



VII ALTERNATIVES TO THE PROPOSED PROJECT

The Draft EIR addresses the environmental effects of alternatives to the proposed project. A description of these alternatives, a comparison of their environmental impacts to the proposed project, and the City's findings are listed below. These alternatives are compared against the project relative to the identified project impacts, summarized in sections V and VI, above, and to the project objectives, as stated in Section 2.0 of the Draft EIR. In making the following alternatives findings, the City of Long Beach Planning Commission certifies that it has independently reviewed and considered the information on alternatives provided in the Draft EIR, including the information provided in the comments on the Draft EIR and the responses thereto.

A NO PROJECT ALTERNATIVE

The No Project Alternative assumes that the proposed project would not be implemented and the project site would remain in its current condition. The existing retail, restaurant, office, nonconforming residential, surface parking and other uses would remain on-site.

Findings

Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, render this alternative infeasible.

Facts in Support of Findings

The No Project alternative would avoid the proposed project's significant impacts relating to air quality, aesthetics, historic resources, geology and soils, hazards and hazardous materials, land use and Planning, noise, public services, traffic, and utilities, including the unavoidably significant impacts relating to air quality, historic resources, noise, and traffic. However, the No Project Alternative would not provide new housing opportunities in Long Beach, revitalization of the site, institutional space for the Arts Council and State University, and other aspects of the proposed project that would further the City's adopted goals for Downtown (see Section 4.6 of the Draft EIR, *Land Use and Planning*, for further discussion of project consistency with the objectives, goals and policies of the General Plan).

B REDUCED DENSITY PROJECT ALTERNATIVE

This alternative involves the construction of fewer residential units in order to reduce the proposed project's significant and unavoidable traffic impact at the intersection of Magnolia and 6th Street. Fewer units would require shorter structures, also reducing aesthetic impacts, most notably shadow impacts. All other proposed improvements would be similar to those of the proposed project.

The Reduced Density Alternative would provide 471 residential units rather than the proposed project's 542 units, a reduction of just over 13%. Similar to the proposed project, the majority of residential units would be located in two high-rise structures; however, due to the reduction in



units, the structures would be only 19 stories and approximately 200 feet tall, as compared to the proposed project's 250-foot, 22-story heights. Treatment of the historic structures, the amount of office/institutional space, and general design and configuration of this alternative would be the same as for the proposed project. As fewer parking spaces would be required, it is assumed that five rather than seven levels of parking would be constructed. As residential density and building height would exceed the Zoning Regulation maximums, an amendment to the Downtown Planned Development (PD-30) District would be required, similar to the proposed project.

Findings

Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, render this alternative infeasible.

Facts in Support of Findings

The Reduced Project Alternative would result in fewer impacts on aesthetics, traffic and circulation, population and housing, air quality, and public services and utilities. The impacts on land use and relevant planning, noise, historic resources, geology and hazards are similar to the proposed project. Under this Alternative, some unavoidable significant adverse impacts are expected.

The Reduced Project Alternative would partially implement the goals and objectives of the proposed project. It would meet the applicant's general objectives of redeveloping the Press-Telegram site with a mixed use project, providing high-density housing including some live/work units, and providing space for CSULB and the Arts Council. However, the residential goal would not be met to the same degree as with the proposed project.

The findings for the proposed project set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide support for the proposed project and the elimination of this alternative from further consideration.

C GENERAL PLAN AND ZONING ORDINANCE CONSISTENT ALTERNATIVE

This alternative involves development of the site in accordance with the PD-30 Zone District's height and density limits. In addition to meeting the ordinance requirements, a strategy of preservation combined with careful restoration and adaptive reuse would be applied to the entire Meeker (Baker) Building and historically important portions of the Press-Telegram Building, including, at a minimum, the sections built in the 1920s.

Under this alternative, the building height would be a maximum of 100' and the project would include 187 residential units, consistent with the 75 unit-per acre regulatory maximum density. Approximately 32,300 square feet of office and institutional space, similar to the proposed project, would also be included. For analytical purposes, the general configuration of the development would be similar to that of the proposed project, although the adaptive reuse of



existing structures would reduce the new construction proposed on the podium level and this would change the distribution and location of uses to some extent. The parking garage would require fewer levels and/or a smaller footprint.

Findings

Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, render this alternative infeasible.

Facts in Support of Findings

The General Plan and Zoning Ordinance Consistent Alternative would reduce impacts in all issue areas except geology, which would be similar. With mitigation, all significant and unavoidable impacts associated with the proposed project, except for shadow impacts, would be reduced to a less than significant level. Thus, the Draft EIR identifies the General Plan and Zoning Ordinance Consistent Alternative as the Environmentally Superior Alternative.

The General Plan and Zoning Ordinance Consistent Alternative would partially implement the goals and objectives of the proposed project. It would meet the applicant's general objectives of redeveloping the Press-Telegram site with a mixed use project, providing high-density housing including some live/work units, and providing space for CSULB and the Arts Council. However, the residential goal would not be met to the same degree as with the proposed project.

The findings for the proposed project set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide support for the proposed project and the elimination of this alternative from further consideration.



VIII STATEMENT OF OVERRIDING CONSIDERATIONS

A INTRODUCTION

The California Environmental Quality Act (CEQA) and the *CEQA Guidelines* provide in part the following:

- CEQA requires that the decision maker balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. If the benefits of the proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."
- Where the decision of the public agency allows the occurrence of significant effects that are identified in the Environmental Impact Report (EIR) but are not mitigated, the agency must state in writing the reasons to support its action based on the EIR and/or other information in the record. This statement may be necessary if the agency also makes the finding under Section 15091 (a)(2) or (a)(3) of the *CEQA Guidelines*.
- If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the Notice of Determination (Section 15093 of the *CEQA Guidelines*).

The City of Long Beach Planning Commission, having reviewed and considered the information contained in the Environmental Impact Report (EIR) for the Press-Telegram Mixed Use Project (the project), Responses to Comments and the public record, adopts the following Statement of Overriding Considerations that have been balanced against the unavoidable adverse impacts in reaching a decision on the Press-Telegram Mixed Use Development Project.

B SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

Although mitigation measures have been included where feasible for potential project impacts as described in the preceding findings, there is no complete mitigation for the following project impacts:

- Aesthetics - Shade and Shadow;
- Air Quality - Short-Term (Construction) Air Emissions;
- Historic Resources - Press Telegram Building;
- Historic Resources - Meeker (aka Baker) Building;
- Historic Resources - Cumulative Impacts;
- Noise - Construction Noise;
- Land Use and Planning - General Plan Inconsistency;
- Traffic and Circulation - Project and Cumulative Traffic Impact at the intersection of Magnolia Avenue and 6th Street.



Details of these significant unavoidable adverse impacts are discussed in the Press-Telegram Mixed Use Project EIR and are summarized in Section VI, Environmental Effects Which Remain Significant and Unavoidable After Mitigation and Findings, in the Statement of Facts and Findings.

C OVERRIDING CONSIDERATIONS

The proposed action involves discretionary actions needed for approval of the Press-Telegram Mixed Use Project. Analysis in the EIR for this project has concluded that the proposed project will result in impacts to aesthetics, air quality, historic resources, land use and planning, noise and transportation and circulation that cannot be mitigated to a less than significant level. All other potential significant adverse project impacts have been mitigated to a less than significant level based on mitigation measures in the Final EIR. It should be noted that the City cannot approve the project unless the Planning Commission finds, contrary to the conclusions in the Draft EIR, that the project is consistent with General Plan policies related to open space provisions and protection of historic resources.

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

The City of Long Beach Planning Commission has determined that the significant unavoidable adverse project impacts, which will remain significant after mitigation, are acceptable and are outweighed by social, economic and other benefits of the project. Further, the alternatives that were identified in the Final EIR would not provide the project benefits, as summarized below, to the same extent as the proposed project:

1. The City of Long Beach Planning Commission finds that all feasible mitigation measures have been imposed to lessen project impacts to less than significant levels; and furthermore, that alternatives to the project are infeasible because while they have similar or less environmental impacts, they do not provide all of the benefits of the project, or are otherwise socially or economically infeasible when compared to the project, as described in the Statement of Facts and Findings.
2. The project is consistent with the *City of Long Beach General Plan* land use designation (LUD No. 7), which allows for a combination of land uses including employment centers, such as retail, offices, and institutional uses; and higher density residential development. If the requested Zoning Ordinance amendments are also approved, the project will be consistent with the zoning designation (PD-30) and applicable district (Downtown Mixed Use District) of PD-30, which is intended for a mix of uses, including office, retail, institutional and high-density residential uses.
3. Project implementation will contribute to long-range development goals identified by the City and Planning Commission in the General Plan Land Use Element, Redevelopment Implementation Plan, and Strategic Plan. It will help "build...downtown into a multi-purpose activity center" and facilitate "the development of cultural and artistic offerings in the downtown" through providing



space to the Arts Council and CSULB, as called for in the Land Use Element. The project also furthers the Land Use Element's statement that "Long Beach accepts the population growth anticipated in the downtown and supports the development of...new quality residential units...and additional space for educational facilities required to support a growing downtown population." The proposed high-rise structures further the Land Use Element statement that bringing tall buildings to the area south of 7th Street will "help bring relief to the otherwise flat and characterless urban form of much of the City, and to help identify important activity nodes." The Strategic Plan states that "[i]n order to improve neighborhood stability, we need to find locations for high density housing, where transportation and other public and private services can support it," and the project furthers this goal as well. Finally, the project furthers the Redevelopment Implementation Plan goal that the City "[p]romote development in the Project Area which provides economic benefits to the entire community, through the replanning, redesign and development of the portions of the Project Area which are...not being utilized to their highest and best use."

4. The project will positively enhance revitalization in the downtown by developing an underutilized site with substantial surface parking coverage with a diversity of residential unit types for downtown living, including live/work spaces, in proximity to employment, entertainment, retail and transit opportunities.
5. The project will enhance the pedestrian environment through replacement of gated surface parking lots and industrial structures on the site's eastern half with residential, cultural (Arts Council) and educational (CSULB) development. These more active and well-lit uses will provide a more secure and vibrant street experience in this section of northern Downtown Long Beach.
6. The project will create a new residential center with ground-floor cultural and educational facilities, as well as live/work opportunities, in the northern downtown area along a primary commercial and pedestrian corridor (Pine Avenue). This will contribute to revitalization of the northern Downtown area and downtown in general.
7. The project will add new high-density residential units within the Downtown area, increasing the availability of housing in the City of Long Beach, enhancing the jobs/housing balance and encouraging walking and transit use.
8. The project will enhance opportunities for private financial investments through home ownership opportunities and retail opportunities.

Therefore, the Long Beach Planning Commission, having reviewed and considered the information contained in the Final EIR, Technical Appendices and the public record, adopts the Statement of Overriding Considerations that has been balanced against the unavoidable adverse impacts in reaching a decision on this project.



Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
AESTHETICS							
AES-2(a) Lighting Plans and Specifications. Prior to the issuance of any building permits, the applicant shall submit lighting plans and specifications for all exterior lighting fixtures and light standards to the Planning and Building Department for review and approval. The plans shall include a photometric design study demonstrating that all outdoor light fixtures to be installed are designed or located in a manner as to contain the direct rays from the lights on-site and to minimize spillover of light onto surrounding properties or roadways. All parking structure lighting shall be shielded and directed away from residential uses. Such lighting shall be primarily located and directed so as to provide adequate security.	Review of final lighting plans; verification of compliance	Prior to issuance of building permits	Once for plan review Once for field verification of compliance	PBD			
AES-2(b) Building Material Specifications. Prior to the issuance of any building permits, the applicant shall submit plans and specifications for all building materials to the Planning and Building Department for review and approval. All structures facing any public street or neighboring property shall use minimally reflective glass and all other materials used on the exterior of buildings and structures shall be selected with attention to minimizing reflective glare. The use of glass with over 25% reflectivity shall be prohibited in the exterior of all buildings on the project site.	Review of building materials; verification of compliance	Prior to issuance of building permits	Once for plan review Once for field verification of compliance	PBD			
AES-2(c) Light Fixture Shielding. Prior to the issuance of any building permits, the applicant shall demonstrate to the Planning and Building Department that all night lighting installed on private property within the project site shall be shielded, directed away from residential uses, and confined to the project site. Additionally, all lighting shall comply with all applicable Airport Land Use Plan (ALUP) Safety Policies and FAA regulations.	Review of final lighting plans; verification of compliance	Prior to issuance of building permits	Once for plan review Once for field verification of compliance	PBD			

Exhibit "B"

Key: PWD – City of Long Beach Public Works Department
 PBD – City of Long Beach Planning and Building Department
 OCM – Onsite Construction Manager

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AES-2(d) Window Tinting. Prior to the issuance of any building permits, the applicant shall submit plans and specifications showing that building windows are tinted in order to minimize glare from interior lighting.	Review of building window materials; verification of compliance	Prior to issuance of building permits	Once for plan review Once for field verification of compliance	PBD			
AIR QUALITY							
AQ-1(a) Fugitive Dust Control Measures. The following shall be implemented during construction to minimize fugitive dust and associated particulate emissions: <ul style="list-style-type: none"> Water trucks shall be used during construction to keep all areas of vehicle movements damp enough to prevent dust from leaving the site. At a minimum, this will require twice daily applications (once in late morning and once at the end of the workday). Increased watering is required whenever wind speed exceeds 15 mph. Grading shall be suspended if wind gusts exceed 25 mph. The amount of disturbed area shall be minimized and onsite vehicle speeds shall be limited to 15 mph or less. 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 generation. Trucks transporting material shall be tarped from the point of origin or shall maintain at least two feet of freeboard. After clearing, grading, earth-moving or excavation is completed, the disturbed area shall be treated by watering, revegetation, or by spreading earth binders until the area is paved or otherwise developed. All material transported off-site shall be securely covered to prevent excessive amounts of dust. 	Field verification of compliance	During construction activities	Periodically during construction	PBD			

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<p>AQ-1(b) NOx Control Measures. The following shall be implemented throughout construction to reduce emissions of nitrogen oxides:</p> <ul style="list-style-type: none"> • When feasible, electricity from temporary power poles on site shall be utilized rather than temporary diesel or gasoline generators. • When feasible, on site mobile equipment shall be fueled by methanol or natural gas (to replace diesel-fueled equipment), or, propane or butane (to replace gasoline-fueled equipment). • Aqueous Diesel Fuel or biodiesel (B20 with retarded fuel injection timing), if available, shall be used in diesel fueled vehicles when methanol or natural gas alternatives are not available. 	Field verification of compliance	During construction activities	Periodically during construction	PBD			
<p>AQ-1(c) Ozone Precursor Control Measures. The following shall be implemented throughout construction to reduce emissions of ozone precursors ROC and NOx:</p> <ul style="list-style-type: none"> • Equipment engines should be maintained in good condition and in proper tune as per manufacturer's specifications; • Schedule construction periods to occur over a longer time period (ie lengthen from 60 days to 90 days) during the smog season so as to minimize the number of vehicles and equipment operating simultaneously; and • Use new technologies to control ozone precursor emissions as they become readily available. 	Field verification of compliance	During construction activities	Periodically during construction	PBD			
<p>AQ-4. Building Design. The final design of the high-rise buildings shall be in accordance with one or more of the following design guidelines. In addition, as part of the design review process for these high-rise buildings, a qualified wind consultant shall ensure that the project is designed in accordance with these guidelines:</p> <ul style="list-style-type: none"> • Align long axes of each building along a northwest-southeast alignment to reduce 	Review and approval of final building plans to verify that required features are included in the project design	Prior to issuance of building permits	Once	PBD			

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<p>exposure of the wide faces of the building to westerly/northwesterly winds.</p> <ul style="list-style-type: none"> • West or southeasterly building faces shall be articulated and modulated through the use of architectural devices such as surface articulation; variation; variation of planes, wall surfaces, and heights; and the placement of setbacks and other similar features. • Utilize properly-located landscaping that mitigates high winds. Porous materials (e.g., vegetation, hedges, screens, latticework, perforated metal), which offer superior wind shelter compared to solid surfaces, shall be used. • Avoid narrow gaps between buildings where winds could be accelerated. • Avoid breezeways or notches at the upwind corners of the building. 							
HISTORIC RESOURCES							
<p>HR-1(a) Press-Telegram Documentation Report. In consultation with a qualified historic preservation professional, the applicant shall produce a Documentation Report consisting of black and white archival, quality photographs and measured drawings of the historic resources to be altered, which along with the Historic Resources Report prepared for this property, shall be submitted to an appropriate repository.</p>	<p>Review and approval of historic resources document</p>	<p>Prior to issuance of building permits</p>	<p>Once</p>	<p>PBD</p>			
<p>HR-1(b) Press-Telegram Interpretive Plan. In consultation with a qualified historic preservation professional, an interpretive plan for the property shall be produced, focusing on the significant historic themes associated with the property. The plan may consist of a public display or other suitable approach to interpreting the history of the property, as determined by the City of Long Beach. A display shall include historic photographs, memorabilia, documents and other appropriate features, and interpretive installations,</p>	<p>Review and approval of final interpretive plan; field verification of compliance</p>	<p>Prior to issuance of building permits; field verification prior to issuance of occupancy permits</p>	<p>Once for plan review; once for field verification</p>	<p>PBD</p>			

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including equipment. The display shall be open to the public and shall be completed prior to occupancy clearance.							
HR-1(c) Secretary of the Interior Standards. To the greatest extent feasible, all modifications to historic building on the property shall be undertaken in conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. These alterations should not unnecessarily destroy historic materials or architectural features which characterize the property, and to the greatest extent feasible, shall be based on historical documentation and/or forensic evidence of original conditions.	Review and approval of final building plans to verify that required features are included in the project design	Prior to issuance of building permits	Once	PBD			
HR-2(a) Meeker Documentation Report. Prior to the issuance of any demolition and construction permits for the project, a "Documentation Report" similar to a Historic American Buildings Survey (HABS) level II recordation document shall be completed by the applicant and approved by the City's Historic Preservation Officer. Such work shall be completed by a qualified historic preservation professional who satisfies the Secretary of the Interior's Professional Qualifications Standards.	Review and approval of Meeker historic resources document	Prior to issuance of building permits	Once	PBD			
HR-2(b) Meeker Interpretive Plan. In consultation with a qualified historic preservation professional, an interpretive plan for the property shall be produced, focusing on the significant historic themes associated with the property. The plan may consist of a public display or other suitable approach to interpreting the history of the property, as determined by the City of Long Beach. Such work shall be completed by a qualified historic preservation professional who satisfies the Secretary of the Interior's Professional Qualifications Standards.	Review and approval of final Meeker interpretative plan; field verification of compliance	Prior to issuance of building permits; field verification prior to issuance of occupancy permits	Once for plan review Once for field verification	PBD			

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HR-2(c) Secretary of the Interior Standards. To the greatest extent feasible, all modifications to historic building on the property shall be undertaken in conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. These alterations should not unnecessarily destroy historic materials or architectural features which characterize the property, and to the greatest extent feasible, shall be based on historical documentation and/or forensic evidence of original conditions.	Review and approval of final building plans to verify that required features are included in the project design	Prior to issuance of building permits	Once for plan review	PBD			
GEOLOGY							
GEO-1 UBC and CBC Compliance. Design and construction of the buildings proposed for the Press-Telegram Mixed Use Development shall be engineered to withstand the expected ground acceleration that may occur at the project site. The calculated design base ground motion for the site shall take into consideration the soil type, potential for liquefaction, and the most current and applicable seismic attenuation methods that are available. All on-site structures shall comply with applicable provisions of the 1997 Uniform Building Code and the 1998 California Building Code.	Review and approval of final building plans to verify that required features are included in the project design	Prior to issuance of building permits	Once for plan review Once for field verification of compliance	PBD			
GEO-2 Additional Geotechnical and Geo-Engineering Analysis. Prior to issuance of a building permit for the new structures, a comprehensive geotechnical investigation and geo-engineering study shall be completed to adequately assess the liquefaction potential and compaction design of the soils underlying the proposed bottom grade of any structure built as part of the proposed project, per City requirements. The borings shall be completed to at least 50 feet below the lowest proposed finished grade of the structure or 20 feet below the lowest caisson or footing (whichever is deeper). If these soils are confirmed to be prone to seismically-induced liquefaction, appropriate techniques to minimize liquefaction potential shall be prescribed and implemented. All on-site structures shall comply with	Review and approval of final building plans to verify that required features are included in the project design	Prior to issuance of building permits	Once for plan review Once for field verification of compliance	PBD			

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applicable methods of the Uniform Building Code and California Building Code. Suitable measures to reduce liquefaction impacts could include specialized design of foundations by a structural engineer, removal or treatment of liquefiable soils to reduce the potential for liquefaction, drainage to lower the groundwater table to below the level of liquefiable soils, in-situ densification of soils, or other alterations to the ground characteristics.							
GEO-3(a) Construction Fill Material Certification. All fill material used for construction shall be approved by a geotechnical or civil engineer, and all backfill and foundation sub-grade shall be certified by a geotechnical or civil engineer for proper compaction.	Review and approval of building permit applications	Prior to issuance of building permits	Once	PBD			
GEO-3(b) Backfill Material Certification. All fill material used for backfill of any below-grade levels within the project area shall be approved by a geotechnical or civil engineer. In addition, the backfill shall be certified by a geotechnical or civil engineer for proper compaction.	Review and approval of building permit applications	Prior to issuance of building permits	Once	PBD			
GEO-4(a) Geotechnical Investigations. Appropriate geotechnical, and geo-engineering investigations, as mandated by the building codes, and City of Long Beach shall be performed prior to the design of any structure. Proper engineering design and conformance with recommendations presented in the comprehensive geotechnical report for the project, in compliance with current building codes are required by the City, will reduce the identified potential geotechnical impacts to a level that is less than significant.	Review and approval of building permit applications	Prior to issuance of building permits	Once for plan review Once for field verification of compliance	PBD			
GEO-4(b) Temporary Shoring. If constructed at angles greater than approximately 2:1, temporary cut slopes in terrace deposits are susceptible to sloughing and failure. Temporary shoring can be designed to protect the temporary excavations, structures to remain in place, and adjacent properties. This shoring shall be designed to the	Review of final shoring plans and building permit applications	Review of final shoring plan prior to issuance of grading permits	Once for plan review Once for field verification of compliance	PBD			

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satisfaction of the project civil engineer and take into account all lateral load parameters and the possible presence of groundwater at the bottom grade of the excavations or the base of the shoring soldier piles (used).							
GEO-4(c) Safety Standards. All excavations for parking structures, or buildings shall comply with all applicable regulations of the California Occupational Safety and Hazard Administration guidelines as they pertain to excavations.	Review and approval of building permit applications	Prior to issuance of building permits	Once	PBD			
GEO-4(d) Groundwater. Excavations for underground parking, deep foundations, or deep utilities may encounter ground water. Dewatering may be necessary for excavations. Testing of groundwater to be discharged offsite would be necessary and proper disposal or treatment may be necessary if the groundwater does not meet regulatory standards. Waterproofing would be needed for underground structures sensitive to moisture or inundation. Underground structures would need to be designed for the hydrostatic pressures of potential ground water unless permanent dewatering systems are installed. The removal systems shall be designed to prevent the structure from flooding.	Review and approval of the dewatering plan to ensure that it meets the requirements stated	Prior to issuance of building permits	Once	PBD			
GEO-5 Soil Expansion Analysis. Prior to issuance of a building permit, soil samples of final sub-grade areas and excavation sidewalls shall be collected and analyzed for their expansion index. For areas where the expansion index is found to be greater than 20, grading and foundation designs shall be engineered to withstand the existing conditions. The expansion testing may be omitted if the grading and foundations are engineered to withstand the presence of highly expansive soils.	Review and approval of required soil expansion analysis and associated recommendations	Prior to issuance of a building permit	Once	PBD			
GEO-6(a) Best Management Practices. Pursuant to the Long Beach Municipal Code Section 18.95.050 Development Construction: prior to the issuance of any building or grading permit for any project, the construction	Review and approval of construction plans	Prior to issuance of a building permit	Once for plan review Once for field	PBD and OCM			

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plans shall include features meeting the construction activities BMPs (CA-10 through CA-12, CA-20, CA-21 and CA-23, and CA-30 through CA-32) and the applicable provisions of the erosion and sediment control BMPs (ESC-1 through ESC-56) published in the "California Storm Water Best Management Practice Handbooks (Construction Activity) (1993)," and BMP (CD-4(2)) of the "Caltrans Storm Water Quality Handbooks, Construction Contractor's Guide and Specifications (1997)," to ensure that every construction site meets the requirements of the regulations during the time of construction.			verification of compliance				
GEO-6(b) Covering and Removal of Stockpiles. All stockpiles of excavated material shall be covered with an impervious material during storage and shall be removed from the site within 3 weeks of being excavated or they shall be used for grading or backfill if the material fulfills the requirements of measures GEO-3(a and b) above.	Field verification of compliance	During construction	Periodically during construction	PBD			
HAZARDS							
HAZ-1(a) Lead-Based Paint and Asbestos Surveys. Prior to issuance of a demolition or renovation permit, a lead-based paint and asbestos survey shall be performed by a licensed sampling company. All testing procedures shall follow California 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 California and Federal standards.	Review and approval of required asbestos surveys and associated recommendations	Prior to issuance of a demolition or renovation permit	Once	PBD			
HAZ-1(b) Asbestos Removal. Prior to any demolition or renovation, onsite structures that contain asbestos must have the asbestos containing material removed according to proper abatement procedures recommended by the asbestos consultant. All abatement activities shall be in compliance with California and Federal OSHA, and with the South Coast Air Quality Management District requirements. Only asbestos trained and certified abatement personnel shall	Confirmation that asbestos material is removed according to California and Federal OSHA, and with the South Coast Air Quality Management District requirements	Prior to any demolition or renovation	Once for report review Periodically during construction	PBD and OCM			

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be allowed to perform asbestos abatement. All asbestos containing material removed from onsite 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, where the material was moved to, and include 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.							
HAZ-1(c) Lead Removal. Prior to the issuance of a permit for the renovation or demolition of any structure, a licensed lead-based paint consultant shall be contracted to evaluate the structure 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 California and Federal OSHA, and with the South Coast Air Quality Management District 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. In addition, the material shall be taken to a landfill or receiving facility licensed to accept the waste. Following completion of the lead based paint abatement, the lead based paint consultant shall provide a report documenting the abatement procedures used, the volume of lead based paint removed, where the material was moved to, and include 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.	Confirmation that structures have been evaluated for lead-based paint	Prior to the issuance of a permit for the renovation or demolition of any structure	Once for report review Periodically during construction	PBD and OCM			

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HAZ-2(a) Excavation and Demolition Contingency Plans. All excavation and demolition projects conducted within the Press Telegram Site area shall have a contingency plan to be implemented in the event that contaminants or structural features that could be associated with contaminants or hazardous materials are suspected or discovered. The contingency plan shall identify appropriate measures to be followed if contaminants are found or suspected. The appropriate measures shall identify personnel to be notified, emergency contacts, and a sampling protocol to be implemented. The excavation and demolition contractors shall be made aware 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 excavation or demolition, and identify the person authorized to make that determination.	Review and approval of required excavation and demolition contingency plan	Prior to issuance of a demolition or renovation permit	Once	PBD and OCM			
HAZ-2(b) Soil Sampling. If contaminants are detected, the results of the soil sampling shall be forwarded to the local regulatory agency (Long Beach/Signal Hill CUPA, Los Angeles Regional Water Quality Control Board, or the State of California Environmental Protection Agency Department of Toxic Substances Control). The agency should review the data and either sign off on the property or determine if any additional investigation or remedial activities are deemed necessary.	Review and approval of soil sampling data	Prior to issuance of a demolition or renovation permit	Once	PBD and OCM			
HAZ-2(c) Soil Remediation. If concentrations of contaminants warrant site remediation, contaminated materials shall be remediated either prior to construction of structures or concurrent with construction. The contaminated materials shall be remediated under the supervision of an environmental consultant licensed to oversee such remediation. The remediation program shall also be approved by a regulatory oversight agency,	Confirmation that contaminated materials has been remediated.	Prior to construction of structures or concurrent with construction	Once During and after remediation if contamination found	PBD and OCM			

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such as the (Long Beach/Signal Hill Unified Program Agency CUPA), Los Angeles Regional Water Quality Control Board, or the State of California Environmental Protection Agency 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 project, the remediation approach implemented, and the analytical results after completion of the remediation, including all waste disposal or treatment manifests.							
HAZ-2(d) Groundwater Sampling and Remediation. If, during the soil sampling, groundwater contamination is suspected, or if soil contamination is detected at depths at or greater than 30 feet below grade, then the applicant shall perform a groundwater sampling assessment. If contaminants are detected in groundwater at levels that exceed maximum contaminant levels for those constituents in drinking water, or if the contaminants exceed health risk standards such as Preliminary Remediation Goals, one in one million cancer risk, or a health risk index above 1, then the results of the groundwater sampling shall be forwarded to the appropriate regulatory agency (Long Beach/Signal Hill Unified Program Agency CUPA), Los Angeles Regional Water Quality Control Board, or the State of California Environmental Protection Agency Department of Toxic Substances Control). The agency shall review the data and sign off on the property or determine if any additional investigation or remedial activities are deemed necessary.	Confirmation that applicant has performed groundwater sampling	Prior to issuance of a demolition or renovation permit	Once During and after remediation if contamination found	PBD and OCM			
LAND USE AND PLANNING							
LU-3(a) Site Plan Review. Prior to the issuance of any building permit, the applicant shall continue to work with City staff to address the issues raised during the Conceptual Site Plan Review process to the satisfaction of the Planning Commission. The project plans	Review and approval of final building plans to verify that required features are included in the project design	Prior to the issuance of building permit	Once	PBD			

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submitted for Site Plan Review approval shall incorporate all required revisions to the satisfaction of the Planning Commission.							
LU-3(b) Zoning Code Amendment. The City of Long Beach shall approve an amendment to the Downtown Planned Development District (PD-30) to allow building heights of 250 feet and densities of 217 dwelling units per acre prior to or concurrent with approval of the Press Telegram project; or the proposed project shall be redesigned to comply with the current standards of PD-30.	Confirmation that project complies with zoning code or zoning code amendments	Prior to the issuance of building permit	Once	PBD			
NOISE							
N-2(a) Rooftop Ventilation. Parapets shall be installed around all rooftop ventilation systems.	Review and approval of final building plans to verify that required features are included in the project design	Prior to issuance of building permit	Once	PBD			
N-2(b) Trash/Products Pick-Up and Deliveries. All trash or product pickups and deliveries shall be restricted to daytime operating hours (7:00AM to 10:00 PM Monday through Friday, and 8:00 AM to 10:00 PM on weekends).	Review and approval of the solid waste pick up and delivery times to verify that they comply with requirements	Prior to issuance of building permit	Ongoing	PBD			
N 3(a) Diesel Equipment Mufflers. All diesel equipment shall be operated with closed engine doors and shall be equipped with factory recommended mufflers.	Field verification of compliance	During construction	Periodically throughout construction	PBD and OCM			
N 3(b) Electrically-Powered Tools. Electrical power shall be used to run air compressors and similar power tools.	Field verification of compliance	During construction	Periodically throughout construction	PBD and OCM			
N 3(c) Additional Noise Attenuation Techniques. For all noise generating construction activity on the project site, additional noise attenuation techniques shall be employed to reduce noise levels. Such techniques shall include, but are not limited to, the use of sound blankets	Field verification of compliance	During construction	Periodically throughout construction	PBD and OCM			

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on noise generating equipment and the construction of temporary sound barriers between construction sites and nearby sensitive receptors.							
TRANSPORTATION AND CIRCULATION							
T-1(a) Magnolia Avenue/6th Street. The applicant shall either add an eastbound turn lane or a northbound right-turn lane. Any physical modifications to the intersection shall require the prior approval of City Traffic Engineer. If traffic volume reduction or geometric solution is not implemented, then the Project's impact would be considered significant and unavoidable.	Approval of roadway improvement design and verification that the improvement has been completed	Design approval prior to issuance of building permits; completion of the improvement prior to issuance of occupancy permits	Once for design approval Once for verification of improvement completion	PW			
T-1(b) Locust Avenue/7th Street Intersection. To improve traffic operations and safety at this intersection, the applicant shall be responsible for modernizing the traffic signal to current City standards per the direction of the City Traffic Engineer.	Approval of signalization improvement design and verification that the improvement has been completed	Design approval prior to issuance of building permits; completion of the improvement prior to issuance of occupancy permits	Once for design approval Once for verification of improvement completion	PW			
T-1(c) Locust Avenue/6th Street Intersection. To improve traffic operations and safety at this intersection, the applicant shall be responsible for modernizing the traffic signal to current City standards per the direction of the City Traffic Engineer.	Approval of signalization improvement design and verification that the improvement has been completed	Design approval prior to issuance of building permits; completion of the improvement prior to issuance of occupancy permits	Once for design approval Once for verification of improvement completion	PW			
T-1(d) Pine Avenue/7th Street Intersection. To improve traffic operations at this intersection, the applicant shall be required to modify the southwest corner of the intersection per the direction of the City Traffic Engineer.	Approval of roadway improvement design and verification that the improvement has been completed.	Design approval prior to issuance of building permits; completion of the improvement prior to issuance of	Once for design approval Once for verification of improvement completion	PW			

Key: PWD – City of Long Beach Public Works Department
 PBD – City of Long Beach Planning and Building Department
 OCM – Onsite Construction Manager

Press-Telegram Mixed Use Development EIR
 Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
		occupancy permits					
T-3 Parking Management. The project applicant shall complete a parking demand study, including a shared parking analysis, after a class program is defined in order to determine whether the amount of parking proposed is sufficient to adequately accommodate the anticipated demand. The results of the analysis shall be subject to the review and approval of the City traffic engineer. If the parking demand study determines that the parking proposed for the project would be sufficient, a variance shall be requested in accordance with the City's Zoning Regulations. However, if the study determines that parking would be insufficient and the variance request is denied, the project shall meet the City's parking requirements in accordance with the Zoning Regulations.	Review and approval of parking demand study to verify that required features are included in the project design	Prior to issuance of building permit	Once	PW			
UTILITIES AND SERVICE SYSTEMS							
U-1 On-site Water Line Abandonment and Installation of New Water Line. The project applicant shall abandon the existing water line on site in accordance with Long Beach Water Department standards. A new 8-inch water line shall be installed in accordance with Long Beach Water Department standards. The size and location will depend on the final configuration of development and the Fire Department's fire flow requirements.	Review and approval of final building plans to verify that requirements are included in the project design	Prior to issuance of building permit	Once to verify abandonment Once to ensure installation of new line meets specifications	PW			

Key: PWD – City of Long Beach Public Works Department
 PBD – City of Long Beach Planning and Building Department
 OCM – Onsite Construction Manager

Press-Telegram Mixed Use Development EIR
Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
U-2(a) On-site Sewer Line Abandonment. The project applicant shall abandon the existing 8-inch sewer line on site. The sewer line shall be abandoned near the property line in accordance with Long Beach Water Department standards. Minor improvements may be required for this abandonment. The applicant shall consult with the City and the Long Beach Water Department for required procedures and improvements.	Review and approval of final building plans to verify that required features are included in the project design	Prior to issuance of building permit	Once to verify abandonment Once to ensure improvements meet specifications	PW			
U-2(b) Off-site Sewer Line Replacement. The project applicant shall replace the existing 10-inch sewer line at the intersection of 6th Street and Solano Court in order to accommodate the increased wastewater volume expected as a result of the proposed project. The 10-inch line shall be replaced with a 15-inch line in accordance with Long Beach Water Department standards. The project applicant shall also replace the currently overloaded 18-inch sewer line at Broadway Avenue in order to accommodate the volume of wastewater estimated to result from the proposed project. The 18-inch line shall be replaced with a 30-inch or 36-inch sewer line in accordance with Long Beach Water Department standards. The applicant shall consult with the City and the Long Beach Water Department for requirements regarding sewer line replacement. Sewer conveyance improvements shall be completed prior to issuance of building permits.	Review and approval of final building plans to verify that required features are included in the project design	Prior to issuance of building permit	Once	PW			

Key: PWD – City of Long Beach Public Works Department
PBD – City of Long Beach Planning and Building Department
OCM – Onsite Construction Manager

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

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE PRESS-TELEGRAM MIXED-USE DEVELOPMENT PROJECT (STATE CLEARINGHOUSE NO. SCH2006031124) IN ACCORDANCE WITH THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND STATE AND LOCAL GUIDELINES AND MAKING CERTAIN FINDINGS AND DETERMINATIONS RELATIVE THERETO; AND (ii) ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, October Five Development has proposed the construction of two high rise structures on an approximate 2.5 acre site, comprising approximately one city block, at the northern edge of downtown Long Beach, with primary frontage on Pine Avenue between 6th Street and 7th Street, which Project would include a 542 unit residential component, and approximately 32,300 square feet of commercial development ("Project"). The project is more fully described in the Environmental Impact Report (EIR), which EIR was certified by the Planning Commission on November 16, 2006. A copy of said EIR is incorporated herein by this reference as though set forth in full, word for word;

WHEREAS, the Project approvals include a Site Plan Review, Tentative Subdivision Map, Amendment to the PD-30 Downtown Planned Development District Regulations, a Variance for Parking Standards, Waiver of Development Standards, and Certificate of Appropriateness from the Cultural Heritage Commission;

WHEREAS, the City began an evaluation of the proposed project in March

1 of 2006 by issuing a Notice of Preparation (NOP) followed by a thirty (30) day comment
2 period, together with a public scoping meeting held on April 13, 2006, Planning
3 Commission Study Session held on September 7, 2006, and circulation of the EIR
4 between August 18, 2006 and October 2, 2006, and subsequent certification of the EIR
5 by the Planning Commission on November 16, 2006;

6 WHEREAS, implementation and construction of the Project constitutes a
7 "project" as defined by CEQA, Public Resources Code sections 21000 et seq., and the
8 City is the Lead Agency for the Project under CEQA;

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

12 WHEREAS, the City prepared full and complete responses to the
13 comments received on the Draft EIR, and distributed the responses in accordance with
14 Public Resources Code section 21092.5;

15 WHEREAS, the Planning Commission reviewed and considered the
16 information in, and the comments to, the EIR and the responses thereto at a duly noticed
17 Planning Commission meeting held on November 16, 2006, at which time evidence, both
18 written and oral, was presented to and considered by the Planning Commission;

19 WHEREAS, the Planning Commission read and considered all
20 environmental documentation comprising the EIR, comments and the responses to
21 comments, and errata included in the EIR, and did determine that the EIR had
22 considered all potentially significant environmental impacts of the Project and that it was
23 complete and adequate and fully complied with all requirements of CEQA;

24 WHEREAS, the Planning Commission did evaluate and consider all
25 significant impacts, mitigation measures, and project alternatives identified in the EIR;

26 WHEREAS, CEQA and the State CEQA Guidelines require that where the
27 decision of a public agency allows the occurrence of significant environmental effects that
28 are identified in the EIR, but are not mitigated to a level of insignificance, that the public

1 agency state in writing the reasons to support its action based on the EIR and/or other
2 information in the record; and

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

9 NOW, THEREFORE, the City Council of the City of Long Beach does
10 hereby find, determine and resolve:

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

13 Sec. 2. The EIR has been completed and certified in compliance with
14 CEQA and the State CEQA Guidelines.

15 Sec. 3. The EIR, which reflects the Planning Commission and City
16 Council's independent judgment and analysis, has been adopted, approved, and certified
17 as complete and adequate under CEQA.

18 Sec. 4. Pursuant to Public Resources Code section 21081 and State
19 CEQA Guidelines section 15091, the City Council has reviewed and hereby adopts the
20 Facts, Findings and Statement of Overriding Considerations Regarding the
21 Environmental Effects for the Press-Telegram Mixed Use Project as shown on the
22 attached Exhibit "A", which document is incorporated herein by reference as though set
23 forth in full, word for word. Furthermore, the City Council adopts the Mitigation Monitoring
24 and Reporting Program as shown on the attached Exhibit "B", which document is
25 incorporated herein by this reference as though set forth in full, word for word, and
26 hereby makes each mitigation measure a condition of project approval.

27 Sec. 5. Pursuant to State CEQA Guidelines section 15091(e), the record of
28 proceedings relating to this matter has been made available to the public at, among other

1 places, the Department of Planning and Building, 333 West Ocean Boulevard, 5th Floor,
2 Long Beach, California, and is, and has been, available for review during normal
3 business hours.

4 Sec. 6. The information provided in the various staff reports submitted in
5 connection with the Project, the corrections and modifications to the DEIR, and FEIR
6 made in response to comments which were not previously re-circulated, and the
7 evidence presented in written and oral testimony at the public hearing, do not represent
8 significant new information so as to require re-circulation of the EIR pursuant to the
9 Public Resources Code.

10 Sec. 7. The City Clerk shall certify to the passage of this ordinance by the
11 City Council and cause it to be posted in three conspicuous places in the City of Long
12 Beach, and it shall take effect on the thirty-first day after it is approved by the Mayor.

13 I hereby certify that the foregoing ordinance was adopted by the City
14 Council of the City of Long Beach at its meeting of _____, 2007, by the
15 following vote:

16 Ayes: Councilmembers: _____

17 _____
18 _____

19 Noes: Councilmembers: _____

20 _____
21 _____

21 Absent: Councilmembers: _____

22 _____
23 _____

24 _____
25 City Clerk

27 Approved: _____

26 _____
27 Mayor

28 MJM:kjm 4/11/07

CITY COUNCIL RESOLUTION NO. _____

EXHIBIT "A"

**FACTS, FINDINGS AND STATEMENT OF OVERRIDING
CONSIDERATIONS REGARDING THE ENVIRONMENTAL
EFFECTS FOR THE PRESS-TELEGRAM MIXED USE PROJECT**

SCH # 2006031124

Lead Agency:
CITY OF LONG BEACH
CITY COUNCIL
333 West Ocean Boulevard, Seventh Floor
Long Beach, California 90802
Contact: Ms. Angela Reynolds
562.570.6357

April 2007

Exhibit "A"

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STATEMENT OF FACTS AND FINDINGS

I INTRODUCTION

The California Environmental Quality Act (CEQA) requires that a Lead Agency issue two sets of findings prior to approving a project that will generate a significant impact on the environment. The Statement of Facts and Findings is the first set of findings where the Lead Agency identifies the significant impacts, presents facts supporting the conclusions reached in the analysis, makes one or more of three findings for each impact, and explains the reasoning behind the agency's findings.

The following statement of facts and findings has been prepared in accordance with the California Environmental Quality Act (CEQA) and Public Resources Code Section 21081. CEQA Guidelines Section 15091 (a) provides that:

No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding.

There are three possible finding categories available for the Statement of Facts and Findings pursuant to Section 15091 (a) of the CEQA Guidelines.

(1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

These findings relevant to the project are presented in Sections V and VI.

The Statement of Overriding Considerations is the second set of findings. Where a project will cause unavoidable significant impacts, the Lead Agency may still approve the project where its benefits outweigh the adverse impacts. Further, as provided in the



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

The City of Long Beach, the CEQA Lead Agency, finds and declares that the proposed Press-Telegram Mixed Use Project Environmental Impact Report (EIR) has been completed in compliance with CEQA and the *CEQA Guidelines*. The City of Long Beach City Council finds and certifies that the EIR was reviewed and information contained in the EIR was considered prior to approving the proposed Press-Telegram Mixed Use Project, herein referred to as the "project."

Based upon its review of the EIR, the Lead Agency finds that the EIR is an adequate assessment of the potentially significant environmental impacts of the proposed project, represents the independent judgment of the City, and sets forth an adequate range of alternatives to this project. The Planning Commission certified the EIR at its hearing of November 16, 2006.

The Final EIR is composed of the following elements:

- Draft Press-Telegram Mixed Use Project Environmental Impact Report, August 2006;
- Responses to Comments on the draft EIR, November 2006;
- Errata sheets to the Draft EIR (corrected pages); and
- Mitigation monitoring program.

The remainder of this document is organized as follows:

- II. Description of project proposed for approval;
- III. Effects determined to be less than significant in the Initial Study/Notice of Preparation;
- IV. Effects determined to be less than significant;
- V. Effects determined to be less than significant with mitigation and findings;
- VI. Environmental effects which remain significant and unavoidable after mitigation and findings; and
- VII. Alternatives to the proposed project.



II DESCRIPTION OF PROJECT PROPOSED FOR APPROVAL

The project site consists of ten assessor's parcels, for a total of approximately 2.5 acres. The site is located in the northernmost area of Downtown Long Beach, and comprises one full city block bordered to the east by Locust Avenue, to the west by Pine Avenue, to the north by 7th Street and to the south by 6th Street. The site is bisected by Tribune Court, a private alley. The site is currently developed with six structures, including the Press Telegram facilities, which house the newspaper's offices, non-operational printing facility, storage space and other support uses; the Meeker Building (also known as the Baker Building), which houses retail and restaurant uses as well as nonconforming residential uses; and a fast food restaurant.

The Press Telegram Loft Project would be a mixed use development with 542 residential units, 32,300 square feet of commercial and institutional space, and a parking structure. The project would involve construction of two high-rise structures on the 2.5-acre Press-Telegram site. Each tall structure would be approximately 22 stories and 250 feet in height. A four-story podium would surround both the high rise structures and the general perimeter of the site. All existing development on the site would be demolished to accommodate the project with the exception of portions of the Press-Telegram Building and the façade of the Meeker Building. An amendment to the PD-30 Zone District requirements for building height and residential density would be required in order for the project to be approved.

The proposed 542 residences will include a mix of studio, 1-, 2-, and 3-bedroom units. Sixty of these units are proposed to be sold at the developer's cost to California State University Long Beach for faculty housing.

The commercial component would entail approximately 32,300 square feet of space. Of this, 10,650 square feet would be located on the ground floor of the portion of the Press-Telegram Building that would remain and be renovated and 13,650 square feet would be provided in the building's basement. Approximately 8,000 square feet would be used for work space for the proposed live/work units, located in a new structure that would be built behind the Meeker Building's façade, which would be retained and restored. The commercial space in the Press-Telegram Building is tentatively proposed to be used by California State University Long Beach's Center for Community Engagement and the Arts Council of Long Beach. The proposed use and distribution of the commercial space would include 16,320 square feet of offices, distributed between the ground floor (4,350 square feet) and basement (11,970 square feet); 4,900 square feet of exhibit space on the ground floor; and 3,080 square feet of classroom space on the ground floor.

The new parking structure will consist of four above-ground levels and three subterranean levels, which would provide a total of 1,186 on-site parking spaces. Vehicular access to the parking structure would be taken from two driveways on Locust Avenue, and one service driveway would be provided on 7th Street.

Two existing buildings on the site are of historic interest, the Meeker Building (also known as the Baker Building), a City-designated historic landmark located on the southeast corner of 7th Street and Pine Avenue, and the Press-Telegram Building, occupying much of southwest corner of the site.



The applicant proposes to retain and restore all of the original 1924-built portions of the Press-Telegram building, with the exception of the manufacturing facility. In addition, approximately 40 feet of office space behind the Pine Avenue façade of the 1930 and 1948 additions would be retained and renovated. The remaining structure would comprise an L-shaped four story building on the corner of Pine Avenue and 6th Street. The complete structure behind the two-story façade of the Meeker Building would be removed to allow for a continuation of the proposed parking structure below grade. Floors and walls would then be replaced with new construction. The façade would undergo a major renovation to restore it to its original condition. The 8,000 square feet of ground floor space in this building would be used for the work space for the proposed live/work units, with the upper floors occupied by residences.

To prepare the site, the entire 2.5-acre project area would be excavated to a depth of approximately 35 feet, with the exception of the area beneath the portion of the Press-Telegram Building proposed to remain for adaptive reuse. It is assumed that approximately 130,200 cubic yards of material would be exported from the site. Site preparation and construction duration for the project is estimated at between 22 and 26 months.



III EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT IN THE INITIAL STUDY/NOTICE OF PREPARATION

The City of Long Beach Planning and Building Department conducted an Initial Study to determine significant effects of the project. In the course of this evaluation, certain impacts of the project were found to be less than significant due to the inability of a project of this scope to create such impacts or the absence of project characteristics producing effects of this type. The effects determined not to be significant are not included in primary analysis sections of the Final EIR (refer to Appendix A, *Initial Study and Notice of Preparation*, in the Draft EIR).

AESTHETICS

Would the proposal:

Have a substantial adverse effect on a scenic vista or substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Less Than Significant Impact. The project site is located approximately one mile from the Pacific Ocean and is not located along a designated scenic corridor. According to the General Plan, no officially designated State scenic routes or highways occur near the project site. The project site lacks important scenic resources, as it is currently developed with commercial buildings and surface parking lot in a highly urbanized area. The project is not expected to block views of offsite scenic resources such as the Pacific Ocean, as they are not visible from public viewing areas near the site. Therefore, development of the project would not affect any scenic vistas or scenic resources

AGRICULTURAL RESOURCES

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?

No Impact. The project site is urbanized and is not designated as Prime Farmland, Unique Farmland or Farmland of Statewide Importance. Project implementation would not result in the conversion of farmland to non-agricultural use.

Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. Implementation of the project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. The project site is zoned Downtown Planned Development (PD-30) allowing for a mix of residential and commercial uses.

Involve other changes in the existing environment which due to their location or nature, could result in conversion of Farmland, to non-agricultural use?



No Impact. The proposed project does not involve changes in the existing environment that could result in conversion of Farmland to non-agricultural uses. The project site is urbanized and there are no farmland uses that are occurring on-site or in the immediate vicinity.

BIOLOGICAL RESOURCES

Would the Project:

Have a substantial adverse effect, 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?

No Impact. The project site is predominately urbanized and built-out. The proposed project would not result in significant adverse impacts to Federal or State listed or other designated species.

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?

No Impact. As previously stated, the project site is predominately urbanized and built-out. No riparian habitat or sensitive natural communities exist on-site. According to the Conservation Element of the *General Plan*, riparian habitat within the City is limited along streams and flood channels, where disturbance is minimal. No impacts are anticipated.

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, costal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact. No federally protected wetlands occur on-site. Therefore, implementation of the proposed project would not result in any impacts to wetlands.

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?

No Impact. No migratory wildlife corridors or native wildlife nurseries exist in the project area. Therefore, implementation of the proposed project would not result in any impacts to wildlife movement.

Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance.



No Impact. Implementation of the proposed project would not conflict with any local policies or ordinances that protect biological resources. No impacts would occur.

Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. The project site is not subject to an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other habitat conservation plan. Therefore, the project would not result in impacts in this regard.

GEOLOGY AND SOILS

Would the Project:

Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

No Impact. The project site is characterized by relatively flat topography. Project implementation is not anticipated to expose people or structures to landslides. No impact would occur.

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 waste water?

No Impact. It would not be necessary to install septic tanks or alternative wastewater disposal systems. No impact would occur in this regard.

HAZARDS AND HAZARDOUS MATERIALS

Would the Project:

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? 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?

No Impact. The project site is not located in the vicinity of any public or private airstrips. No safety impacts relating to airports would occur.

Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

No Impact. The project site is in an urbanized area that is not subject to wildland fire hazards. No wildland fire impacts would occur.



HYDROLOGY AND WATER QUALITY

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

Less Than Significant Impact. The proposed project involves the partial demolition of existing structures and the construction of two high-rise towers. Because the site is currently developed with commercial structures and a surface parking lot, the proposed project would not substantially increase the area covered by impervious surfaces. Therefore, the amount of surface runoff would remain relatively unaltered. In addition, the proposed project would be required to comply with all state and federal requirements pertaining to preservation of water quality and reduction of runoff to offsite areas, including Best Management Practices (BMPs) and the implementation of a Standard Urban Storm Water Mitigation Plan (SUSMP). Finally, earthwork for project construction would involve greater than one acre of land, and therefore would require a National Pollutant Discharge Elimination System (NPDES) permit. Compliance with the NPDES program and other applicable standards would reduce impacts relating to water quality standards to a less than significant level.

Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

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

Less Than Significant Impact. Because the site is currently developed with commercial structures and a surface parking lot, the proposed project would not increase the area covered by impervious surfaces. Therefore, the amount of surface runoff would remain unaltered. The drainage pattern of the project site would not change substantially. However, site clearing, grading, and compaction of soil necessary for project construction has the potential to result in discharge of sediment and temporary water quality impacts. The proposed project would occur on greater than one acre of land, and therefore would require a National Pollutant Discharge Elimination System (NPDES) permit. Compliance with the NPDES program would ensure less than significant project impacts related to RWQCB water quality standards. Standard construction practices and adherence to federal, state, and local requirements for the control of erosion and stormwater runoff would reduce impacts relating to erosion and siltation to a less than significant level.

Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? Otherwise substantially degrade water quality?



Less Than Significant Impact. Because the proposed project would not increase on-site impervious surfaces, the proposed project is not expected to contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. The proposed project would result in less than significant impacts related to the construction of new storm water drainage facilities or expansion of existing facilities.

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? Place within a 100-year flow hazard area structures which would impede or redirect flood flows. 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?

Less Than Significant Impact. According to the Long Beach Public Safety Element (1975), the project site is located outside the 100-year flood zone. Therefore, no significant flood impacts are anticipated. Thus, significant flooding impacts would not occur.

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? Inundation by seiche, tsunami or mudflow?

Less Than Significant Impact. There are no dams or levees located within the vicinity of the project site; thus, there is no potential for flooding due to dam failure. The project site is not located near any landlocked water; therefore, impacts from seiches would not occur. The project site is located approximately one mile from the Pacific Ocean and would not be inundated by a tsunami (General Plan Public Safety Element, 1975). Therefore, no impacts from dam or levee failures, seiches, or tsunamis would occur.

LAND USE AND PLANNING

Would the Project:

Physically divide an established community?

No Impact. The proposed project involves the development of an existing city block. The project would not physically divide an established community. No impacts would occur.

Conflict with any applicable habitat conservation plan or natural community conservation plan?

No Impact. As previously stated, the project does not conflict with any adopted habitat conservation plans or natural community conservation plans. No impact would occur.



MINERAL RESOURCES

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?

No Impact. Oil is the primary mineral resource within the City of Long Beach. The project site is not currently utilized for oil extraction and oil extraction would not occur as a result of project implementation. No impacts to mineral resources would occur.

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?

No Impact. The General Plan does not identify the project site as an important mineral resource recovery site. No impacts would occur.

NOISE

Would the Project result in:

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?

No Impact. The project site is not located within an airport land use plan or within two miles of a public airport or public use airport. Therefore, project implementation would not expose people residing or working in the project area to excessive noise relating to public airport operations.

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?

No Impact. The project site is not located within the vicinity of a private airstrip. Exposure of people residing or working in the project site to excessive noise levels due to operation of a private airstrip would not occur.

POPULATION AND HOUSING

Would the project: Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. Implementation of the proposed project would not displace any housing or people, as the site is currently used for commercial and industrial space and not for residential purposes. No impact would occur.



UTILITIES AND SERVICE SYSTEMS

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?

Less Than Significant Impact. Because the site is currently entirely developed with structures and surface parking, the proposed project would not increase the area covered by impervious surfaces. Therefore, the amount of surface runoff would remain unaltered and the proposed project would be required to comply with all regulatory requirements pertaining to storm water runoff. Any new facilities would be within or directly adjacent to the project site and would not result in significant impacts.

TRANSPORTATION/TRAFFIC

Would the Project:

Result in change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

No Impact. Due to the nature and scope of the proposed land uses, project implementation would not affect air traffic patterns and would not result in safety risks.

Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less Than Significant Impact. The proposed project would not involve the construction of new roadways, nor would it reconfigure existing roadways. Impacts related to design feature hazards would be less than significant.

Result in inadequate emergency access?

Less Than Significant Impact. Emergency access to the site is provided via four roadways: Locust Avenue, Pine Avenue, 6th Street, and 7th Street. Although an on-site alley (Tribune Court) would be removed as a result of the propose project, current use of this alley is generally limited to the property owners and their patrons. All plans for development would be subject to the review of the City of Long Beach Fire Department for compliance with fire and emergency access standards. Compliance with Long Beach Fire Department requirements would reduce impacts related to emergency access to a less than significant level.

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

Less Than Significant Impact. No conflicts with adopted policies supporting alternative transportation modes such as bus facilities and bicycle access/parking are anticipated to occur. The proposed project involves the



development of residential and commercial uses in a mixed use development within walking distance of downtown services and other commercial and employment centers. The project site is also in close proximity to existing public transportation including several bus routes and the downtown Metro light rail station. Impacts would be less than significant.



IV EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT

The City of Long Beach City Council found that the proposed project would have a less than significant impact with respect to a number of environmental topics. A less than significant environmental impact determination was made for each of the topic areas listed below.

AESTHETICS

Visual Quality of the Project Site. The visual character of the project site would be altered through the introduction of two high-rise structures surrounded by a nearly continuous four-story “podium” to a site which is partially developed with one-to four-story structures and partially covered with surface parking and accessways. However, due to the moderate visual character and quality of the site and the highly urbanized context, the change from relatively low-profile development and open space to high rise development is considered a Class III, less than significant, impact.

AIR QUALITY

Project Operation. Operation of the proposed project would generate air pollutant emissions, but such emissions would not exceed SCAQMD operational significance thresholds. Therefore, the project’s operational impact to regional air quality would be Class III, less than significant.

Carbon Monoxide Concentrations from Increased Traffic. Project traffic, together with cumulative traffic growth in the area, would not create carbon monoxide concentrations exceeding state or federal standards. Localized air quality impacts would therefore be Class III, less than significant.

Consistency with Regional Plans. The proposed project would generate population growth, but such growth is within the population projections upon which the Air Quality Management Plan (AQMP) are based. Therefore, impacts associated with AQMP consistency would be Class III, less than significant.

HISTORIC RESOURCES

Impacts to Offsite Historic Structures. The project would not result in adverse impacts to 601 Pine Avenue or the Walker’s Department Store Building due to the extensive new construction and redevelopment which has occurred in downtown Long Beach, which has substantially altered the historic setting and context. Impacts would be Class III, less than significant.

GEOLOGY

Subsidence. The proposed project is located within an area of known subsidence. Based on the ongoing fluid injection program and the regional nature of the subsidence, the potential for subsidence to affect the proposed



development or specific structures is considered low. This is considered a Class III, less than significant, impact.

NOISE

Noise from Project-Generated Traffic. Project-generated traffic would incrementally increase noise levels on area roadways. However, the change in noise levels would be inaudible. Therefore, the effect of increased traffic noise from the project on existing uses is considered a Class III, less than significant, impact.

Operational Noise from On Site. Onsite operations would generate noise levels that may periodically be audible to existing uses near the project site. However, such noise is not expected to exceed City Noise Ordinance standards. Therefore, this is considered a Class III, less than significant, impact.

POPULATION AND HOUSING

Population Growth. The proposed project would add 542 housing units, and an estimated 1,572 residents and 44 jobs within the City. Because these increases are within SCAG projections for the City of Long Beach, impacts related to housing and population growth are considered Class III, less than significant.

Housing Element Consistency. The proposed project could be found to be consistent with applicable Housing Element policies. Impacts relating to Housing Element policy are therefore considered Class III, less than significant.

PUBLIC SERVICES AND UTILITIES

Schools. The proposed project would generate an estimated 72 school-age students. This could adversely affect school facilities. However, with payment of required school impact fees, impacts would be reduced to a Class III, less than significant, level.

Fire Protection. The proposed project would incrementally increase demands on the Long Beach Fire Department. However, this increase would not require the construction of new fire protection facilities. Therefore, this is considered a Class III, less than significant, impact.

Police Protection. The proposed project would incrementally increase demands on the Long Beach Police Department. However, the increase would not require the construction of new police protection facilities. Therefore, this is considered a Class III, less than significant, impact.

Parks. The proposed project would generate demand for parkland. However, the applicant would be required to pay parkland in-lieu fees in the amount established by the City of Long Beach. With collection of these fees, the City



could provide additional facilities to meet project-generated demand. Impacts would therefore be Class III, less than significant.

Water. Buildout of the proposed project would incrementally increase water demand in the City of Long Beach. However, Long Beach Water Department water supplies are sufficient to meet the projected demand. Therefore, the impact on water supplies is considered to be Class III, less than significant.

Solid Waste. The proposed project would incrementally increase the long-term generation of solid waste at the site. However, the City's solid waste and recycling systems have adequate capacity to accommodate the increases. Therefore, impacts to the City's solid waste handling system are considered Class III, less than significant.

Electricity and Natural Gas. The proposed project would incrementally increase electricity and natural gas consumption within the City. However, because energy resources are available to serve the project, impacts to energy are considered Class III, less than significant.

TRANSPORTATION AND CIRCULATION

Congestion Management Program. The proposed would not significantly affect freeway mainline locations or CMP arterial monitoring intersections. Therefore, the project's CMP impact would be Class III, less than significant.

Transit. The proposed project would generate an estimated 10 transit riders during the AM peak hour and 11 transit riders during the PM peak hour. Because this number of riders would not require service expansions, transit-related impacts would be Class III, less than significant.



V EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT WITH MITIGATION AND FINDINGS

The City of Long Beach City Council, having reviewed and considered the information contained in the Final EIR, the Technical Appendices and the administrative record, finds, pursuant to California Public Resources Code 21081 (a)(1) and *CEQA Guidelines* 15091 (a)(1) that changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen to below a level of significance the following potentially significant environmental effects identified in the Final EIR in the following categories: Aesthetics, Air Quality, Geology, Hazards and Hazardous Materials, Land Use and Planning, Traffic and Circulation, and Utilities and Service Systems. The potentially significant adverse environmental impacts that can be mitigated are listed below. The City of Long Beach City Council finds that these potentially significant adverse impacts can be mitigated to a level that is considered less than significant after implementation of mitigation measures identified in the Final EIR.

AESTHETICS/LIGHT AND GLARE

The project's potential impacts with regard to aesthetics, light and glare and shade and shadow that can be mitigated or are otherwise less than significant are discussed in Section 4.1, *Aesthetics*, of the Draft EIR. The Draft EIR is incorporated herein by reference.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

Long Term Light and Glare. *The proposed project would result in new sources of light and glare on and around the project site, due to the increased height and scale of development as well as the larger proportion of glazing and potentially reflective materials such as aluminum shown in the conceptual renderings in contrast with the existing development on the site.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings

The potential aesthetic impacts from light and glare have been eliminated or substantially lessened to less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

- AES-2(a) Lighting Plans and Specifications.** Lighting Plans and Specifications. Prior to the issuance of any building permits, the applicant shall submit lighting plans and specifications for all exterior lighting fixtures and light standards to the Planning and Building Department for review and approval. The plans shall



include a photometric design study demonstrating that all outdoor light fixtures to be installed are designed or located in a manner as to contain the direct rays from the lights on-site and to minimize spillover of light onto surrounding properties or roadways. All parking structure lighting shall be shielded and directed away from residential uses. Such lighting shall be primarily located and directed so as to provide adequate security.

- AES-2(b) Building Material Specifications.** Prior to the issuance of any building permits, the applicant shall submit plans and specifications for all building materials to the Planning and Building Department for review and approval. All structures facing any public street or neighboring property shall use minimally reflective glass and all other materials used on the exterior of buildings and structures shall be selected with attention to minimizing reflective glare. The use of glass with over 25% reflectivity shall be prohibited in the exterior of all buildings on the project site.
- AES-2(c) Light Fixture Shielding.** Prior to the issuance of any building permits, the applicant shall demonstrate to the Planning and Building Department that all night lighting installed on private property within the project site shall be shielded, directed away from residential uses, and confined to the project site. Additionally, all lighting shall comply with all applicable Airport Land Use Plan (ALUP) Safety Policies and FAA regulations.
- AES-2(d) Window Tinting.** Prior to the issuance of any building permits, the applicant shall submit plans and specifications showing that building windows are tinted in order to minimize glare from interior lighting.

AIR QUALITY

The project's potential impacts with regard to air quality that can be mitigated or are otherwise less than significant are discussed in Section 4.2, *Air Quality*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

"Wind Tunnel" Effect. *Construction of two 22-story high rise structures in a location where high-rise structures (defined as 100 feet or higher) do not currently exist could result in wind speeds of over 36 mph.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*



Facts in Support of Findings

The potential impacts resulting from increased wind speeds as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of a mitigation measure identified in the Draft EIR.

Mitigation Measure:

AQ-4 Building Design. The final design of the high-rise buildings shall be in accordance with one or more of the following design guidelines. In addition, as part of the design review process for these high-rise buildings, a qualified wind consultant shall ensure that the project is designed in accordance with these guidelines:

- *Align long axes of each building along a northwest-southeast alignment to reduce exposure of the wide faces of the building to westerly/northwesterly winds.*
- *West or southeasterly building faces shall be articulated and modulated through the use of architectural devices such as surface articulation; variation; variation of planes, wall surfaces, and heights; and the placement of setbacks and other similar features.*
- *Utilize properly-located landscaping that mitigates high winds. Porous materials (e.g., vegetation, hedges, screens, latticework, perforated metal), which offer superior wind shelter compared to solid surfaces, shall be used.*
- *Avoid narrow gaps between buildings where winds could be accelerated.*
- *Avoid breezeways or notches at the upwind corners of the building.*

(The project as currently proposed may already meets some of these criteria, including avoidance of narrow gaps between buildings.)

GEOLOGY

The project's potential impacts with regard to geology that can be mitigated or are otherwise less than significant are discussed in Section 4.4, *Geology*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

Ground Shaking. *Seismically-induced ground shaking could damage proposed structures and infrastructure, potentially resulting in loss of property or risk to human health and safety.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings



The potential impacts from ground shaking as a result of the proposed project have been eliminated or substantially lessened to a of less than significant level by virtue of a mitigation measure identified in the Draft EIR.

Mitigation Measure:

GEO-1 UBC and CBC Compliance. Design and construction of the buildings proposed for the Press-Telegram Mixed Use Development shall be engineered to withstand the expected ground acceleration that may occur at the project site. The calculated design base ground motion for the site shall take into consideration the soil type, potential for liquefaction, and the most current and applicable seismic attenuation methods that are available. All on-site structures shall comply with applicable provisions of the 1997 Uniform Building Code and the 1998 California Building Code.

Ground Shaking - Liquefaction. *Seismic activity could produce ground shaking that results in liquefaction. Liquefaction could potentially cause structural failure, resulting in loss of property or risk to human health and safety.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings

The potential impacts from ground shaking-liquefaction as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of a mitigation measure identified in the Draft EIR.

Mitigation Measure:

GEO-2 Additional Geotechnical and Geo-Engineering Analysis. Prior to issuance of a building permit for the new structures, a comprehensive geotechnical investigation and geo-engineering study shall be completed to adequately assess the liquefaction potential and compaction design of the soils underlying the proposed bottom grade of any structure built as part of the proposed project, per City requirements. The borings shall be completed to at least 50 feet below the lowest proposed finished grade of the structure or 20 feet below the lowest caisson or footing (whichever is deeper). If these soils are confirmed to be prone to seismically-induced liquefaction, appropriate techniques to minimize liquefaction potential shall be prescribed and implemented. All on-site structures shall comply with applicable methods of the Uniform Building Code and California Building Code. Suitable measures to reduce liquefaction impacts



could include specialized design of foundations by a structural engineer, removal or treatment of liquefiable soils to reduce the potential for liquefaction, drainage to lower the groundwater table to below the level of liquefiable soils, in-situ densification of soils, or other alterations to the ground characteristics.

Ground Shaking-Seismic Settlement. *Seismic activity could produce ground shaking that results in seismic settlement of material underlying the site. Settlement potential at the site is low; however, if the underlying material is improperly compacted, it can settle during earthquakes or due to construction-related loading.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings

The potential impacts from ground shaking-seismic settlement as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

GEO-3(a) Construction Fill Material Certification. All fill material used for construction shall be approved by a geotechnical or civil engineer, and all backfill and foundation sub-grade shall be certified by a geotechnical or civil engineer for proper compaction.

GEO-3(b) Backfill Material Certification. All fill material used for backfill of any below-grade levels within the project area shall be approved by a geotechnical or civil engineer. In addition, the backfill shall be certified by a geotechnical or civil engineer for proper compaction.

Sloughing/Groundwater. *The proposed project includes below-grade parking structures, deep foundations, and deep utilities. Terrace deposits underlying the site may be susceptible to sloughing and failure during excavation. In addition, groundwater could be encountered at the base of the excavations during construction and require dewatering. There is also the potential for groundwater and/or percolating surface water to collect in the bottom of structures after construction.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings



The potential impacts from sloughing and groundwater intrusion as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

- GEO-4(a) Geotechnical Investigations.** Appropriate geotechnical, and geo-engineering investigations, as mandated by the building codes, and City of Long Beach shall be performed prior to the design of any structure. Proper engineering design and conformance with recommendations presented in the comprehensive geotechnical report for the project, in compliance with current building codes are required by the City, will reduce the identified potential geotechnical impacts to a level that is less than significant.

- GEO-4(b) Temporary Shoring.** If constructed at angles greater than approximately 2:1, temporary cut slopes in terrace deposits are susceptible to sloughing and failure. Temporary shoring can be designed to protect the temporary excavations, structures to remain in place, and adjacent properties. This shoring shall be designed to the satisfaction of the project civil engineer and take into account all lateral load parameters and the possible presence of groundwater at the bottom grade of the excavations or the base of the shoring soldier piles (if used).

- GEO-4(c) Safety Standards.** All excavations for parking structures, or buildings shall comply with all applicable regulations of the California Occupational Safety and Hazard Administration guidelines as they pertain to excavations.

- GEO-4(d) Groundwater.** Excavations for underground parking, deep foundations, or deep utilities may encounter ground water. Dewatering may be necessary for excavations. Testing of groundwater to be discharged offsite would be necessary and proper disposal or treatment may be necessary if the groundwater does not meet regulatory standards. Waterproofing would be needed for underground structures sensitive to moisture or inundation. Underground structures would need to be designed for the hydrostatic pressures of potential ground water unless permanent dewatering systems are installed. The removal systems shall be designed to prevent the structure from flooding.

Soil Expansion. *The native soils below the project site include terrace deposit sands, which typically have a low expansion potential. However, silts and local clays are also found under the site. These types of soils can be expansive. Expansive soils can cause subtle damage that can compromise a building's structural integrity.*



Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings

The potential impacts from soil expansion as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of a mitigation measure identified in the Draft EIR.

Mitigation Measure:

- GEO-5 Soil Expansion Analysis.** Prior to issuance of a building permit, soil samples of final sub-grade areas and excavation sidewalls shall be collected and analyzed for their expansion index. For areas where the expansion index is found to be greater than 20, grading and foundation designs shall be engineered to withstand the existing conditions. The expansion testing may be omitted if the grading and foundations are engineered to withstand the presence of highly expansive soils.

Erosion and Sedimentation. *During project construction, heavy equipment would be used to excavate soil. In addition, other grading would occur. This would necessitate on site stockpile storage and disruption to the soil surface, which could potentially become subject to erosion, with potential off-site sedimentation and pollutant discharges.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings

The potential impacts from erosion and sedimentation as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

- GEO-6(a) Best Management Practices.** Pursuant to the Long Beach Municipal Code Section 18.95.050 Development Construction: prior to the issuance of any building or grading permit for any project, the construction plans shall include features meeting the construction activities BMPs (CA-10 through CA-12, CA-20, CA-21 and CA-23, and CA-30 through CA-32) and the applicable provisions of the erosion and sediment control BMPs (ESC-1 through ESC-56)



published in the "California Storm Water Best Management Practice Handbooks (Construction Activity) (1993)," and BMP (CD-4(2)) of the "Caltrans Storm Water Quality Handbooks, Construction Contractor's Guide and Specifications (1997)," to ensure that every construction site meets the requirements of the regulations during the time of construction.

- GEO-6(b) Covering and Removal of Stockpiles.** All stockpiles of excavated material shall be covered with an impervious material during storage and shall be removed from the site within 3 weeks of being excavated or they shall be used for grading or backfill if the material fulfills the requirements of measures GEO-3(a and b) above.

HAZARDS AND HAZARDOUS MATERIALS

The project's potential impacts with regard to hazards and hazardous materials that can be mitigated or are otherwise less than significant are discussed in Section 4.5, *Hazards and Hazardous Materials*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

Asbestos/Lead-Based Paints. *The proposed project would require the demolition of buildings and structures that could contain asbestos or lead-based paints. Therefore, there is potential for a significant hazard to the public or the environment through the release of hazardous materials.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings

The potential impacts related to asbestos/lead-based paints have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

- HAZ-1(a) Lead-Based Paint and Asbestos Surveys.** Prior to issuance of a demolition or renovation permit, a lead-based paint and asbestos survey shall be performed by a licensed sampling company. All testing procedures shall follow California 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 California and Federal standards.



HAZ-1(b) Asbestos Removal. Prior to any demolition or renovation, onsite structures that contain asbestos must have the asbestos containing material removed according to proper abatement procedures recommended by the asbestos consultant. All abatement activities shall be in compliance with California and Federal OSHA, and with the South Coast Air Quality Management District requirements. Only asbestos trained and certified abatement personnel shall be allowed to perform asbestos abatement. All asbestos containing material removed from onsite 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, where the material was moved to, and include 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.

HAZ-1(c) Lead Removal. Prior to the issuance of a permit for the renovation or demolition of any structure, a licensed lead-based paint consultant shall be contracted to evaluate the structure 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 California and Federal OSHA, and with the South Coast Air Quality Management District 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. In addition, the material shall be taken to a landfill or receiving facility licensed to accept the waste. Following completion of the lead based paint abatement, the lead based paint consultant shall provide a report documenting the abatement procedures used, the volume of lead based paint removed, where the material was moved to, and include 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.

Soil and Groundwater Contamination. *Industrial uses and storage of hydrocarbons, heavy metals, and acids on in the vicinity may threaten soil and groundwater quality at the property. There remains the possibility that site soil and/or groundwater has been contaminated by historic activity onsite.*

Findings



1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings

The potential impacts related to soil and/or groundwater contamination have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

HAZ-2(a) Excavation and Demolition Contingency Plans. All excavation and demolition projects conducted within the Press Telegram Site area shall have a contingency plan to be implemented in the event that contaminants or structural features that could be associated with contaminants or hazardous materials are suspected or discovered. The contingency plan shall identify appropriate measures to be followed if contaminants are found or suspected. The appropriate measures shall identify personnel to be notified, emergency contacts, and a sampling protocol to be implemented. The excavation and demolition contractors shall be made aware 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 excavation or demolition, and identify the person authorized to make that determination.

HAZ-2(b) Soil Sampling. If contaminants are detected, the results of the soil sampling shall be forwarded to the local regulatory agency (Long Beach/Signal Hill CUPA, Los Angeles Regional Water Quality Control Board, or the State of California Environmental Protection Agency Department of Toxic Substances Control). The agency should review the data and either sign off on the property or determine if any additional investigation or remedial activities are deemed necessary.

HAZ-2(c) Soil Remediation. If concentrations of contaminants warrant site remediation, contaminated materials shall be remediated either prior to construction of structures or concurrent with construction. The contaminated materials shall be remediated under the supervision of an environmental consultant licensed to oversee such remediation. The remediation program shall also be approved by a regulatory oversight agency, such as the (Long Beach/Signal Hill Unified Program Agency CUPA), Los Angeles Regional Water Quality Control Board, or the State of California Environmental



Protection Agency 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 project, the remediation approach implemented, and the analytical results after completion of the remediation, including all waste disposal or treatment manifests.

- HAZ-2(d) Groundwater Sampling and Remediation.** If, during the soil sampling, groundwater contamination is suspected, or if soil contamination is detected at depths at or greater than 30 feet below grade, then the applicant shall perform a groundwater sampling assessment. If contaminants are detected in groundwater at levels that exceed maximum contaminant levels for those constituents in drinking water, or if the contaminants exceed health risk standards such as Preliminary Remediation Goals, one in one million cancer risk, or a health risk index above 1, then the results of the groundwater sampling shall be forwarded to the appropriate regulatory agency (Long Beach/Signal Hill Unified Program Agency CUPA), Los Angeles Regional Water Quality Control Board, or the State of California Environmental Protection Agency Department of Toxic Substances Control). The agency shall review the data and sign off on the property or determine if any additional investigation or remedial activities are deemed necessary.

LAND USE AND PLANNING

The project's potential impacts with regard to land use and planning that can be mitigated or are otherwise less than significant are discussed in Section 4.6, *Land Use and Planning*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

Land Use Compatibility. *The proposed mixed use project would be generally compatible with existing adjacent commercial, school and residential uses, with incorporation of mitigation measures included in the transportation, air quality, and noise sections of the EIR.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings

The potential impacts to land use compatibility as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.



The mitigation measures recommended in Sections 4.10, *Transportation and Circulation*, 4.7, *Noise* and 4.2, *Air Quality* of the EIR would reduce impacts that could lead to land use conflicts to levels that would avoid significant land use compatibility impacts.

Zoning Ordinance Inconsistency/Site Plan Review Process. *The proposed Press-Telegram project is inconsistent with the requirements of the PD-30 Zone District, including those relating to height, density, parking and development with and adjacent to historic structures. In addition, the project plans and description as submitted have not been through the City's Site Plan Review process.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings

The potential impacts due to Zoning Ordinance and Site Plan Review process inconsistency have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

LU-3(a) Site Plan Review. Prior to the issuance of any building permit, the applicant shall continue to work with City staff to address the issues raised during the Conceptual Site Plan Review process to the satisfaction of the Planning Commission. The project plans submitted for Site Plan Review approval shall incorporate all required revisions to the satisfaction of the Planning Commission.

LU-3(b) Zoning Code Amendment. The City of Long Beach shall approve an amendment to the Downtown Planned Development District (PD-30) to allow building heights of 250 feet and densities of 217 dwelling units per acre prior to or concurrent with approval of the Press Telegram project; or the proposed project shall be redesigned to comply with the current standards of PD-30.

TRAFFIC AND CIRCULATION

The project's potential impacts with regard to traffic and circulation that can be mitigated or are otherwise less than significant are discussed in Section 4.10, *Traffic and Circulation*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.



Parking. *Depending upon how the non-residential components of the proposed project are used, onsite parking may be sufficient to meet project demand. However, the 1,186 parking spaces provided by the proposed project are 204 spaces short of the City Code requirement.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings

The potential impacts to parking as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of a mitigation measure identified in the Draft EIR.

Mitigation Measure:

- T-3 Parking Management.** The project applicant shall complete a parking demand study, including a shared parking analysis, after a class program is defined in order to determine whether the amount of parking proposed is sufficient to adequately accommodate the anticipated demand. The results of the analysis shall be subject to the review and approval of the City traffic engineer. If the parking demand study determines that the parking proposed for the project would be sufficient, a variance shall be requested in accordance with the City's Zoning Regulations. However, if the study determines that parking would be insufficient and the variance request is denied, the project shall meet the City's parking requirements in accordance with the Zoning Regulations.

UTILITIES AND SERVICE SYSTEMS

The project's potential impacts with regard to utilities and service systems that can be mitigated or are otherwise less than significant are discussed in Section 4.11, *Utilities and Service Systems*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

Water Infrastructure. *Although buildout of the proposed project would incrementally increase water demand in the City of Long Beach, Long Beach Water Department water supplies are sufficient to meet the projected demand. However, proposed structures would be located over existing on-site water lines.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings



The potential impacts related to water infrastructure have been eliminated or substantially lessened to a less than significant level by virtue of the mitigation measure identified in the Draft EIR.

Mitigation Measure:

- U-1 On-site Water Line Abandonment and Installation of New Water Line.** The project applicant shall abandon the existing water line on site in accordance with Long Beach Water Department standards. A new 8-inch water line shall be installed in accordance with Long Beach Water Department standards. The size and location will depend on the final configuration of development and the Fire Department's fire flow requirements.

Wastewater Infrastructure. *The proposed project would generate an estimated net increase of 92,410 gallons of wastewater per day, which would flow to the Joint Water Pollution Control Plant. The treatment plant has sufficient capacity to accommodate this increase in wastewater generation. However local conveyance infrastructure may not be of adequate size to convey peak flows from the Press-Telegram Mixed Use Development.*

Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

Facts in Support of Findings

The potential impacts related to wastewater infrastructure have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

Mitigation Measures:

- U-2(a) On-site Sewer Line Abandonment.** The project applicant shall abandon the existing 8-inch sewer line on site. The sewer line shall be abandoned near the property line in accordance with Long Beach Water Department standards. Minor improvements may be required for this abandonment. The applicant shall consult with the City and the Long Beach Water Department for required procedures and improvements.
- U-2(b) Off-site Sewer Line Replacement.** The project applicant shall replace the existing sewer connection at the intersection of 6th Street and Solano Court in order to accommodate the increased wastewater volume expected as a result of the proposed project. The 10-inch connection shall be replaced with a 15-inch connection in accordance with Long Beach Water Department standards. The existing 8-inch Vitreous Clay Pipe (VCP) running west on 6th street turns south for 11 feet, then turns west after increasing its size to a 15-inch pipe. Because of the expected increase



in waste water flow from the project, it is required by the City of Long Beach to increase the size of the 90 degree elbows up to 15 inches. It has been determined that the increased flow of waste water from the project site will put too great a stress on the 8-inch elbows and therefore the elbows must be made larger. The 11 feet of VPC line and the 90 degree elbow fittings to be replaced are approximately 15 feet below street level.

A second sewer change is required at the intersection of Broadway and Pacific Avenue. The existing 15-inch sewer line running south down Pacific Avenue presently ties into an 18-inch main sewer line. It is projected that the increased flow of waste water from the project would overload the 18-inch main line and therefore a piping change is needed. The City recommends that the 15-inch line be removed from entering the 18-inch line and be re-routed into either a 30-inch main or a 36-inch main line located approximately 20 feet deep at that location.

The applicant shall consult with the City and the Long Beach Water Department for requirements regarding sewer connection replacement. Sewer conveyance improvements shall be completed prior to issuance of building permits.



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

The EIR for the Press-Telegram Mixed Use Development Project identifies potentially significant environmental impacts within six issue areas which cannot be fully mitigated and are therefore considered significant and unavoidable ("Class I"). Those impacts are related to Aesthetics, Air Quality, Historic Resources, Land Use and Planning, Noise and Transportation and Circulation. The City of Long Beach City Council, having reviewed and considered the information contained in the Final EIR, Technical Appendices and the administrative record, finds, pursuant to California Public Resources Code 21081 (a)(3) and CEQA Guidelines 15091 (a)(3), that to the extent these impacts remain significant and unavoidable, such impacts are acceptable when weighed against the overriding social, economic, legal, technical, and other considerations set forth in the Statement of Overriding Considerations, included as Section VIII of these Findings. The Class I impacts identified in the EIR and EIR Revisions document are discussed below, along with the appropriate findings per CEQA Guidelines Section 15091.

AESTHETICS/LIGHT AND GLARE

SIGNIFICANT AND UNAVOIDABLE IMPACT.

Shade and Shadow. *The proposed high rise structures would cast shadows or partial shadows onto adjacent properties, particularly in the wintertime when shadows are most extreme. Shadows from the project would fall on sensitive residential and school uses for more than three hours during the winter months.*

Findings

Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.

Facts in Support of Findings

The increase in building massing and scale would result in enlarged shade and shadow impacts to residential and school uses located west and north of the site. Outside of reducing the building height, no mitigation measures that could feasibly reduce the significant shade and shadow impacts resulting from the proposed project are available. Shade and shadow impacts are considered significant and unavoidable.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding the Press-Telegram Mixed Use Project provide additional facts in support of these findings. Unavoidable significant effects are acceptable when balanced against the facts set forth therein.

Mitigation Measures:



No mitigation measures that could feasibly reduce the significant shade and shadow impacts to a less than significant level are available.

AIR QUALITY

SIGNIFICANT AND UNAVOIDABLE IMPACT AFTER MITIGATION.

Temporary (Construction) Air Emissions. *Project construction would generate air pollutant emissions that exceed SCAQMD construction thresholds for ozone precursor NOx. Construction-related emissions are also expected to exceed the LST thresholds for NOx, and exhaust PM10.*

Findings

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.*

Facts in Support of Findings

With implementation of feasible mitigation measures during construction of the proposed project, emissions from construction equipment exhaust and soil disturbance would be minimized. However, construction emissions from the proposed project would exceed the daily emissions threshold for NOx established by the SCAQMD. Because construction emissions would exceed established SCAQMD thresholds, even with implementation of feasible mitigation measures, impacts would be significant and unavoidable. The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding the Press-Telegram Mixed Use Project provide additional facts in support of these findings. Any remaining unavoidable significant effects are acceptable when balanced against the facts set forth therein.

Mitigation Measures:

AQ-1(a) Fugitive Dust Control Measures. The following shall be implemented during construction to minimize fugitive dust and associated particulate emissions:

- *Water trucks shall be used during construction to keep all areas of vehicle movements damp enough to prevent dust from leaving the site. At a minimum, this will require twice daily applications (once in late morning and once at the end of the workday). Increased watering is required whenever wind speed exceeds 15 mph. Grading shall be suspended if wind gusts exceed 25 mph.*



- *The amount of disturbed area shall be minimized and onsite vehicle speeds shall be limited to 15 mph or less.*
- *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 generation. Trucks transporting material shall be tarped from the point of origin or shall maintain at least two feet of freeboard.*
- *After clearing, grading, earth-moving or excavation is completed, the disturbed area shall be treated by watering, revegetation, or by spreading earth binders until the area is paved or otherwise developed.*
- *All material transported off-site shall be securely covered to prevent excessive amounts of dust.*

AQ-1(b) NO_x Control Measures. The following shall be implemented throughout construction to reduce emissions of nitrogen oxides:

- *When feasible, electricity from temporary power poles on site shall be utilized rather than temporary diesel or gasoline generators.*
- *When feasible, on site mobile equipment shall be fueled by methanol or natural gas (to replace diesel-fueled equipment), or, propane or butane (to replace gasoline-fueled equipment).*
- *Aqueous Diesel Fuel or biodiesel (B20 with retarded fuel injection timing), if available, shall be used in diesel fueled vehicles when methanol or natural gas alternatives are not available.*

The following measure is required to further reduce emissions of construction-related ozone precursors (ROC and NO_x).

AQ-1(c) Ozone Precursor Control Measures. The following shall be implemented throughout construction to reduce emissions of ozone precursors ROC and NO_x:

- *Equipment engines should be maintained in good condition and in proper tune as per manufacturer's specifications;*
- *Schedule construction periods to occur over a longer time period (ie lengthen from 60 days to 90 days) during the smog season so as to minimize the number of vehicles and equipment operating simultaneously; and*
- *Use new technologies to control ozone precursor emissions as they become readily available.*

CULTURAL RESOURCES

SIGNIFICANT AND UNAVOIDABLE IMPACT AFTER MITIGATION.

Historic Resources – Press-Telegram Building. *The proposed Press-Telegram Mixed Use Development Project would involve the partial demolition of the Press-Telegram Building.*



Findings

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.*

Facts in Support of Findings

Based on the analysis in Section 4.3 of the Draft EIR, *Historic Resources*, the Press-Telegram Building is currently eligible for designation as a City Landmark. The proposed project would involve the removal of a substantial quantity of historic building fabric, including roughly 40% of the above-ground interior spaces of the building related to its historic use, as well as the permanent attachment of new construction which does not respect the materials, features, size, scale and proportion, and massing of the historic property. The printing presses would also be removed from their context in the facility. Consequently, the proposed activities would potentially make a building that is currently eligible for City Landmark designation ineligible for designation as a City Landmark. Therefore, the project would result in a significant adverse impact on an historic resource.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide additional facts in support of these findings. Any remaining, unavoidable significant effects are acceptable when balanced against the facts set forth therein.

Mitigation Measures:

- HR-1(a) Press-Telegram Documentation Report.** In consultation with a qualified historic preservation professional, the applicant shall produce a Documentation Report consisting of black and white archival, quality photographs and measured drawings of the historic resources to be altered, which along with the Historic Resources Report prepared for this property, shall be submitted to an appropriate repository.
- HR-1(b) Press-Telegram Interpretive Plan.** In consultation with a qualified historic preservation professional, an interpretive plan for the property shall be produced, focusing on the significant historic themes associated with the property. The plan may consist of a public display or other suitable approach to interpreting the history of the property, as determined by the City of Long Beach. A display shall include historic photographs, memorabilia, documents and other appropriate features, and interpretive installations, including



equipment. The display shall be open to the public and shall be completed prior to occupancy clearance.

HR-1(c) Secretary of the Interior Standards. To the greatest extent feasible, all modifications to historic building on the property shall be undertaken in conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. These alterations should not unnecessarily destroy historic materials or architectural features which characterize the property, and to the greatest extent feasible, shall be based on historical documentation and/or forensic evidence of original conditions.

Historic Resources – Meeker (aka Baker) Building. *The proposed Press-Telegram Mixed Use Project would involve the partial demolition of the Meeker Building, a designated City landmark.*

Findings

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.*

Facts in Support of Findings

The proposed project would involve the demolition of extensive historic building fabric for the property at 650 Pine Avenue (the Meeker Building), a designated City landmark, including all of the interior spaces of the building related to its historic use. The complete structure behind the two-story façade of the building would be removed, and floors and walls would then be replaced with new construction. The facade would undergo a major restoration to its original condition. Although the applicant proposes to retain the façade of the Meeker Building as an offsetting factor, the majority of the interior of the residential and commercial uses would be demolished to accommodate proposed new structures and underground parking. These proposed activities would result in a significant adverse impact to an historic resource. Potential incompatibilities of scale and design of the proposed 22-story buildings may also contribute to a reduction in the historic value of the remaining portions of the Meeker Building due to an alteration of the site setting. With the proposed modifications, the Meeker Building would no longer be eligible for listing on the NRHP or the CRHR. Therefore, the impact to the Meeker Building would be significant.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide additional facts in support of these findings. Any remaining unavoidable significant effects are acceptable when balanced against the facts set forth therein.



Mitigation Measures:

- HR-2(a) Meeker Documentation Report.** In consultation with a qualified historic preservation professional, the applicant shall produce a Documentation Report consisting of black and white archival, quality photographs and measured drawings of the historic resources to be altered, which along with the Historic Resources Report prepared for this property, shall be submitted to an appropriate repository.
- HR-2(b) Meeker Interpretive Plan.** In consultation with a qualified historic preservation professional, an interpretive plan for the property shall be produced, focusing on the significant historic themes associated with the property. The plan may consist of a public display or other suitable approach to interpreting the history of the property, as determined by the City of Long Beach.
- HR-2(c) Secretary of the Interior Standards.** To the greatest extent feasible, all modifications to historic building on the property shall be undertaken in conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. These alterations should not unnecessarily destroy historic materials or architectural features which characterize the property, and to the greatest extent feasible, shall be based on historical documentation and/or forensic evidence of original conditions.

Cumulative Impacts.

Development associated with the proposed project and other related cumulative projects would result in cumulatively considerable cultural resources impacts.

Findings

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.*

Facts in Support of Findings

Implementation of the proposed project, in combination with past, present, and potential future cumulative development in the area, could continue to alter the historic character of the City and result in significant cumulative impacts to historic resources. Where historic properties have been demolished or degraded, mitigation measures such as those proposed in this EIR are not always sufficient to reduce project specific impacts to less than significant levels. In



addition, approval of projects with significant and unavoidable impacts to historic resources could be seen as establishing a pattern of development/ redevelopment that includes continued significant loss of historic resources. Cumulative impacts would therefore be significant and unavoidable.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide additional facts in support of these findings. Any remaining, unavoidable significant effects are acceptable when balanced against the facts set forth therein.

Mitigation Measures:

Refer to mitigation measures HR-1 and HR-2.

LAND USE AND PLANNING

SIGNIFICANT AND UNAVOIDABLE IMPACT AFTER MITIGATION.

General Plan Inconsistency. *The proposed Press-Telegram project would implement a number of City of Long Beach planning goals and policies. However, the demolition of most of the Meeker (aka Baker) Building and much of the Press-Telegram Building, could be found to be inconsistent with the General Plan's goals and policies related to preservation of historic resources. In addition, the project does not meet the District's open space requirements, making it potentially inconsistent with Policy 4.10 of the Open Space and Recreation Element.*

Findings

Changes or alterations have been required which reduce the significant environmental effect as identified in the Draft EIR.

Facts in Support of Findings

Tables 4.6-2, 4.6-3 and 4.6-4 in Section 4.6 of the draft EIR, *Land Use and Planning*, contain discussions of the proposed plan's consistency with applicable policies of the Long Beach General Plan, Redevelopment Implementation Plan and Strategic Plan, respectively. Consistent with the scope and purpose of this EIR, the discussion primarily focuses on those policies that relate to avoiding or mitigating environmental impacts, and an assessment of whether any inconsistency with these standards creates a significant physical impact on the environment. The project appears to be consistent with the majority of the goals, policies and objectives of the General Plan and other policy documents. However, potential inconsistencies with goals and policies relating to preservation of historic resources and provision of adequate open space are identified, and would be considered significant and unavoidable impacts. The ultimate determination of whether the proposed project is consistent with the General Plan and Zoning Ordinance lies with the decision-making bodies (Planning Commission and City Council).



In order to approve the project, the City Council would have to find that the project as proposed is consistent with the identified goals and policies relating to preservation of historic resources and provision of adequate open space.

Mitigation Measures:

Mitigation measures HR-1 and HR-2, discussed in Draft EIR Section 4.3, *Historic Resources*, require documentation of the historic resources, interpretive plans and modifying buildings within guidelines to preserve historic resources to the extent feasible. These would help to reduce the impact to historic resources, but would not reduce them to a less than significant level. This could be found to be an inconsistency with policies relating to historic resource preservation. Payment of park facility impact fees would reduce the potential inconsistency with Open Space and Recreation policies, but without meeting the ordinance requirement for onsite open space, the project could still be found to be inconsistent with Policy 4.10.

NOISE

SIGNIFICANT AND UNAVOIDABLE IMPACT AFTER MITIGATION.

Temporary Construction Noise. *Project construction would intermittently generate high noise levels and groundborne vibrations on and adjacent to the site. These noise levels would affect sensitive receptors near the project site.*

Findings

- *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.*

Facts in Support of Findings

The grading/excavation phase of project construction tends to create the highest noise levels because of the operation of heavy equipment. Noise levels associated with heavy equipment typically range from about 78 to 88 dBA at 50 feet from the source. Continuous operation of this equipment during a nine-hour workday can cause noise levels onsite and at adjacent receptor locations that are well above ambient levels. Areas within a few hundred feet of construction sites would be exposed to audible construction noise levels. Sensitive receptors, including residences and International Elementary School, are located within 100 feet of the site.

At these distances to sensitive receptors, the amount of heavy equipment and number of hours associated with the scale of demolition, excavation and foundation conditioning involved with



the proposed project could result in construction-related noise as high as 88 dBA at the surrounding residences and school athletic field, and 82 dBA at the nearest school building. Although ambient noise levels in the area are high (>70 dBA) due to traffic on Pine Avenue, Sixth Street, and Seventh Street, construction noise would be audible at the elementary school, and the surrounding residences as the increase above ambient would be greater than 3 dBA, generally the level of increase that is audible. This is considered a significant impact.

Construction contractors would be required to comply with restrictions in the Noise Ordinance that limit the times when construction may occur. This would address potential impacts to nearby residences. However International Elementary School is an active sensitive receptor during daytime hours. Thus, adherence to the time limits set forth in the Noise Ordinance would not reduce the impact to International Elementary School. Therefore, impacts to the school would be significant.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide additional facts in support of these findings. Any remaining unavoidable significant effects are acceptable when balanced against the facts set forth therein.

Mitigation Measures:

- N-3(a) Diesel Equipment Mufflers.** All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.
- N-3(b) Electrically-Powered Tools.** Electrical power shall be used to run air compressors and similar power tools.
- N-3(c) Additional Noise Attenuation Techniques.** For all noise-generating construction activity on the project site, additional noise attenuation techniques shall be employed to reduce noise levels. Such techniques shall include, but are not limited to, the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between construction sites and nearby sensitive receptors.

TRAFFIC AND CIRCULATION

SIGNIFICANT AND UNAVOIDABLE IMPACT AFTER MITIGATION.

Project and Cumulative Traffic Impact. *Project-generated traffic, in combination with cumulative traffic growth, would result in a significant impact at 1 of 42 study area intersections (Magnolia Avenue/6th Street) based on City of Long Beach significance criteria. Mitigation is available for that impact, but physical constraints make expansion of the roadway cross-section difficult.*

Findings



Specific economic, legal, social, technological, or other considerations, particularly physical constraints associated with implementation of the mitigation measure, make infeasible the mitigation measures or project alternatives identified in the environmental impact report.

Facts in Support of Findings

Based on the City's significance criteria, the project's impact would be significant at the intersection of Magnolia Avenue and 6th Street.

The Magnolia Avenue/6th Street intersection is physically constrained with existing developments located close to the street. This makes expansion of the roadway cross-section infeasible. Another option for addressing the project impact at this intersection is to reduce project-generated traffic by 8%. A project alternative that would reduce traffic by this amount is discussed in Section 6.0, *Alternatives*.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide additional facts in support of these findings. Any remaining, unavoidable significant effects are acceptable when balanced against the facts set forth therein.

Mitigation Measures:

- T-1(a) Magnolia Avenue/6th Street.** The applicant shall either add an eastbound turn lane or a northbound right-turn lane. Any physical modifications to the intersection shall require the prior approval of City Traffic Engineer. If traffic volume reduction or geometric solution is not implemented, then the Project's impact would be considered significant and unavoidable.



VII ALTERNATIVES TO THE PROPOSED PROJECT

The Draft EIR addresses the environmental effects of alternatives to the proposed project. A description of these alternatives, a comparison of their environmental impacts to the proposed project, and the City's findings are listed below. These alternatives are compared against the project relative to the identified project impacts, summarized in sections V and VI, above, and to the project objectives, as stated in Section 2.0 of the Draft EIR. In making the following alternatives findings, the City of Long Beach City Council certifies that it has independently reviewed and considered the information on alternatives provided in the Draft EIR, including the information provided in the comments on the Draft EIR and the responses thereto.

A NO PROJECT ALTERNATIVE

The No Project Alternative assumes that the proposed project would not be implemented and the project site would remain in its current condition. The existing retail, restaurant, office, nonconforming residential, surface parking and other uses would remain on-site.

Findings

Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, render this alternative infeasible.

Facts in Support of Findings

The No Project alternative would avoid the proposed project's significant impacts relating to air quality, aesthetics, historic resources, geology and soils, hazards and hazardous materials, land use and Planning, noise, public services, traffic, and utilities, including the unavoidably significant impacts relating to air quality, historic resources, noise, and traffic. However, the No Project Alternative would not provide new housing opportunities in Long Beach, revitalization of the site, institutional space for the Arts Council and State University, and other aspects of the proposed project that would further the City's adopted goals for Downtown (see Section 4.6 of the Draft EIR, *Land Use and Planning*, for further discussion of project consistency with the objectives, goals and policies of the General Plan).

B REDUCED DENSITY PROJECT ALTERNATIVE

This alternative involves the construction of fewer residential units in order to reduce the proposed project's significant and unavoidable traffic impact at the intersection of Magnolia and 6th Street. Fewer units would require shorter structures, also reducing aesthetic impacts, most notably shadow impacts. All other proposed improvements would be similar to those of the proposed project.

The Reduced Density Alternative would provide 471 residential units rather than the proposed project's 542 units, a reduction of just over 13%. Similar to the proposed project, the majority of residential units would be located in two high-rise structures; however, due to the reduction in units, the structures would be only 19 stories and approximately 200 feet tall, as compared to



the proposed project's 250-foot, 22-story heights. Treatment of the historic structures, the amount of office/institutional space, and general design and configuration of this alternative would be the same as for the proposed project. As fewer parking spaces would be required, it is assumed that five rather than seven levels of parking would be constructed. As residential density and building height would exceed the Zoning Regulation maximums, an amendment to the Downtown Planned Development (PD-30) District would be required, similar to the proposed project.

Findings

Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, render this alternative infeasible.

Facts in Support of Findings

The Reduced Project Alternative would result in fewer impacts on aesthetics, traffic and circulation, population and housing, air quality, and public services and utilities. The impacts on land use and relevant planning, noise, historic resources, geology and hazards are similar to the proposed project. Under this Alternative, some unavoidable significant adverse impacts are expected.

The Reduced Project Alternative would partially implement the goals and objectives of the proposed project. It would meet the applicant's general objectives of redeveloping the Press-Telegram site with a mixed use project, providing high-density housing including some live/work units, and providing space for CSULB and the Arts Council. However, the residential goal would not be met to the same degree as with the proposed project.

The findings for the proposed project set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide support for the proposed project and the elimination of this alternative from further consideration.

C GENERAL PLAN AND ZONING ORDINANCE CONSISTENT ALTERNATIVE

This alternative involves development of the site in accordance with the PD-30 Zone District's height and density limits. In addition to meeting the ordinance requirements, a strategy of preservation combined with careful restoration and adaptive reuse would be applied to the entire Meeker (Baker) Building and historically important portions of the Press-Telegram Building, including, at a minimum, the sections built in the 1920s.

Under this alternative, the building height would be a maximum of 100' and the project would include 187 residential units, consistent with the 75 unit-per acre regulatory maximum density. Approximately 32,300 square feet of office and institutional space, similar to the proposed project, would also be included. For analytical purposes, the general configuration of the development would be similar to that of the proposed project, although the adaptive reuse of existing structures would reduce the new construction proposed on the podium level and this



would change the distribution and location of uses to some extent. The parking garage would require fewer levels and/or a smaller footprint.

Findings

Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, render this alternative infeasible.

Facts in Support of Findings

The General Plan and Zoning Ordinance Consistent Alternative would reduce impacts in all issue areas except geology, which would be similar. With mitigation, all significant and unavoidable impacts associated with the proposed project, except for shadow impacts, would be reduced to a less than significant level. Thus, the Draft EIR identifies the General Plan and Zoning Ordinance Consistent Alternative as the Environmentally Superior Alternative.

The General Plan and Zoning Ordinance Consistent Alternative would partially implement the goals and objectives of the proposed project. It would meet the applicant's general objectives of redeveloping the Press-Telegram site with a mixed use project, providing high-density housing including some live/work units, and providing space for CSULB and the Arts Council. However, the residential goal would not be met to the same degree as with the proposed project.

The findings for the proposed project set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide support for the proposed project and the elimination of this alternative from further consideration.



VIII STATEMENT OF OVERRIDING CONSIDERATIONS

A INTRODUCTION

The California Environmental Quality Act (CEQA) and the *CEQA Guidelines* provide in part the following:

- CEQA requires that the decision maker balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. If the benefits of the proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."
- Where the decision of the public agency allows the occurrence of significant effects that are identified in the Environmental Impact Report (EIR) but are not mitigated, the agency must state in writing the reasons to support its action based on the EIR and/or other information in the record. This statement may be necessary if the agency also makes the finding under Section 15091 (a)(2) or (a)(3) of the *CEQA Guidelines*.
- If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the Notice of Determination (Section 15093 of the *CEQA Guidelines*).

The City of Long Beach City Council, having reviewed and considered the information contained in the Environmental Impact Report (EIR) for the Press-Telegram Mixed Use Project (the project), Responses to Comments and the public record, adopts the following Statement of Overriding Considerations that have been balanced against the unavoidable adverse impacts in reaching a decision on the Press-Telegram Mixed Use Development Project.

B SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

Although mitigation measures have been included where feasible for potential project impacts as described in the preceding findings, there is no complete mitigation for the following project impacts:

- Aesthetics - Shade and Shadow;
- Air Quality - Short-Term (Construction) Air Emissions;
- Historic Resources - Press Telegram Building;
- Historic Resources - Meeker (aka Baker) Building;
- Historic Resources - Cumulative Impacts;
- Noise - Construction Noise;
- Land Use and Planning - General Plan Inconsistency;
- Traffic and Circulation - Project and Cumulative Traffic Impact at the intersection of Magnolia Avenue and 6th Street.



Details of these significant unavoidable adverse impacts are discussed in the Press-Telegram Mixed Use Project EIR and are summarized in Section VI, Environmental Effects Which Remain Significant and Unavoidable After Mitigation and Findings, in the Statement of Facts and Findings.

C OVERRIDING CONSIDERATIONS

The proposed action involves discretionary actions needed for approval of the Press-Telegram Mixed Use Project. Analysis in the EIR for this project has concluded that the proposed project will result in impacts to aesthetics, air quality, historic resources, land use and planning, noise and transportation and circulation that cannot be mitigated to a less than significant level. All other potential significant adverse project impacts have been mitigated to a less than significant level based on mitigation measures in the Final EIR. It should be noted that the City cannot approve the project unless the City Council finds, contrary to the conclusions in the Draft EIR, that the project is consistent with General Plan policies related to open space provisions and protection of historic resources.

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

The City of Long Beach City Council has determined that the significant unavoidable adverse project impacts, which will remain significant after mitigation, are acceptable and are outweighed by social, economic and other benefits of the project. Further, the alternatives that were identified in the Final EIR would not provide the project benefits, as summarized below, to the same extent as the proposed project:

1. The City of Long Beach City Council finds that all feasible mitigation measures have been imposed to lessen project impacts to less than significant levels; and furthermore, that alternatives to the project are infeasible because while they have similar or less environmental impacts, they do not provide all of the benefits of the project, or are otherwise socially or economically infeasible when compared to the project, as described in the Statement of Facts and Findings.
2. The project is consistent with the *City of Long Beach General Plan* land use designation (LUD No. 7), which allows for a combination of land uses including employment centers, such as retail, offices, and institutional uses; and higher density residential development. If the requested Zoning Ordinance amendments are also approved, the project will be consistent with the zoning designation (PD-30) and applicable district (Downtown Mixed Use District) of PD-30, which is intended for a mix of uses, including office, retail, institutional and high-density residential uses.
3. Project implementation will contribute to long-range development goals identified by the City and Planning Commission in the General Plan Land Use Element, Redevelopment Implementation Plan, and Strategic Plan. It will help “build...downtown into a multi-purpose activity center” and facilitate “the development of cultural and artistic offerings in the downtown” through providing



space to the Arts Council and CSULB, as called for in the Land Use Element. The project also furthers the Land Use Element's statement that "Long Beach accepts the population growth anticipated in the downtown and supports the development of...new quality residential units...and additional space for educational facilities required to support a growing downtown population." The proposed high-rise structures further the Land Use Element statement that bringing tall buildings to the area south of 7th Street will "help bring relief to the otherwise flat and characterless urban form of much of the City, and to help identify important activity nodes." The Strategic Plan states that "[i]n order to improve neighborhood stability, we need to find locations for high density housing, where transportation and other public and private services can support it," and the project furthers this goal as well. Finally, the project furthers the Redevelopment Implementation Plan goal that the City "[p]romote development in the Project Area which provides economic benefits to the entire community, through the replanning, redesign and development of the portions of the Project Area which are...not being utilized to their highest and best use."

4. The project will positively enhance revitalization in the downtown by developing an underutilized site with substantial surface parking coverage with a diversity of residential unit types for downtown living, including live/work spaces, in proximity to employment, entertainment, retail and transit opportunities.
5. The project will enhance the pedestrian environment through replacement of gated surface parking lots and industrial structures on the site's eastern half with residential, cultural (Arts Council) and educational (CSULB) development. These more active and well-lit uses will provide a more secure and vibrant street experience in this section of northern Downtown Long Beach.
6. The project will create a new residential center with ground-floor cultural and educational facilities, as well as live/work opportunities, in the northern downtown area along a primary commercial and pedestrian corridor (Pine Avenue). This will contribute to revitalization of the northern Downtown area and downtown in general.
7. The project will add new high-density residential units within the Downtown area, increasing the availability of housing in the City of Long Beach, enhancing the jobs/housing balance and encouraging walking and transit use.
8. The project will enhance opportunities for private financial investments through home ownership opportunities and retail opportunities.

Therefore, the Long Beach City Council, having reviewed and considered the information contained in the Final EIR, Technical Appendices and the public record, adopts the Statement of Overriding Considerations that has been balanced against the unavoidable adverse impacts in reaching a decision on this project.



Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
AESTHETICS							
AES-2(a) Lighting Plans and Specifications. Prior to the issuance of any building permits, the applicant shall submit lighting plans and specifications for all exterior lighting fixtures and light standards to the Planning and Building Department for review and approval. The plans shall include a photometric design study demonstrating that all outdoor light fixtures to be installed are designed or located in a manner as to contain the direct rays from the lights on-site and to minimize spillover of light onto surrounding properties or roadways. All parking structure lighting shall be shielded and directed away from residential uses. Such lighting shall be primarily located and directed so as to provide adequate security.	Review of final lighting plans; verification of compliance	Prior to issuance of building permits	Once for plan review Once for field verification of compliance	PBD			
AES-2(b) Building Material Specifications. Prior to the issuance of any building permits, the applicant shall submit plans and specifications for all building materials to the Planning and Building Department for review and approval. All structures facing any public street or neighboring property shall use minimally reflective glass and all other materials used on the exterior of buildings and structures shall be selected with attention to minimizing reflective glare. The use of glass with over 25% reflectivity shall be prohibited in the exterior of all buildings on the project site.	Review of building materials; verification of compliance	Prior to issuance of building permits	Once for plan review Once for field verification of compliance	PBD			
AES-2(c) Light Fixture Shielding. Prior to the issuance of any building permits, the applicant shall demonstrate to the Planning and Building Department that all night lighting installed on private property within the project site shall be shielded, directed away from residential uses, and confined to the project site. Additionally, all lighting shall comply with all applicable Airport Land Use Plan (ALUP) Safety Policies and FAA regulations.	Review of final lighting plans; verification of compliance	Prior to issuance of building permits	Once for plan review Once for field verification of compliance	PBD			

Exhibit B

Key: PWD – City of Long Beach Public Works Department
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Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
AES-2(d) Window Tinting. Prior to the issuance of any building permits, the applicant shall submit plans and specifications showing that building windows are tinted in order to minimize glare from interior lighting.	Review of building window materials; verification of compliance	Prior to issuance of building permits	Once for plan review Once for field verification of compliance	PBD			
AIR QUALITY							
AQ-1(a) Fugitive Dust Control Measures. The following shall be implemented during construction to minimize fugitive dust and associated particulate emissions: <ul style="list-style-type: none"> Water trucks shall be used during construction to keep all areas of vehicle movements damp enough to prevent dust from leaving the site. At a minimum, this will require twice daily applications (once in late morning and once at the end of the workday). Increased watering is required whenever wind speed exceeds 15 mph. Grading shall be suspended if wind gusts exceed 25 mph. The amount of disturbed area shall be minimized and onsite vehicle speeds shall be limited to 15 mph or less. 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 generation. Trucks transporting material shall be tarped from the point of origin or shall maintain at least two feet of freeboard. After clearing, grading, earth-moving or excavation is completed, the disturbed area shall be treated by watering, revegetation, or by spreading earth binders until the area is paved or otherwise developed. All material transported off-site shall be securely covered to prevent excessive amounts of dust. 	Field verification of compliance	During construction activities	Periodically during construction	PBD			

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					Initial	Date	Comments
<p>AQ-1(b) NOx Control Measures. The following shall be implemented throughout construction to reduce emissions of nitrogen oxides:</p> <ul style="list-style-type: none"> • When feasible, electricity from temporary power poles on site shall be utilized rather than temporary diesel or gasoline generators. • When feasible, on site mobile equipment shall be fueled by methanol or natural gas (to replace diesel-fueled equipment), or, propane or butane (to replace gasoline-fueled equipment). • Aqueous Diesel Fuel or biodiesel (B20 with retarded fuel injection timing), if available, shall be used in diesel fueled vehicles when methanol or natural gas alternatives are not available. 	Field verification of compliance	During construction activities	Periodically during construction	PBD			
<p>AQ-1(c) Ozone Precursor Control Measures. The following shall be implemented throughout construction to reduce emissions of ozone precursors ROC and NOx:</p> <ul style="list-style-type: none"> • Equipment engines should be maintained in good condition and in proper tune as per manufacturer's specifications; • Schedule construction periods to occur over a longer time period (ie lengthen from 60 days to 90 days) during the smog season so as to minimize the number of vehicles and equipment operating simultaneously; and • Use new technologies to control ozone precursor emissions as they become readily available. 	Field verification of compliance	During construction activities	Periodically during construction	PBD			
<p>AQ-4. Building Design. The final design of the high-rise buildings shall be in accordance with one or more of the following design guidelines. In addition, as part of the design review process for these high-rise buildings, a qualified wind consultant shall ensure that the project is designed in accordance with these guidelines:</p> <ul style="list-style-type: none"> • Align long axes of each building along a northwest-southeast alignment to reduce 	Review and approval of final building plans to verify that required features are included in the project design	Prior to issuance of building permits	Once	PBD			

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<p>exposure of the wide faces of the building to westerly/northwesterly winds.</p> <ul style="list-style-type: none"> • West or southeasterly building faces shall be articulated and modulated through the use of architectural devices such as surface articulation; variation; variation of planes, wall surfaces, and heights; and the placement of setbacks and other similar features. • Utilize properly-located landscaping that mitigates high winds. Porous materials (e.g., vegetation, hedges, screens, latticework, perforated metal), which offer superior wind shelter compared to solid surfaces, shall be used. • Avoid narrow gaps between buildings where winds could be accelerated. • Avoid breezeways or notches at the upwind corners of the building. 							
HISTORIC RESOURCES							
<p>HR-1(a) Press-Telegram Documentation Report. In consultation with a qualified historic preservation professional, the applicant shall produce a Documentation Report consisting of black and white archival, quality photographs and measured drawings of the historic resources to be altered, which along with the Historic Resources Report prepared for this property, shall be submitted to an appropriate repository.</p>	<p>Review and approval of historic resources document</p>	<p>Prior to issuance of building permits</p>	<p>Once</p>	<p>PBD</p>			
<p>HR-1(b) Press-Telegram Interpretive Plan. In consultation with a qualified historic preservation professional, an interpretive plan for the property shall be produced, focusing on the significant historic themes associated with the property. The plan may consist of a public display or other suitable approach to interpreting the history of the property, as determined by the City of Long Beach. A display shall include historic photographs, memorabilia, documents and other appropriate features, and interpretive installations,</p>	<p>Review and approval of final interpretive plan; field verification of compliance</p>	<p>Prior to issuance of building permits; field verification prior to issuance of occupancy permits</p>	<p>Once for plan review; once for field verification</p>	<p>PBD</p>			

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Press-Telegram Mixed Use Development EIR
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Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
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including equipment. The display shall be open to the public and shall be completed prior to occupancy clearance.							
HR-1(c) Secretary of the Interior Standards. To the greatest extent feasible, all modifications to historic building on the property shall be undertaken in conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. These alterations should not unnecessarily destroy historic materials or architectural features which characterize the property, and to the greatest extent feasible, shall be based on historical documentation and/or forensic evidence of original conditions.	Review and approval of final building plans to verify that required features are included in the project design	Prior to issuance of building permits	Once	PBD			
HR-2(a) Meeker Documentation Report. Prior to the issuance of any demolition and construction permits for the project, a "Documentation Report" similar to a Historic American Buildings Survey (HABS) level II recordation document shall be completed by the applicant and approved by the City's Historic Preservation Officer. Such work shall be completed by a qualified historic preservation professional who satisfies the Secretary of the Interior's Professional Qualifications Standards.	Review and approval of Meeker historic resources document	Prior to issuance of building permits	Once	PBD			
HR-2(b) Meeker Interpretive Plan. In consultation with a qualified historic preservation professional, an interpretive plan for the property shall be produced, focusing on the significant historic themes associated with the property. The plan may consist of a public display or other suitable approach to interpreting the history of the property, as determined by the City of Long Beach. Such work shall be completed by a qualified historic preservation professional who satisfies the Secretary of the Interior's Professional Qualifications Standards.	Review and approval of final Meeker interpretative plan; field verification of compliance	Prior to issuance of building permits; field verification prior to issuance of occupancy permits	Once for plan review Once for field verification	PBD			

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HR-2(c) Secretary of the Interior Standards. To the greatest extent feasible, all modifications to historic building on the property shall be undertaken in conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. These alterations should not unnecessarily destroy historic materials or architectural features which characterize the property, and to the greatest extent feasible, shall be based on historical documentation and/or forensic evidence of original conditions.	Review and approval of final building plans to verify that required features are included in the project design	Prior to issuance of building permits	Once for plan review	PBD			
GEOLOGY							
GEO-1 UBC and CBC Compliance. Design and construction of the buildings proposed for the Press-Telegram Mixed Use Development shall be engineered to withstand the expected ground acceleration that may occur at the project site. The calculated design base ground motion for the site shall take into consideration the soil type, potential for liquefaction, and the most current and applicable seismic attenuation methods that are available. All on-site structures shall comply with applicable provisions of the 1997 Uniform Building Code and the 1998 California Building Code.	Review and approval of final building plans to verify that required features are included in the project design	Prior to issuance of building permits	Once for plan review Once for field verification of compliance	PBD			
GEO-2 Additional Geotechnical and Geo-Engineering Analysis. Prior to issuance of a building permit for the new structures, a comprehensive geotechnical investigation and geo-engineering study shall be completed to adequately assess the liquefaction potential and compaction design of the soils underlying the proposed bottom grade of any structure built as part of the proposed project, per City requirements. The borings shall be completed to at least 50 feet below the lowest proposed finished grade of the structure or 20 feet below the lowest caisson or footing (whichever is deeper). If these soils are confirmed to be prone to seismically-induced liquefaction, appropriate techniques to minimize liquefaction potential shall be prescribed and implemented. All on-site structures shall comply with	Review and approval of final building plans to verify that required features are included in the project design	Prior to issuance of building permits	Once for plan review Once for field verification of compliance	PBD			

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applicable methods of the Uniform Building Code and California Building Code. Suitable measures to reduce liquefaction impacts could include specialized design of foundations by a structural engineer, removal or treatment of liquefiable soils to reduce the potential for liquefaction, drainage to lower the groundwater table to below the level of liquefiable soils, in-situ densification of soils, or other alterations to the ground characteristics.							
GEO-3(a) Construction Fill Material Certification. All fill material used for construction shall be approved by a geotechnical or civil engineer, and all backfill and foundation sub-grade shall be certified by a geotechnical or civil engineer for proper compaction.	Review and approval of building permit applications	Prior to issuance of building permits	Once	PBD			
GEO-3(b) Backfill Material Certification. All fill material used for backfill of any below-grade levels within the project area shall be approved by a geotechnical or civil engineer. In addition, the backfill shall be certified by a geotechnical or civil engineer for proper compaction.	Review and approval of building permit applications	Prior to issuance of building permits	Once	PBD			
GEO-4(a) Geotechnical Investigations. Appropriate geotechnical, and geo-engineering investigations, as mandated by the building codes, and City of Long Beach shall be performed prior to the design of any structure. Proper engineering design and conformance with recommendations presented in the comprehensive geotechnical report for the project, in compliance with current building codes are required by the City, will reduce the identified potential geotechnical impacts to a level that is less than significant.	Review and approval of building permit applications	Prior to issuance of building permits	Once for plan review Once for field verification of compliance	PBD			
GEO-4(b) Temporary Shoring. If constructed at angles greater than approximately 2:1, temporary cut slopes in terrace deposits are susceptible to sloughing and failure. Temporary shoring can be designed to protect the temporary excavations, structures to remain in place, and adjacent properties. This shoring shall be designed to the	Review of final shoring plans and building permit applications	Review of final shoring plan prior to issuance of grading permits	Once for plan review Once for field verification of compliance	PBD			

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satisfaction of the project civil engineer and take into account all lateral load parameters and the possible presence of groundwater at the bottom grade of the excavations or the base of the shoring soldier piles (used).							
GEO-4(c) Safety Standards. All excavations for parking structures, or buildings shall comply with all applicable regulations of the California Occupational Safety and Hazard Administration guidelines as they pertain to excavations.	Review and approval of building permit applications	Prior to issuance of building permits	Once	PBD			
GEO-4(d) Groundwater. Excavations for underground parking, deep foundations, or deep utilities may encounter ground water. Dewatering may be necessary for excavations. Testing of groundwater to be discharged offsite would be necessary and proper disposal or treatment may be necessary if the groundwater does not meet regulatory standards. Waterproofing would be needed for underground structures sensitive to moisture or inundation. Underground structures would need to be designed for the hydrostatic pressures of potential ground water unless permanent dewatering systems are installed. The removal systems shall be designed to prevent the structure from flooding.	Review and approval of the dewatering plan to ensure that it meets the requirements stated	Prior to issuance of building permits	Once	PBD			
GEO-5 Soil Expansion Analysis. Prior to issuance of a building permit, soil samples of final sub-grade areas and excavation sidewalls shall be collected and analyzed for their expansion index. For areas where the expansion index is found to be greater than 20, grading and foundation designs shall be engineered to withstand the existing conditions. The expansion testing may be omitted if the grading and foundations are engineered to withstand the presence of highly expansive soils.	Review and approval of required soil expansion analysis and associated recommendations	Prior to issuance of a building permit	Once	PBD			
GEO-6(a) Best Management Practices. Pursuant to the Long Beach Municipal Code Section 18.95.050 Development Construction: prior to the issuance of any building or grading permit for any project, the construction	Review and approval of construction plans	Prior to issuance of a building permit	Once for plan review Once for field	PBD and OCM			

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plans shall include features meeting the construction activities BMPs (CA-10 through CA-12, CA-20, CA-21 and CA-23, and CA-30 through CA-32) and the applicable provisions of the erosion and sediment control BMPs (ESC-1 through ESC-56) published in the "California Storm Water Best Management Practice Handbooks (Construction Activity) (1993)," and BMP (CD-4(2)) of the "Caltrans Storm Water Quality Handbooks, Construction Contractor's Guide and Specifications (1997)," to ensure that every construction site meets the requirements of the regulations during the time of construction.			verification of compliance				
GEO-6(b) Covering and Removal of Stockpiles. All stockpiles of excavated material shall be covered with an impervious material during storage and shall be removed from the site within 3 weeks of being excavated or they shall be used for grading or backfill if the material fulfills the requirements of measures GEO-3(a and b) above.	Field verification of compliance	During construction	Periodically during construction	PBD			
HAZARDS							
HAZ-1(a) Lead-Based Paint and Asbestos Surveys. Prior to issuance of a demolition or renovation permit, a lead-based paint and asbestos survey shall be performed by a licensed sampling company. All testing procedures shall follow California 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 California and Federal standards.	Review and approval of required asbestos surveys and associated recommendations	Prior to issuance of a demolition or renovation permit	Once	PBD			
HAZ-1(b) Asbestos Removal. Prior to any demolition or renovation, onsite structures that contain asbestos must have the asbestos containing material removed according to proper abatement procedures recommended by the asbestos consultant. All abatement activities shall be in compliance with California and Federal OSHA, and with the South Coast Air Quality Management District requirements. Only asbestos trained and certified abatement personnel shall	Confirmation that asbestos material is removed according to California and Federal OSHA, and with the South Coast Air Quality Management District requirements	Prior to any demolition or renovation	Once for report review Periodically during construction	PBD and OCM			

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be allowed to perform asbestos abatement. All asbestos containing material removed from onsite 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, where the material was moved to, and include 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.							
HAZ-1(c) Lead Removal. Prior to the issuance of a permit for the renovation or demolition of any structure, a licensed lead-based paint consultant shall be contracted to evaluate the structure 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 California and Federal OSHA, and with the South Coast Air Quality Management District 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. In addition, the material shall be taken to a landfill or receiving facility licensed to accept the waste. Following completion of the lead based paint abatement, the lead based paint consultant shall provide a report documenting the abatement procedures used, the volume of lead based paint removed, where the material was moved to, and include 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.	Confirmation that structures have been evaluated for lead-based paint	Prior to the issuance of a permit for the renovation or demolition of any structure	Once for report review Periodically during construction	PBD and OCM			

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HAZ-2(a) Excavation and Demolition Contingency Plans. All excavation and demolition projects conducted within the Press Telegram Site area shall have a contingency plan to be implemented in the event that contaminants or structural features that could be associated with contaminants or hazardous materials are suspected or discovered. The contingency plan shall identify appropriate measures to be followed if contaminants are found or suspected. The appropriate measures shall identify personnel to be notified, emergency contacts, and a sampling protocol to be implemented. The excavation and demolition contractors shall be made aware 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 excavation or demolition, and identify the person authorized to make that determination.	Review and approval of required excavation and demolition contingency plan	Prior to issuance of a demolition or renovation permit	Once	PBD and OCM			
HAZ-2(b) Soil Sampling. If contaminants are detected, the results of the soil sampling shall be forwarded to the local regulatory agency (Long Beach/Signal Hill CUPA, Los Angeles Regional Water Quality Control Board, or the State of California Environmental Protection Agency Department of Toxic Substances Control). The agency should review the data and either sign off on the property or determine if any additional investigation or remedial activities are deemed necessary.	Review and approval of soil sampling data	Prior to issuance of a demolition or renovation permit	Once	PBD and OCM			
HAZ-2(c) Soil Remediation. If concentrations of contaminants warrant site remediation, contaminated materials shall be remediated either prior to construction of structures or concurrent with construction. The contaminated materials shall be remediated under the supervision of an environmental consultant licensed to oversee such remediation. The remediation program shall also be approved by a regulatory oversight agency,	Confirmation that contaminated materials has been remediated.	Prior to construction of structures or concurrent with construction	Once During and after remediation if contamination found	PBD and OCM			

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such as the (Long Beach/Signal Hill Unified Program Agency CUPA), Los Angeles Regional Water Quality Control Board, or the State of California Environmental Protection Agency 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 project, the remediation approach implemented, and the analytical results after completion of the remediation, including all waste disposal or treatment manifests.							
HAZ-2(d) Groundwater Sampling and Remediation. If, during the soil sampling, groundwater contamination is suspected, or if soil contamination is detected at depths at or greater than 30 feet below grade, then the applicant shall perform a groundwater sampling assessment. If contaminants are detected in groundwater at levels that exceed maximum contaminant levels for those constituents in drinking water, or if the contaminants exceed health risk standards such as Preliminary Remediation Goals, one in one million cancer risk, or a health risk index above 1, then the results of the groundwater sampling shall be forwarded to the appropriate regulatory agency (Long Beach/Signal Hill Unified Program Agency CUPA), Los Angeles Regional Water Quality Control Board, or the State of California Environmental Protection Agency Department of Toxic Substances Control). The agency shall review the data and sign off on the property or determine if any additional investigation or remedial activities are deemed necessary.	Confirmation that applicant has performed groundwater sampling	Prior to issuance of a demolition or renovation permit	Once During and after remediation if contamination found	PBD and OCM			
LAND USE AND PLANNING							
LU-3(a) Site Plan Review. Prior to the issuance of any building permit, the applicant shall continue to work with City staff to address the issues raised during the Conceptual Site Plan Review process to the satisfaction of the Planning Commission. The project plans	Review and approval of final building plans to verify that required features are included in the project design	Prior to the issuance of building permit	Once	PBD			

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submitted for Site Plan Review approval shall incorporate all required revisions to the satisfaction of the Planning Commission.							
LU-3(b) Zoning Code Amendment. The City of Long Beach shall approve an amendment to the Downtown Planned Development District (PD-30) to allow building heights of 250 feet and densities of 217 dwelling units per acre prior to or concurrent with approval of the Press Telegram project; or the proposed project shall be redesigned to comply with the current standards of PD-30.	Confirmation that project complies with zoning code or zoning code amendments	Prior to the issuance of building permit	Once	PBD			
NOISE							
N-2(a) Rooftop Ventilation. Parapets shall be installed around all rooftop ventilation systems.	Review and approval of final building plans to verify that required features are included in the project design	Prior to issuance of building permit	Once	PBD			
N-2(b) Trash/Products Pick-Up and Deliveries. All trash or product pickups and deliveries shall be restricted to daytime operating hours (7:00AM to 10:00 PM Monday through Friday, and 8:00 AM to 10:00 PM on weekends).	Review and approval of the solid waste pick up and delivery times to verify that they comply with requirements	Prior to issuance of building permit	Ongoing	PBD			
N 3(a) Diesel Equipment Mufflers. All diesel equipment shall be operated with closed engine doors and shall be equipped with factory recommended mufflers.	Field verification of compliance	During construction	Periodically throughout construction	PBD and OCM			
N 3(b) Electrically-Powered Tools. Electrical power shall be used to run air compressors and similar power tools.	Field verification of compliance	During construction	Periodically throughout construction	PBD and OCM			
N 3(c) Additional Noise Attenuation Techniques. For all noise generating construction activity on the project site, additional noise attenuation techniques shall be employed to reduce noise levels. Such techniques shall include, but are not limited to, the use of sound blankets	Field verification of compliance	During construction	Periodically throughout construction	PBD and OCM			

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on noise generating equipment and the construction of temporary sound barriers between construction sites and nearby sensitive receptors.							
TRANSPORTATION AND CIRCULATION							
T-1(a) Magnolia Avenue/6th Street. The applicant shall either add an eastbound turn lane or a northbound right-turn lane. Any physical modifications to the intersection shall require the prior approval of City Traffic Engineer. If traffic volume reduction or geometric solution is not implemented, then the Project's impact would be considered significant and unavoidable.	Approval of roadway improvement design and verification that the improvement has been completed	Design approval prior to issuance of building permits; completion of the improvement prior to issuance of occupancy permits	Once for design approval Once for verification of improvement completion	PW			
T-1(b) Locust Avenue/7th Street Intersection. To improve traffic operations and safety at this intersection, the applicant shall be responsible for modernizing the traffic signal to current City standards per the direction of the City Traffic Engineer.	Approval of signalization improvement design and verification that the improvement has been completed	Design approval prior to issuance of building permits; completion of the improvement prior to issuance of occupancy permits	Once for design approval Once for verification of improvement completion	PW			
T-1(c) Locust Avenue/6th Street Intersection. To improve traffic operations and safety at this intersection, the applicant shall be responsible for modernizing the traffic signal to current City standards per the direction of the City Traffic Engineer.	Approval of signalization improvement design and verification that the improvement has been completed	Design approval prior to issuance of building permits; completion of the improvement prior to issuance of occupancy permits	Once for design approval Once for verification of improvement completion	PW			
T-1(d) Pine Avenue/7th Street Intersection. To improve traffic operations at this intersection, the applicant shall be required to modify the southwest corner of the intersection per the direction of the City Traffic Engineer.	Approval of roadway improvement design and verification that the improvement has been completed.	Design approval prior to issuance of building permits; completion of the improvement prior to issuance of	Once for design approval Once for verification of improvement completion	PW			

Key: PWD – City of Long Beach Public Works Department
 PBD – City of Long Beach Planning and Building Department
 OCM – Onsite Construction Manager

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
		occupancy permits					
T-3 Parking Management. The project applicant shall complete a parking demand study, including a shared parking analysis, after a class program is defined in order to determine whether the amount of parking proposed is sufficient to adequately accommodate the anticipated demand. The results of the analysis shall be subject to the review and approval of the City traffic engineer. If the parking demand study determines that the parking proposed for the project would be sufficient, a variance shall be requested in accordance with the City's Zoning Regulations. However, if the study determines that parking would be insufficient and the variance request is denied, the project shall meet the City's parking requirements in accordance with the Zoning Regulations.	Review and approval of parking demand study to verify that required features are included in the project design	Prior to issuance of building permit	Once	PW			
UTILITIES AND SERVICE SYSTEMS							
U-1 On-site Water Line Abandonment and Installation of New Water Line. The project applicant shall abandon the existing water line on site in accordance with Long Beach Water Department standards. A new 8-inch water line shall be installed in accordance with Long Beach Water Department standards. The size and location will depend on the final configuration of development and the Fire Department's fire flow requirements.	Review and approval of final building plans to verify that requirements are included in the project design	Prior to issuance of building permit	Once to verify abandonment Once to ensure installation of new line meets specifications	PW			

Key: PWD – City of Long Beach Public Works Department
 PBD – City of Long Beach Planning and Building Department
 OCM – Onsite Construction Manager

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
U-2(a) On-site Sewer Line Abandonment. The project applicant shall abandon the existing 8-inch sewer line on site. The sewer line shall be abandoned near the property line in accordance with Long Beach Water Department standards. Minor improvements may be required for this abandonment. The applicant shall consult with the City and the Long Beach Water Department for required procedures and improvements.	Review and approval of final building plans to verify that required features are included in the project design	Prior to issuance of building permit	Once to verify abandonment Once to ensure improvements meet specifications	PW			
U-2(b) Off-site Sewer Line Replacement. The project applicant shall replace the existing 10-inch sewer line at the intersection of 6th Street and Solano Court in order to accommodate the increased wastewater volume expected as a result of the proposed project. The 10-inch line shall be replaced with a 15-inch line in accordance with Long Beach Water Department standards. The project applicant shall also replace the currently overloaded 18-inch sewer line at Broadway Avenue in order to accommodate the volume of wastewater estimated to result from the proposed project. The 18-inch line shall be replaced with a 30-inch or 36-inch sewer line in accordance with Long Beach Water Department standards. The applicant shall consult with the City and the Long Beach Water Department for requirements regarding sewer line replacement. Sewer conveyance improvements shall be completed prior to issuance of building permits.	Review and approval of final building plans to verify that required features are included in the project design	Prior to issuance of building permit	Once	PW			

Key: PWD – City of Long Beach Public Works Department
PBD – City of Long Beach Planning and Building Department
OCM – Onsite Construction Manager

E. Maximum Building Height.

Map 3 establishes the maximum permitted building height in both feet and stories. Elevator and mechanical equipment penthouses shall not be included in the measurement of building height. Additionally, the following roof-mounted structures may exceed the permitted building height by up to ten feet:

- Flagpoles
- solar collectors
- patio covers and other roof-top recreational amenities

Height Overlay District. Within the Height Overlay District (refer to Map 3), buildings of up to 250 feet may be constructed provided that the project meets one of the following criteria, to the satisfaction of the Director of Planning and Building:

- LEED Silver Certification; or
- A minimum of 10 percent of all residential units shall be deed restricted as affordable to households earning up to 150 percent of the County Median Family Income (MFI).

F. High-rise Development Standards.

These standards apply to all high-rise development in the Downtown Planned Development District. For the purposes of this section, high-rise development is defined as buildings with a height of 100' or more.

1. Each building must have a clearly defined base, middle, and top. The base should include the first two to three floors and should relate to the pedestrian environment at street level.
2. The minimum floor to ceiling height for a residential development shall be 9' (this height may be reduced in kitchen, bathroom and closet areas).
3. Where a roof top is to be used for residential common open space, the roof top shall incorporate recreational uses, landscaping and decorative paving materials.
4. On-grade and above-grade parking garages shall be screened in accordance with the Design Standards in Division VIII.

RED LINED VERSION (one page)

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

1 Section 1. The Downtown Planned Development District (PD-30) is
2 hereby adopted and restated in its entirety as set forth in Exhibit "A", which exhibit is
3 attached hereto and incorporated herein by this reference.

4 Sec. 2. The City Clerk shall certify to the passage of this ordinance by the
5 City Council of the City of Long Beach and cause the same to be posted in three
6 conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first
7 day after it is approved by the Mayor.

8 I hereby certify that the foregoing ordinance was adopted by the City Council of
9 the City of Long Beach at its meeting of _____, 2007, by the
10 following vote:

11 Ayes: Councilmembers: _____

12 _____

13 _____

14 _____

15 Noes: Councilmembers: _____

16 _____

17 Absent: Councilmembers: _____

18 _____

19 _____

20 _____

21 City Clerk

22 _____

23 Approved: _____

24 Mayor

25 _____

26 _____

27 MJM:kjm 3/5/07 #07-01043

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DOWNTOWN PLANNED DEVELOPMENT DISTRICT (PD-30)

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Ordinance History: C-7694, 2000; C-7719, 2000; C-7830, 2002; C-7884, 2003, C-7950, 2004; 05-0009, 2005; 05-0042, 2005; 06-0033, 2006; 06-0043, 2006; 06-0049, 2006

Division I. Intent of the Downtown Planned Development Ordinance

The intent of this Planned Development Ordinance is to implement the following goals and objectives:

- Long Beach will build its downtown into a multi-purpose activity center of regional significance, offering a wide variety of activities which result in an environment that is attractive and exciting during both the daylight and evening hours.
- Planning efforts must focus on connecting the various “districts” of Downtown into a cohesive and functional whole which coordinates the activities of the downtown proper not only amongst themselves but in conjunction with the redevelopment of the downtown shoreline.
- Long Beach will support efforts aimed at preserving significant historic and cultural places and buildings. New buildings should respect and complement existing historic structures. The City supports the development of cultural and artistic offerings in the downtown.
- Quality design and materials are of paramount importance in the downtown. Architectural continuity within the downtown will be achieved through consistency in the quality of design, workmanship, and materials utilized.
- Long Beach accepts the population growth anticipated in the downtown and supports the development of more park/recreation open space, new quality residential units, added commercial/retail goods and services, and additional space for educational facilities required to support a growing downtown population.
- Long Beach will create safe, attractive and comfortable downtown streetscapes emphasizing a pedestrian focus and a quality physical environment. Long Beach will clearly define vehicular and pedestrian roles for each downtown street. Well-defined routes will create a clear linkage pattern between the various activity centers of the downtown and the downtown shoreline.
- The City intends to develop a public walkway and landscaping improvement plan for the Downtown. The future plan will address improvements such as landscaping, paving treatment and street furniture as well as funding methods.

In reviewing development proposals and land use issues, the City Council, Planning Commission, Redevelopment Agency Board and Site Plan Review Committee shall be directed by these goals and objectives.

Division II. Planning Districts

The Downtown planning area is divided into eight districts. These districts are illustrated by Map 1. The intent and general standards for each of these districts are as follows:

- **Park District**

This district has been developed as Cesar E. Chavez Park, a public park and will be dedicated in perpetuity as a public park. Development in the park is limited to park/community-related structures such as recreation and community buildings. Development should be consistent with the open character of the park. For specific standards, refer to Chapter 21.35 of the Long Beach Municipal Code (Park District).

- **Institutional and Government District**

This district contains major government buildings along with several churches and schools. Development in this district will vary based on the location of the site within the Downtown area. Lincoln Park is a public park within this district.

- **Downtown Core District**

This district is the center of Downtown. A mix of uses, including office, retail, entertainment and high density residential are encouraged. High-rise and mid-rise developments are permitted in this area.

- **Promenade District**

This district is intended to provide opportunities for a range of entertainment and visitor serving commercial uses. The Promenade shall be preserved as an essential pedestrian link between Downtown's commercial districts and the Queensway Bay development.

- **Downtown Mixed Use District**

This district applies to those areas surrounding the Downtown Core area, and for major street corridors outside of the central core. This district permits a mix of commercial and residential uses at heights of up to 100'.

- **East Village Mixed Use District**

This district is intended to provide opportunities for the continued growth of the East Village Arts District through reuse of existing buildings and new development. As envisioned, this district will contain a mix of moderate density residential uses, active ground floor storefronts, live/work spaces and arts related uses.

- **West End Residential District**

This district applies to the residential area west of the Downtown core. This district is intended to provide moderate to high density housing opportunities for persons working in the Downtown area.

- **East Village Residential District**

New development in this residential district is limited to low to moderate densities, consistent with the character of the residential area in the vicinity of the Saint Anthony's campus.

Division III. Commercial and Mixed Use Districts

These standards apply to the Downtown Core Mixed Use District, Promenade District, East Village Mixed Use District and Downtown Mixed Use District.

A. Permitted Uses

1. Table of Permitted, Discretionary and Prohibited Uses

Table 1 on the following pages defines the uses permitted in the Mixed Use Districts, the Downtown Core District and the Promenade Commercial district. The table uses the following abbreviations:

Y = Yes (permitted use).

N = Not permitted.

C = Conditional use permit required. For special conditions, refer to Chapter 21.52.

A = Accessory use. For special development standards, refer to Chapter 21.51.

AP= Administrative use permit required. For special conditions, refer to Chapter 21.52.

T = Temporary use subject to provisions contained in Chapter 21.53.

IP = Interim park use permit required. For special conditions, refer to Chapter 21.52.

2. Adult Entertainment

Any business considered an “adult entertainment business”, as defined in Subsections 21.15.110A through 21.15.110K of the Long Beach Municipal Code, shall be regulated in the same manner as a similar non-adult entertainment business and shall be subject to the Special Development Standards, Section 21.45.110 (Adult Entertainment Businesses).

B. Residential Development In Commercial and Mixed Use Districts

Residential Development in the Mixed Use Districts shall comply with the densities and development standards established in Division IV (Residential Districts) of this document.

Downtown Planned Development District (PD-30)

TABLE 1 - Uses in the Commercial and Mixed Use Districts

		Promenade District	Downtown Core District	Downtown Mixed Use District	East Village Mixed Use District
ALCOHOLIC BEVERAGE SALES:	Off-premise sales	C	C ^(a)	C ^(a)	C ^(a)
	On-premise sales	Y	Y	C ^(a)	C ^(a)
AUTOMOBILE (VEHICLE USES):	Auto Detailing (with hand held machines only)	AP ^(b)	AP ^(b)	AP ^(b)	AP ^(b)
	Car Wash	N	N	N	N
	Gasoline Sales	N	N	C	C
	General Auto Repair (body work, painting, etc.)	N	N	N	N
	Minor Auto Repair, Tune-Up & Lube, Smog Test	AP ^(b)	AP ^(b)	AP ^(b)	AP ^(b)
	Limousine Service (Does not include auto repair)	N	AP/A ^(c)	AP	AP
	Motorcycle/Jet Ski Sales & Repair	N	N	N	N
	Surface Parking Lot- principal use	AP ^(d)	AP ^(d)	AP	AP
	Parking Structure- principal use	N	AP	AP	AP
	Recreational Vehicle Storage	N	N	N	N
	Rental Agency (does not include repair)	N	AP/A ^(c)	AP	N
	Sales (outdoor)	N	N	N	N
	Sales (indoor showroom only)	N	Y	Y	AP
	Towing	N	N	A	A
	Vehicle Parts (with installation; Tire Store	N	N	N	N
	Vehicle parts (without installation)	N	AP	AP	AP
BILLBOARDS:	Mini-poster or Poster Board	N	N	N	N

Downtown Planned Development District (PD-30)

TABLE 1 - Uses in the Commercial and Mixed Use Districts					
		Promenade District	Downtown Core District	Downtown Mixed Use District	East Village Mixed Use District
BUSINESS OFFICE SUPPORT:	Copy, Fax, Mail Box, or Supplies	Y	Y	Y	Y
	Equipment Sales, Rental, or Repair	N	Y	Y	Y
	Off-set Printing	N	AP	AP	AP
ENTERTAINMENT	Amusement Machines (4 or fewer)	A	A	A	A
	Dancing (accessory use)	Y	Y	Y	Y
	Hall Rental	Y	AP	AP	AP
	Banquet Room Rental (within a restaurant/hotel)	A	A	A	A
	Live or Movie Theater (w/100 seats or less)	Y	Y	Y	Y
	Movie Theater, IMAX, IWORKS or Live Theater (w/100 + seats)	Y	Y	C	C
	Private Club, Social Club, Night Club, Pool Hall (e)	Y	Y	C	C
	Restaurant with Entertainment (e)	Y	Y	Y	Y
	Arcade, Bowling Alley, Miniature Golf, Tennis Club, Skating Rink	C	C	C	C
	Computer Arcade	C	C	C	C
FINANCIAL SERVICES:	ATM (walk-up machine)	Y	Y	Y	Y
	Bank, Credit Union, Saving & Loan (without drive-thru window)	Y	Y	Y	Y
	Bank, Credit Union, Saving & Loan (with drive-thru window)	N	N	AP	AP
	Check Cashing	N	N	A ^(k)	A ^(k)

Downtown Planned Development District (PD-30)

TABLE 1 - Uses in the Commercial and Mixed Use Districts					
		Promenade District	Downtown Core District	Downtown Mixed Use District	East Village Mixed Use District
	Escrow, Stocks & Bonds Broker	Y	Y	Y	Y
INSTITUTIONAL USES:	Church or Temple	N	C	C	C
	Convalescent Hospital or Home	N	N	C	C
	Crematorium	N	N	N	N
	Day Care or Pre-school	AP ^(f)	Y ^(f)	Y	Y
	Elementary or Secondary School	N	AP	AP	AP
	Industrial Arts Trade School or Rehabilitation Workshop	AP	AP	AP	AP
	Museum	Y	Y	Y	Y
	Mortuary	N	N	N	N
	Parsonage	N	A	A	A
	Professional School/ Business School	Y	Y	Y	Y
	Social Service Office with or without food distribution ⁽ⁱ⁾	N	C	C	C
	Other Institutional Uses	AP	AP	AP	AP
PERSONAL SERVICES:	Bail Bonds	N	C ^(l)	N	N
	Basic Personal Services (barber/beauty shop, catering (w/o trucks), diet center, dog/cat grooming, dry cleaner, house cleaning service, locksmith, mailbox rental, nail/manicure shop, repair shop for small appliances or electronic equipment, bicycles, tailoring, shoe repair, tanning salon, travel agent, or veterinary clinic	Y	Y	Y	Y

Downtown Planned Development District (PD-30)

TABLE 1 - Uses in the Commercial and Mixed Use Districts

		Promenade District	Downtown Core District	Downtown Mixed Use District	East Village Mixed Use District
	Fitness Center/Health Club, Dance/Karate Studio	Y	Y	Y	Y
	Fortune-Telling	C	C	C	C
	Gun Repair Shop	N	N	N	N
	Laundromat	N	N	AP	AP
	Laundry (commercial customers)	N	N	N	N
	Massage Establishment	N	N	N	N
	Massage Therapy	A	A	A	A
	Recycling Center	N	N	N	N
	Recycling Collection Center for cans & bottles (staff attended)	N	N	N	N
	Recycling Containers for cans & bottles (non-attended, see Sec. 21.45.265)	A	A	A	A
	Major Household Appliance Repair Shop (stove, refrigerator, upholstery, lawn mowers, etc.)	N	N	AP	AP
	Self-Storage	N	N	N	N
	Shoe-shine Stand (indoor/outdoor)	A	A	A	A
	Tattoo Parlor	N	N	N	N
	Termite & Pest Control	N	N	N	N

Downtown Planned Development District (PD-30)

TABLE 1 - Uses in the Commercial and Mixed Use Districts					
		Promenade District	Downtown Core District	Downtown Mixed Use District	East Village Mixed Use District
PROFESSIONAL SERVICES:	Accounting, Advertising, Architecture, Artist Studio, Bookkeeping, Business Headquarters, Chiropractors, Computer Programming, Consulting, Contracting, Dentistry, Engineering, Insurance, Law, Marketing, Medicine, Photography, Professional Care Providers (MFC, MFCC, MSW, Psychiatric Nurses), Psychiatry, Psychology, Real Estate, Tax Preparation or Visitor's Information Center	Y	Y	Y	Y
RESIDENTIAL USES:	Artist Studio with Residence (see Division X for incentives in the East Village Mixed Use District)	N ^(h)	AP	AP	Y
	Caretaker Residence	A	A	A	A
	Group Home (care of six or less)	N ^(h)	Y	Y	Y
	Bonus Density Senior and/or Handicapped Housing (see Sec. 21.52.233)	N	C	C	C
	Community Correctional Re-entry Facility	N	N	N	N
	Special Group Housing (fraternity, sorority, convalescent home, shelter, boardinghouse, dormitory, convent, monastery, residential care facility, etc.)	N	N	C	C
	Single-family or Multi-family Residential (see Division IV)	Y	Y	Y	Y
RESTAURANTS & READY-TO-EAT FOODS:	Restaurants & Ready to Eat Foods without drive-thru lanes	Y	Y	Y	Y

Downtown Planned Development District (PD-30)

TABLE 1 - Uses in the Commercial and Mixed Use Districts

		Promenade District	Downtown Core District	Downtown Mixed Use District	East Village Mixed Use District
	Restaurants & Ready-to-Eat Foods with drive-thru lanes (see Sec 21.52.231)	N	N	N	N
	Outdoor Dining	A	A	A	A
	Vending Carts	AP	AP	AP	AP
RETAIL SALES:	Basic Retail Sales (except uses listed below)	Y	Y	Y	Y
	Building Supply or Hardware Store with lumber, drywall, or masonry (hardware stores w/o lumber drywall or masonry are considered "basic retail")	N	N	N	N
	Auxiliary Flower, Plant, Fruit, or Vegetable Sales (outdoor stand or nursery)	A	A	A	A
	Flower Stand or News Stand	Y(I)	Y(I)	Y(I)	Y(i)
	Gun Shop	N	N	N	N
	Itinerant Vendor	T	T	T	T
	Major Household Appliances (refrigerators/stoves/etc)	AP	Y	Y	Y
	Manufacture of Products Sold on Site	A	A	A	A
	Merchandise Mall, Indoor Swap Meet	N	N	N	N
	Outdoor Sales Events (flea mkts/ swap meet)	C	C	C	C
	Pawn Shops	N	N	N	N
	Superstore (Retail >100,000 SF with >10% non-taxable merchandise- see 21.15.2985)	N	N	N	N
	Thrift Store, Used Merchandise	N	N	C	C
	Vending Machines	A	A	A	A

Downtown Planned Development District (PD-30)

TABLE 1 - Uses in the Commercial and Mixed Use Districts					
		Promenade District	Downtown Core District	Downtown Mixed Use District	East Village Mixed Use District
TEMPORARY LODGING:	Bed & Breakfast Inn	AP	AP	AP	AP
	Hotel/Motel (more than 90 rooms)	Y	Y	C	C
	Hotel/Motel(less than 90 rooms)/ and youth hostels	C	C	C	C
TEMPORARY USES:	Carnival, Event, Fair, Trade Show, etc.	T	T	T	T
	Construction Trailer	T	T	T	T
TRANSPORTATION AND COMMUNICATION FACILITIES:	Transportation Facilities (bus terminals, cab stands, heliports, helistops)	N	C	C	C
	Electrical distribution station	N	C	C	C
	Cellular and Personal Communication Service				
	a. Freestanding monopole (see 21.52.110)	N	N	N	N
	b. Attached/roof mounted (see 21.45.115)	Y	Y	Y	Y

Endnotes to Table 1

- (a) The following alcoholic beverage sales may be exempted from the conditional use permit requirement:
1. Restaurants with alcoholic beverage service only with meals. This generally means any use with a fixed bar is not exempt. A service bar is not considered a fixed bar. A sushi bar, where alcoholic beverages are served at the same bar where meals are served, is considered serving alcoholic beverages only with meal service. A cocktail lounge without a bar, but with primarily service of only hors d'oeuvres and alcoholic beverages is not exempt. Any restaurant with more than 30 percent of gross sales consisting of alcoholic beverages shall lose its exemption and be required to obtain a conditional use permit to continue to sell alcohol.
 2. Department store or florist with accessory sale of alcoholic beverages.
 3. Grocery stores of 20,000 sq. ft. or greater with accessory sale of alcoholic beverages.
- (b) In the Promenade and Downtown Core District, auto detailing is permitted as an Administrative Use in parking structures only.

Downtown Planned Development District (PD-30)

- (c) In the Downtown Core District, limousine service and car rental agencies are permitted as accessory uses to a hotel. If such uses are not accessory to a hotel, an Administrative Use Permit is required.
- (d) Surface parking lots in the Promenade and Downtown Core District shall be limited to interim uses.
- (e) City Council hearing is required for new and transferred business licenses.
- (f) Permitted as an accessory use to an office building.
- (g) Massage therapy as a nonadult entertainment business shall be limited to an accessory use for a physician, chiropractor, health club, beauty salon, or hotel over one hundred (100) rooms.
- (h) Conversion of existing non-residential Historic Landmark buildings to residential use is permitted (see Division IX).
- (i) Requires special permit (see Section 21.45.135)
- (j) A social service office is defined as an office maintained and used as a place of business conducted by persons or entities engaged in offering on-site group counseling, treatment or recovery programs, but wherein no overnight care for patients or clients is given. For the purpose of this definition, "group" means three or more persons.
- (k) Permitted as an accessory use only to a grocery store of 10,000 square feet or greater
- (l) Permitted only as a Conditional Use within 600 feet of a police station, jail facility, or court facility.

C. Setbacks/Required Ground Floor, Pedestrian-oriented Uses

Map 2 "Downtown PD District - Building Setbacks" indicates the three types of street frontage within the Downtown Planned Development area. These three types of frontages are as follows:

- Frontages requiring a zero setback and ground floor, pedestrian-oriented uses. Along these street frontages new buildings must be constructed at the street property line(s) and the ground floor of new buildings must have pedestrian-oriented uses.
- Frontages with zero setbacks that are subject to development standards, but which do not require ground floor, pedestrian-oriented uses. Along these street frontages, new buildings must be constructed at the property line(s), subject to specific development standards.
- Frontages that require a ten foot or fifteen foot building setback. Along these frontages a landscaped setback is required between a new building and the street property line.

Development standards for each of the three types of street frontages follow.

1. Frontages requiring a zero setback and ground floor pedestrian-oriented uses

New development in these areas, as indicated on Map 2, must incorporate pedestrian-oriented uses on the first level. Pedestrian-oriented uses are defined as follows:

- Restaurants & ready-to-eat foods
- Retail sales
- Personal service uses
- Bars/Cocktail lounges
- Lobbies of: hotels, office buildings, residential developments, movie/live theaters, or of any other entertainment uses
- Public plazas and outdoor dining areas.

Development standards for frontages with zero setbacks and pedestrian oriented uses are:

- a. Required Pedestrian-oriented Uses.
Pedestrian-oriented uses shall occupy at least 60% of the ground floor building frontage on streets where active pedestrian uses are required.
- b. Required Zero Building setback.

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At least 60% of the ground floor building frontage shall be constructed with a zero setback on streets where pedestrian-oriented uses are required. Arcades and colonnades built with a zero setback can be used to satisfy this requirement.

If the remaining portion of the ground floor of a building is setback, it shall not be more than 20' in length nor setback more than 12' from the property line.

c. Arcades and Colonnades.
The clear width of the walkway between the columns and the building wall shall be a minimum of 8 feet.

d. Display/Clear Window Requirement.

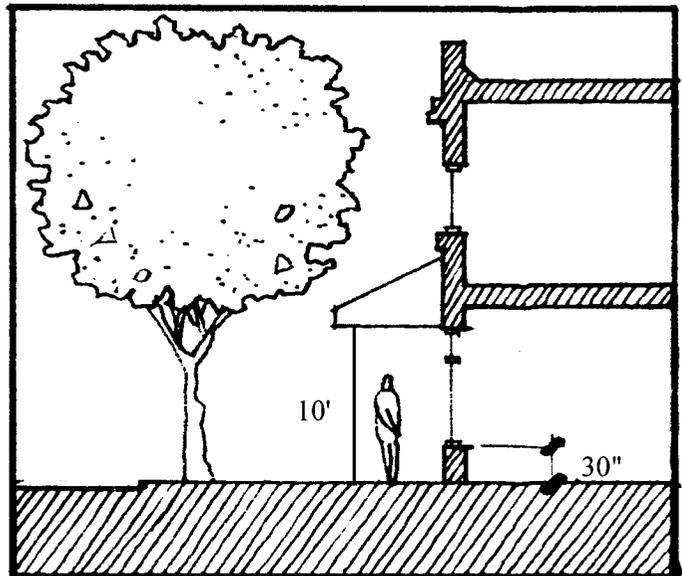
Clear, non-reflective display windows/doors shall comprise at least 60% of the ground floor street facade of pedestrian-oriented uses. The maximum height of the bottom sill of required display windows shall not exceed 30" above the adjacent sidewalk. The minimum head height for storefronts and windows at the ground floor should be 80 inches above the adjacent sidewalk.



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- e. **First Floor Elevation.**
The first level of buildings which require ground floor pedestrian-oriented uses shall have a floor elevation which approximates the elevation of the adjacent sidewalk.
- f. **Vehicular Driveway Access.**
Vehicular driveway access is prohibited along frontages which require pedestrian-oriented uses. Access shall be taken via the alleys serving the site or, on corner lots, the street frontage which does not require active ground floor uses. This requirement may be waived through the Site Plan Review process if necessary (see Division XI).

- g. **Awnings and Canopies.**
Encroachments such as awnings, canopies and marquees are encouraged. The minimum vertical clearance between the ground or street level and the encroachment should be 10 feet. Horizontal dimensions should relate to the bays of the building facade. The awning/canopy may encroach over the public sidewalk provided at least two feet of clearance is maintained from the street curbline. For awnings and canopies, the materials, shape, rigidity, reflectance, color, lighting, and signage, should relate to the architectural design of the building.



- h. **Entrances Facing the Street.**
Entrances to uses on ground and upper floors must open onto the public right-of-way. Entrance doors should be setback at least three feet from the property line.

2. Frontages with required zero building setback subject to standards

These frontages require a zero setback subject to the design guidelines listed below. The purpose of these standards is to provide an urban downtown environment with the best possible streetscape for pedestrians. One of the primary purposes of the standards is to avoid the construction of large expanses of blank wall adjacent to sidewalks and street frontages. The development standards for these frontages are as follows:

a. Required Zero Building setback.

At least 60% of the ground floor building frontage shall be constructed with a zero setback. Arcades and colonnades built with a zero setback can be used to satisfy this requirement.

If the remaining portion of the ground floor of a building is setback, it shall not be more than 20' in length nor setback more than 12' from the property line.

b. Arcades and colonnades.

The clear width of the walkway between the columns and the building wall shall be a minimum of eight feet.

c. Building Base.

The base of the building (the first 2'- 5' above the sidewalk) should be differentiated from the rest of the building facade with treatments such as change in material and/or color, mouldings, or built planters.

d. Building Bays.

The maximum width of a bay of blank wall, without a feature in relief or protrusion of at least 6 inches, should not be more than 25 feet. Pilasters, mouldings recessed wall panels or display features should be used to create visual bays on the street level building wall.

e. Windows.

Walls on each building at the street should have glazed opening at least every 40 feet. The plane of window glass relative to a primary building wall plane should be separate by at least 6 inches, and the sills should not be higher than four feet above the sidewalk.

f. Awnings, Canopies and Marquees.

Awnings, canopies and marquees are encouraged. The minimum vertical clearance between the ground or street level and the encroachment should be 10 feet; horizontal dimensions should relate to the bays of the building facade. The awning/canopy may encroach over the public sidewalk provided at least two feet of clearance is provided from the street curbline. For awnings and canopies, the materials, shape, rigidity, reflectance, color, lighting, and signage, should relate to the architectural design of the building.

g. Entrances Facing the Street.

Entrances to uses on ground and upper floors should open onto a public right-of-way. Entrance doors should be setback at least 3 feet from the property line.

h. Landscaping.

Landscaping at the building wall is permitted, provided the planter is part of the building facade and the earth level for planting is at a level of at least one foot above sidewalk level. Recesses, bases and projections can be employed if the setback for landscaping is not more than 5 feet.

3. Frontages with Required Ten or Fifteen foot Building Setbacks

Map 2 establishes street frontages where either a 10' or 15' building setback is required for new buildings. No structures, including subterranean and semi-subterranean parking garages, may be constructed in the required setbacks except for those projections described below:

a. For the following street frontages,

- Pacific Avenue from 3rd Street to 7th Street,
- Broadway from Golden Avenue to Pacific Avenue, &
- 3rd Street from Golden Avenue to Pacific Avenue:

- 1) Surface parking lots may be built within the setback provided a continuous 6' wide landscaped area is maintained between the parking lot and the street property line.
- 2) Treatment of the ground plane within the setback may be either planting or hardscape.
- 3) New buildings are to be built at the required setback line along at least 60 percent of the building facade.

- 4) Projections are permitted into the required setbacks in accordance with those permitted in the Commercial Zoning Districts (see Section 21.32.220 C)
- b. For all other street frontages:
 - 1) Surface parking lots may be built within the setback provided a continuous 6' wide landscaped area is maintained between the parking lot and the street property line.
 - 2) Treatment of the ground plane within the setback must be landscaped with planting.
 - 3) Projections are permitted into the required setbacks in accordance with those permitted in the Commercial Zoning Districts (see Section 21.32.220 C).

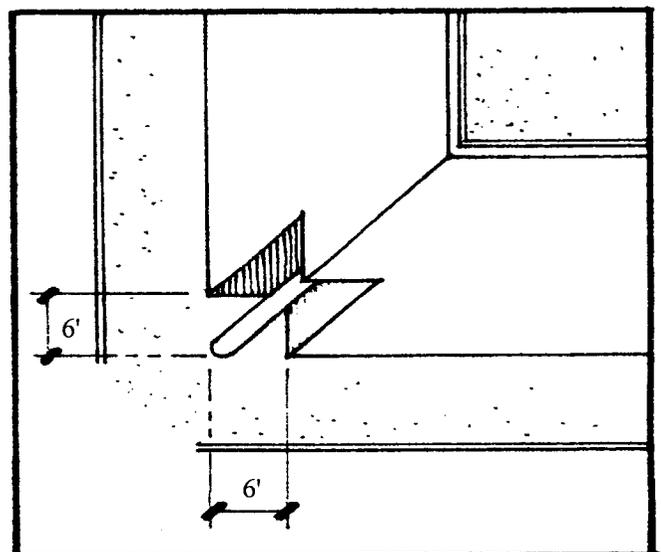
The setback requirement may be waived through the Site Plan Review process if the project design meets the intent of the development standards listed in Division XI.

4. Interior setbacks (for high-rise buildings, see section M of this Division for additional requirements)

- a. Setbacks from an alley - 10 feet from alley centerline
- b. Setbacks from an interior property line:
 - Commercial buildings - 0'
 - Residential buildings - 5'

5. Corner cut-off

At corners of properties at street intersections, intersections of streets and alleys and at intersections of driveways and property lines, new construction shall not be permitted in such a manner that it significantly impedes visibility between heights of 2 feet and 7 feet above the ground in a corner cut-off of at least 6 feet by 6 feet. One vertical support element such as a column is permitted in the corner area, if the cross-section of the element fits within a circle with a diameter of 18 inches. This requirement may be waived through the Site Plan Review process if the Director of Public



Works finds that the cut-off is not necessary for traffic safety.

D. Promenade Development Standards

These standards apply to the portion of the Promenade between Ocean Boulevard and 3rd Street.

1. Promenade development objectives

These objectives are intended to serve as the guide for the establishment of a master plan for development and use of The Promenade and the adjacent properties.

- a. Uses along the Promenade should create a high quality, attractive pedestrian environment. Business and commercial activities should add charm, excitement, vitality and diversity. Private and public uses along the promenade should generate day and night activity that is oriented to the pedestrian. These activities may include outdoor dining, retail sales, public markets, arts and crafts, shows and other similar uses.
- b. The predominant role of the Promenade is as a pedestrian mall. Automobile traffic for the general public is not permitted; vehicular traffic for emergency vehicles is provided on the Promenade.
- c. The form of the built environment and the public spaces created should enhance the character of the pedestrian environment of the Promenade. Buildings should incorporate human-scale design ideas and should establish edges that help to define usable public spaces.
- d. The Promenade should provide a strong physical link between the downtown commercial districts and Queensway Bay. Consistent streetscape treatments should be used in both areas, including paving, lighting, banners and street signs.
- e. Private development should be allowed to use part of the public right-of-way of the Promenade. However, such development shall not occur until after a master plan for development of the Promenade is approved by the Redevelopment Agency, Planning Commission and City Council. The portion of the development projected into the right-of-way shall be low-scale (2 stories) and balanced with the addition of new public spaces (such as providing a public pedestrian linkage from The Promenade to Pine Avenue or new plazas) in order to retain the pedestrian atmosphere which makes The Promenade a unique place.

2. Promenade development standards

Development along The Promenade shall adhere to the following standards:

- a. Development along The Promenade shall occur in accordance with a Master Plan. The Promenade Master Plan shall be approved by the Redevelopment Agency, Planning Commission and City Council.
- b. The existing right-of-way of the Promenade is 80 feet. Proposals for development along the Promenade that include encroachment into the right-of-way must be consistent with The Promenade Master Plan and the development objectives of The Promenade.
- c. Access for trams and for emergency vehicles shall be a minimum of twenty (20) feet in width, centered on the centerline of The Promenade. No development shall be permitted within this twenty (20) feet right-of-way.
- d. The projection into the existing right-of-way shall be limited to a maximum of thirty (30) feet (either from one side or both sides) into the eight (8) feet total right-of-way width, if and only if the following are met:
 - There is a minimum of fifty (50) feet of continuous right-of-way width at all points along The Promenade; and
 - There is additional public plaza to be created to balance the projection. Such encroachment may be a maximum of two (2) stories and not more than thirty-five (35') feet in height to the top of the roof.
- e. Development along The Promenade shall conform to the development standards in Division III. C.1. (Frontages with zero setbacks with required active pedestrian-oriented uses).
- f. The landscaping within the Promenade right-of-way, including the four rows of trees, can be altered only after an alternative streetscape plan is reviewed by the Joint Review Authority (the Redevelopment Agency and Planning Commission), and approved according to the process in Division XI Development Approval Procedures.

E. Maximum Building Height.

Map 3 establishes the maximum permitted building height in both feet and stories. Elevator and mechanical equipment penthouses shall not be included in the measurement of building height. Additionally, the following roof-mounted structures may exceed the permitted building height by up to ten feet:

- Flagpoles
- solar collectors
- patio covers and other roof-top recreational amenities

Height Overlay District. Within the Height Overlay District (refer to Map 3), buildings of up to 250 feet may be constructed provided that the project meets one of the following criteria, to the satisfaction of the Director of Planning and Building:

- LEED Silver Certification; or
- A minimum of 10 percent of all residential units shall be deed restricted as affordable to households earning up to 150 percent of the County Median Family Income (MFI).

F. High-rise Development Standards.

These standards apply to all high-rise development in the Downtown Planned Development District. For the purposes of this section, high-rise development is defined as buildings with a height of 100' or more.

1. Each building must have a clearly defined base, middle, and top. The base should include the first two to three floors and should relate to the pedestrian environment at street level.
2. The minimum floor to ceiling height for a residential development shall be 9' (this height may be reduced in kitchen, bathroom and closet areas).
3. Where a roof top is to be used for residential common open space, the roof top shall incorporate recreational uses, landscaping and decorative paving materials.
4. On-grade and above-grade parking garages shall be screened in accordance with the Design Standards in Division VIII.

G. Lot Size.

The minimum lot size for any new subdivision of existing parcels shall be 10,000 square feet.

H. Required Screening

1. Rooftop equipment.

Mechanical equipment on rooftops shall be screened from public view by solid screening devices at least as high as the equipment being screened. In the Promenade District, Downtown Core Mixed Use District and the Downtown Mixed Use District, such equipment shall also be screened from view from higher buildings to the satisfaction of the Director of Planning and Building.

2. Utility meters and Site Equipment.

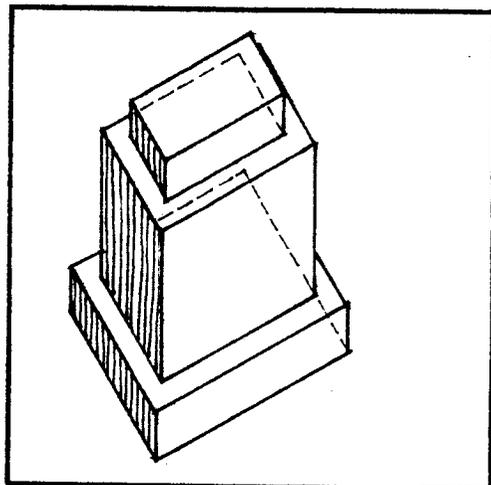
Utility meters and site equipment shall be screened from view from public rights-of-way.

3. Trash Receptacles.

Trash areas shall be screened from public view on all sides (see sec. 21.46.080 Accessory Structures for additional requirements). New construction requiring Site Plan review or a Conditional Use Permit shall be required to submit a trash pick-up and trash area maintenance schedule.

4. Loading Areas

Product loading and service areas shall be fully screened from view from a public right-of-way.



I. Signs.

1. Permitted signs/Development Standards.

All signs shall comply with the requirements of Chapter 21.44 (Signs). For properties along Pine Avenue, between Ocean Boulevards and 7th Street, signs must comply with Redevelopment Agency, Pine Avenue Sign Design Guidelines.

2. Prohibited signs.

Pole signs and freestanding signs (with the exception of monument signs with a height of 6 feet or less) are prohibited along frontages where zero setback and ground floor uses are required (see Map No. 2). In areas where monument signs are limited to 6' in height, the permitted height may be increased through the Site Plan Review process.

J. Landscaping Requirements.

The landscaping requirements of Chapter 21.42 shall apply to all new development. All new developments shall be required to provide street trees in the abutting parkway/sidewalk areas. The suggested species of street trees are specified in Appendix A. Alternative species may be approved by the Director of Planning and Building. The determination of the Director of Planning and Building may be appealed to the City Planning Commission.

K. Parking and Loading Requirements.

1. Required Parking and Loading.

Parking and loading shall be provided in accordance with the Chapter 21.41 of the Zoning Regulations. This section includes provisions for the reduction in the required number of spaces through participation in the Downtown Parking Management Program.

2. Downtown Parking Management Program.

Required parking may be provided through participation in the Downtown Parking Management Program (DPMP). The determination of the number of parking spaces required by the DPMP shall be either the number of spaces required by the Zoning Regulations (after deducting the non-conforming parking rights of the building/lease space) or the number of parking spaces required by the ratios established in the DPMP, whichever is smaller.

3. Parking Reduction - Historic Landmarks (see Division IX)

4. Parking Exemption - Outdoor Dining.

No additional parking is required for outdoor dining in the PD-30 area.

5. Parking Exemption – Conversion to Restaurants/Ready-to-Serve Uses in the East Village Mixed Use District.

In the East Village Mixed Use District restaurants and ready-to-eat food uses that are converted from a previous non-residential use shall not require additional parking.

DIVISION IV. RESIDENTIAL DISTRICTS

A. Permitted Uses

1. Residential Uses.

In addition to residential development, those uses permitted in the R-4-N district shall be permitted. Those uses which are permitted subject to an Administrative Use Permit or Conditional Use Permit shall be subject to the same processes.

2. Commercial uses at arterial intersections.

Sites located at the intersection of arterial streets (the intersections of Magnolia Avenue and 3rd, 6th and 7th Streets) shall permit the commercial uses of the CNP (Neighborhood Commercial, Pedestrian-oriented) zoning district.

3. Reuse of Historic Landmarks (see Division IX).

B. Permitted Density

Permitted density is based on lot size (except in the Downtown Core Area, where the height of proposed buildings may also effect the density permitted). Tables 2 and 3 establish the permitted densities in each sub-area. In calculating the number of units permitted on a site, the following shall apply:

1. Net Lot Area.

All densities are calculated on the basis of net lot area (existing lot size minus any required dedications for public right-of-way improvements).

2. Fractional Densities.

Fractional densities shall not be counted in determining the number of units allowed on the site.

3. Exceptions.

The following uses shall not be subject to the maximum densities set forth by Tables 2 and 3:

Downtown Planned Development District (PD-30)

- a. Conversion of non-residential Historic Landmark Buildings.
Through the Conditional Use Permit process, non-residential Historic Landmark buildings can be converted to residential uses. See Division IX.
- b. Conversions of non-residential buildings to live/work spaces in the East Village Mixed Use District and East Village Residential District (see Division X).

TABLE 2 - Downtown Planned Development Area - Permitted Residential Density				
Sub-Area	Lot Area of 0-4000 sf	Lot Area of 4001-7,500 sf	Lot Area of 7501-15,000 sf	Lot Area of 15,001 sf or larger
Promenade (6 stories or less)	1 unit	1 unit per 1,400 sf (31 units/acre)	1 unit per 800 sf (54 units/acre)	1 unit per 453 sf (96 units/acre)
East Village Residential	1 unit	1 unit per 1,400 sf (31 units/acre)	1 unit per 1,400 sf (31 units/acre)	1 unit per 1,000 sf (43 units/acre)
East Village Mixed Use	1 unit	1 unit per 1,400 sf (31 units/acre)	1 unit per 1,200 sf (36 units/acre) or 1 unit per 800 sf (54 units/acre)*	1 unit per 900 sf (48 units/acre) or 1 unit per 580 sf (75 units/acre)*
West End Residential	1 unit	1 unit per 1,400 sf (31 units/acre)	1 unit per 1,000 sf (43 units/acre)	1 units per 800 sf (54 units/acre)
Downtown Mixed Use	1 unit	1 unit per 1,400 sf (31 units/acre)	1 unit per 1,000 sf (43 units/acre) or 1 unit per 800 sf (54 units/acre)*	1 units per 800 sf (54 units/acre) or 1 unit per 580 sf (75 units/acre)*
Downtown Core (6 stories or less)	1 unit	1 unit per 1,400 sf (31 units/acre)	1 unit per 800 sf (54 units/acre)	1 unit per 453 sf (96 units/acre)

* Higher density allowed only for developments at least four stories in height. See attached "Height District" Map.

TABLE 3 - Downtown Core Sub-Area - Permitted Residential Density			
	Buildings with 6 stories or less	Buildings of 7 stories to 150'	Buildings over 150' in height
Downtown Core Sub-area	See Table 2	1 unit/315 sf (138 units/acre)	no maximum* see High Rise Development Standards in Division III.
Promenade Subarea	See Table 2	1 unit per 315 sf (138 units/acre)	Not applicable

C. Maximum Building Height.

Map Number 2 establishes the maximum permitted building heights in both feet and stories. No structures can exceed these limits except for the following:

- Elevator and mechanical equipment penthouses
- Additionally, the following structures may exceed the permitted building height by up to ten feet:
 - Flagpoles
 - solar collectors
 - patio cover and roof-top recreational amenities

D. Setbacks

1. Street setbacks.

Map Number 2 establishes areas where either a 10' or 15' building setback is required. No structures may be constructed in these setbacks except for those described in the "Permitted projections into required setbacks/setback averaging" section below.

Semi-subterranean and subterranean parking garages must comply with the required building setbacks.

2. Interior setbacks

- a. Setbacks from an alley - 15 feet from alley centerline
- b. Setbacks from an interior property line - 5'

3. Permitted projections into required setbacks/setback averaging.

- a. Permitted Projections. The projections permitted into the required setbacks shall be those permitted in the R-4-N Zoning Districts (see section 21.32.220 C).
- b. Setback Averaging. For those areas where either a 10' or 15' minimum setback is required, portions of the building may project up to 5' into the setback provided an average setback of 10' (in areas requiring a 10' minimum setback) or 15' (in areas requiring a 15' minimum setback) is maintained.

4. Fence/wall Locations

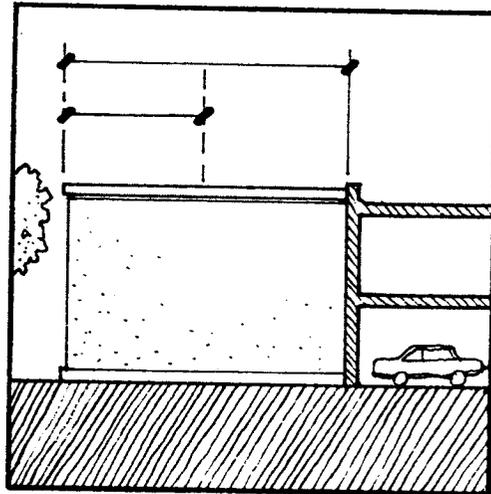
Fences and garden walls are not permitted within required street setbacks except for wrought iron/tube steel fences which may be permitted through the Site Plan Review process.

5. Corner cut-off

At corners of properties at street intersections, intersections of streets and alleys and at intersections of driveways and property lines, new construction shall not be permitted in such a manner that it significantly impedes visibility between heights of 2 feet and 7 feet above the ground in a corner cut-off of at least 6 feet by 6 feet (measured from the intersection of the property lines or the intersection of a driveway and a property line). One vertical support element such as a column is permitted in the corner area, if the cross-section of the element fits within a circle with a diameter of 18 inches. This requirement may be waived through the Site Plan Review process if the Director of Public Works finds that the cut-off is not necessary for traffic safety.

E. Location of On-Grade Parking Garages

On-grade garages must be screened on street sides by residential units, the building entrance lobby or other portions of the building. The screening requirement may be waived through the Site Plan Review process if the garage wall is architecturally integrated into the design of the upper floors and/or raised landscaped planting is provided which visually reduces the height of the garage.



F. Dwelling Unit size.

The minimum unit size for any dwelling unit shall be 450 square feet. The average unit size in each residential development shall be a minimum 900 square feet. Not more than 15% of the total units within a project may be zero bedroom studio apartments.

The Planning Commission may reduce the minimum unit size requirement for development of restricted senior housing or other special group residences.

G. Lot Size

The minimum lot size for any new subdivision shall be 10,000 sq. ft.

H. Privacy Standards.

Table 4 establishes the privacy requirements for residential development. The primary room window is defined as the largest window in the living room or combined living/dining room. The measurements shall be taken on a "line-of-sight" basis. Where there is determined to be no line-of-sight, the distance requirements shall not apply.

TABLE 4 - Residential Privacy Standards				
	Primary window of other units	Public corridor or walkway	Front or side street property line	Interior side/rear property line or blank wall
Required distance from primary room window to:	40 feet	8 feet	10 feet	15 feet

I. Residential Amenities.

Residential developments consisting of 20 or more units shall provide a common recreation/meeting room or rooms. Additionally, developments consisting of 20 units or more shall provide storage cabinets or storage rooms and/or bicycle storage areas to the satisfaction of the Director of Planning and Building.

J. Open Space.

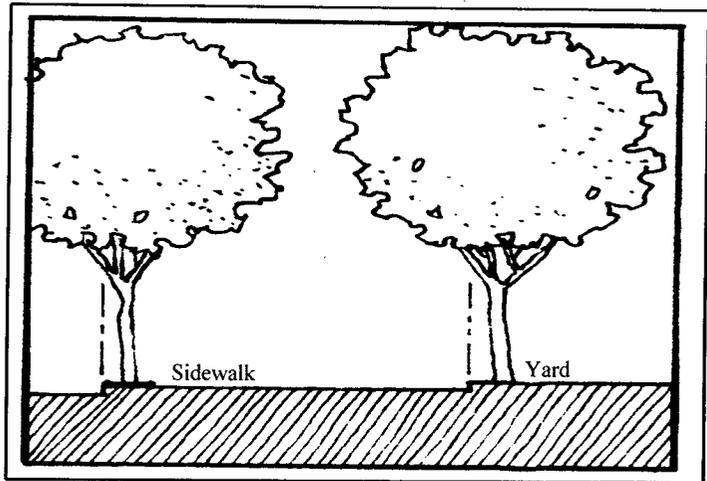
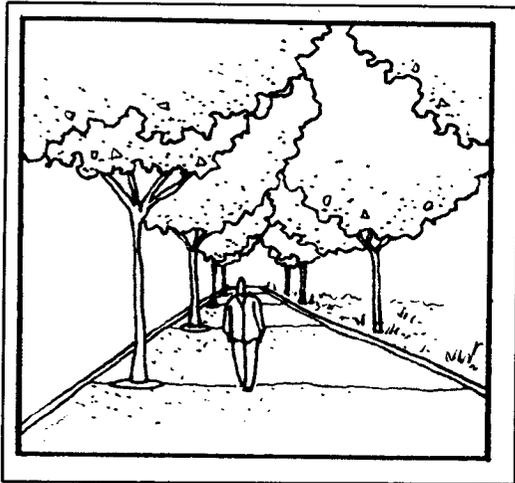
A minimum of 150 square feet of usable open space per residential unit shall be provided. Of this 150 square feet, 50% shall be provided as private open space and 50% shall be provided as common open space. The design of the open space shall comply with the open space requirements of the R-4-N district (Section 21.31.230 of the Zoning Regulations). Common open space may include, but is not limited to: roof-top decks, exercise rooms, court game areas, tot lots and swimming pools and spas.

K. Landscaping Standards.

The landscaping requirements of Chapter 21.42 shall apply to all new development. All new developments shall be required to provide street trees in the abutting parkway/sidewalk areas. The suggested species of street trees are listed in Appendix A. Alternative species may be approved by the Director of Planning and Building. The determination of the Director of Planning and Building may be appealed to the City Planning Commission.

Special Standards - 4th and 5th Streets.

These streets provide the east/west pedestrian linkages from the East Village and West End neighborhoods. To emphasize these linkages, the landscape treatment along these streets shall incorporate a double rows of trees consisting of street trees planted in the public right-of-way and trees planted in the adjacent yard setback (2 feet from the property line) as illustrated below. The trees planted in the yard setback shall be in the same species as the street trees and planted in such a manner as to provide a continuous canopy.



L. Required Screening.

1. Rooftop equipment. All mechanical equipment on rooftops shall be screened from public view by solid screening devices at least as high as the equipment being screened.
2. Utility meters. All utility meters shall be fully screened from view from public rights-of-way.
3. Trash Receptacles. All trash areas shall be screened from public view on all sides. See Section 21.46.080 (Accessory Structures) for additional requirements.

M. Parking Requirements.

The parking requirements of Chapter 21.41 of the Zoning Regulations shall apply, except that tandem parking shall be permitted for residential uses subject to the following:

1. Tandem parking may only be used for projects consisting of 20 units or more.
2. Tandem parking may only be used to satisfy the parking requirements for 1-bedroom units (in lieu of providing 1.5 spaces per unit).

Division V. Park District

This district applies to the public park on the west side of Golden Avenue. Should it be possible in the future to acquire additional parkland in the Downtown, this Division will be amended to incorporate these additional areas.

A. Permitted Uses/Development Standards.

All new uses and development shall comply with the provisions of Chapter 21.35 (Park District)

B. Parking Requirements

The number of parking spaces required shall comply with the provisions of Chapter 21.41 (off-street parking requirements). The required parking for the park shall consist of those parking spaces provided on-site as well as those curbside parking spaces on either side of the streets adjacent to the park.

C. Master Plan Required.

Prior to the commencement of construction, a Master Site Plan shall be submitted for the review and approval of the Planning Commission.

Division VI. Institutional/Government District

A. Permitted Uses.

The uses permitted in the Institutional/Governmental District shall comply with the provisions of Chapter 21.34 (Institutional District) of the Zoning Regulations.

B. Maximum Building Height.

Map number 3 establishes the maximum permitted building height in both feet and stories. No structures can exceed these limits except for the following:

- elevator and mechanical equipment penthouses

Additionally, the following structures may exceed the permitted building height by up to ten feet:

- flagpoles
- solar collectors
- patio cover and roof-top recreational amenities

C. Setbacks/Street Frontage Treatment

1. Street Setbacks. Map Number 2 indicates the three types of street frontages within the Downtown Planned Development area. The requirements for these types of frontages are described in Division III (Commercial and Mixed-Use Districts), Section C.

2. Interior Setbacks

Setback from an interior property line - 5'

Setback from an interior property line abutting an alley - 10' from alley centerline.

D. High-rise Development (buildings with a height of 100' or more) Performance Standards

High-rise development in this district shall comply with the High-rise standards in Division III. of this document.

E. Lot Size

The minimum lot size for any new subdivision of existing parcels shall be a minimum of 10,000 square feet.

F. Required Screening

1. Rooftop equipment.

All mechanical equipment on rooftops shall be screened from public view by solid screening devices at least as high as the equipment being screened.

2. Utility meters and Site Equipment.

All utility meters and site equipment shall be fully screened from view from a public right-of-way.

3. Trash Receptacles.

All trash areas shall be screened from public view on all sides. See Section 21.46.080 (Trash Receptacles) for additional requirements.

4. Loading Areas

Product loading and service areas shall be fully screened from view from a public right-of-way.

G. Signs.

Signs shall comply with the requirements of Chapter 21.44 (Signs).

Prohibited signs - Pole signs and freestanding signs (except monument signs less than six feet in height) shall be prohibited in areas where zero setbacks are permitted. Monument signs in excess of 6' can be permitted through the Site Plan Review process.

H. Landscaping Requirements.

The landscaping requirements of Chapter 21.42 shall apply to all new development. All new developments shall be required to provide street trees in the abutting parkway/sidewalk areas. The suggested species of street trees are listed in Appendix A, alternative species can be approved through the Site Plan Review Process.

I. Parking Requirements.

The parking requirements of Chapter 21.41 of the Zoning Regulations shall apply.

Division VII. Public Improvement Requirements

A. Off-site Improvements.

Developers shall comply with the requirements of Chapter 21.47 (Dedication, Reservation and Improvement of Public Rights-of-way). These improvements include repair of off-site infrastructure including curbs, sidewalks and driveways; the installation of street trees and planting of parkway strips; and in some cases, dedications to widen adjacent substandard alleys and streets.

B. Pedestrian Linkage Requirements - Fourth and Fifth Streets

Specific landscaping requirements apply to the properties fronting of Fourth and Fifth Streets. Division IV, Section K illustrates the required parkway and on-site landscaping treatment along these streets.

C. Public Art.

In the Downtown Redevelopment Project Area, projects must comply with the Percent for Public Art Program. This program requires that developers expend a minimum of one percent (1%) of the total development costs on the Art in Public Places Program. Additional information regarding this program can be obtained from the Redevelopment Agency.

D. West Gateway Master Plan.

In the West Gateway project area, all new development requiring Site Plan Review shall improve the abutting public right-of-way in accordance with the West Gateway Master Plan adopted by the Long Beach Redevelopment Agency. Off-site public improvements includes, but is not limited to, special pavement treatment, pedestrian bulb-outs, and street trees.

Division VIII. General Development Standards

A. Intent

The development standards set forth in this Division are general and apply to all buildings in the PD-30 area including both new construction and renovation projects. These standards are intended to guide all private and public parties involved in design and development to achieve the highest quality of built environment in greater downtown Long Beach. The buildings, streetscape and landscape of the downtown should enhance the stature of Long Beach as a city of international significance.

B. Building Siting & Public Art

1. Buildings should be sited to help define street space and public open spaces, in order that streets and public spaces are as active and safe as possible.
2. When public spaces are part of a development, they should be accessible and visible from a public street.
3. Siting of buildings should allow and encourage public access that is active and safe along public rights-of-way and on the development site.
4. Primary building entrances should face public streets.
5. Art work provided through the Percent for Public Art Program (Division VII, Section C. Public Art) should be visible from public streets and/or public open spaces.
6. Acceptable forms of public art may include aspects of streetscape design, in accordance with the City's public art program.

C. Building Servicing and Equipment

1. Servicing of new and renovated buildings, including garbage and deliveries, should occur on mid-block alleys whenever possible, not along street frontages. Developments occupying entire blocks may eliminate mid-block alleys only if an alternative and equivalent means of mid-block servicing is provided.

2. Servicing of new and renovated buildings, including trucks, loading docks and loading operations, should be minimally visible and audible from public streets. Roll down doors, screening, enclosures and other devices, in addition to an operational program, should be employed to minimize visibility and audibility of building servicing.
3. Mechanical, plumbing, sprinkler and electrical equipment for new and renovated buildings should be minimally visible on roofs or at ground level from public streets and from public spaces.

D. Building Design

1. Buildings should be designed to reflect the proportions and measurements of people, should have human scale, especially on the ground level.
2. Building exterior design should incorporate three dimensional elements to articulate facades and mass, to create plays of light and shadow, and to add interest to the building appearance.
3. Public streetscape should be enhanced through exterior building design; building and landscape elements of developments should address frontages of public streets.
4. Where possible, building exteriors along public streets should include active pedestrian uses, entrances, arcades and colonnades; where not possible, building exteriors along public streets should include landscaping and other pedestrian level building treatments.
5. Exterior materials of buildings should be high quality, durability and permanence. Exterior high quality masonry materials are encouraged, such as stone, brick and terra cotta for non-residential developments.

E. Residential Development

1. Residential development should provide the highest quality living environments, including usable open spaces, substantial storage space, natural light and ventilation, and provisions to ensure safety for residents.
2. Dwellings should have windows and openings which allow views to open spaces and public ways, and which provide the best natural light and ventilation for living.
3. Multi-family residential development should provide adequate and dedicated bicycle parking/storage areas.

F. Development With and Adjacent To Historic Buildings

1. Existing historic buildings are important visual and cultural resources for downtown Long Beach. Buildings that are determined to be historic should be used as references for the design of adjacent new buildings in form, materials and quality.
2. New buildings should be designed in relation to adjacent historic buildings, including elements such as siting, setbacks, entrances, form, height, materials, colors, fenestration, facade and roof elements.

G. Parking Structures

1. Where possible, the ground level of parking structures along public streets should include active pedestrian uses, entrances, arcades and colonnades; where not possible, the ground level of facades along public streets should include landscaping and other pedestrian level building treatments.
2. Parking structures which serve primarily a building or a group of buildings in a development should be compatible in architectural treatment with the architecture of the served building(s).
3. Ramps, cars and sources of artificial lighting in parking structures should be minimally visible from public streets and open spaces.

Division IX. Preservation of Historic Structures

A. Landmark Buildings.

The Downtown area contains a number of buildings which have been designated as City Historic Landmarks. A complete list of designated landmark buildings can be found in Chapter 16.52 of the Long Beach Municipal Code. [Note: Updated information on landmark status of buildings can be obtained from the Historic Preservation Officer.]

B. Alterations to Landmark Buildings

Exterior Alterations - Applications for exterior changes to designated historic landmarks must obtain a Certificate of Appropriateness from the Cultural Heritage Commission. Exterior changes subject to Cultural Heritage Review include:

1. Additions
2. Remodeling (exterior only)
3. Relocations
4. Demolitions
5. Exterior painting or other re-surfacing
6. Exterior signs
7. Window alterations
8. Awnings

Interior alterations -Interiors may be subject to Certificate of Appropriateness review if they are publicly accessible and architecturally significant. If the interior was an element of the designation, it will appear in the designation ordinance for the building.

C. Re-use of Landmark Buildings - Incentives

1. Commercial Uses

Waiver of Parking for Ground Floor Uses.

The ground floor of existing landmark buildings may be converted to restaurant, retail or entertainment use without providing additional parking.

2. Conversion to Residential Use - Waiver of Density Standards.

The Planning Commission may waive all density limits through a Conditional Use Permit provided new construction is not included in the area where density is waived and the use provides traditional residential units and not single-room occupancy hotel rooms.

3. Conversion of a Residential use to a Commercial Use

A residential landmark building located in the West End Residential District or the East Village Residential District may be converted to a commercial use through the Administrative Use Permit process.

4. State Historical Building Code

A state code exists for the rehabilitation of designated historic buildings with regard to building code issues. The intent of the State Historical Building Code is to permit flexibility in meeting the safety intentions of the code while retaining the existing archaic materials and designs inherent in historic buildings. The rehabilitation of historic buildings is facilitated by allowing code decisions based on performance standards, rather than prescriptive code standards, and is subject to the discretion of the building and fire officials.

Division X. East Village Live-Work Provisions

Intent. Home occupation businesses are currently permitted City-wide, subject to a number of conditions which require that the business activity be clearly accessory to the residential use of the building. This Division does not effect the home occupation provisions nor the ability to convert a non-residential building to traditional residential occupancy. The purpose of this Division to is broaden live-work opportunities for artists and artisans and provide greater flexibility in the use of live-work space by permitting the conversion of existing non-residential buildings in the East Village area.

A. Development Standards

The conversion of existing non-residential buildings to live-work space for artists and artisans shall be permitted, subject to the following standards:

1. Waiver of Density and open space requirements.

The density limitations set forth by Division IV. shall not apply to the conversion of existing structures to live-work occupancy.

2. Minimum Unit Size.

The minimum unit size for live-work occupancy shall be 750 square feet.

3. Separate Entrance.

Each live/work quarters shall have a separate entrance, each unit shall be clearly identified in order to provide for emergency services.

4. Unit Design.

No more than 33 percent of any live/work space shall be used for exclusive residential purpose such as sleeping area, kitchen, bathroom and closet areas. The unit shall provide as a minimum, full cooking and bathing facilities.

5. Building Permits.

All necessary building permits shall be obtained prior to the use of the space for residential occupancy.

6. Mezzanine Additions.

Mezzanine space may be added to live-work units without providing additional parking provided the area of the addition does not exceed 450 square feet per unit.

B. Uses

The permitted uses in spaces which are used for combined commercial/residential occupancy, shall be artist studios.

C. Use Limitations

1. No mechanical equipment shall be used which generates noise higher than the noise standards established for residential uses (Chapter 8.80 L.B.M.C.).
2. There shall be no outside operations, outside storage or outdoor display of materials or products.
3. No toxic, explosive, flammable, combustible or corrosive materials are stored or used on the site in quantities or in a manner that violates any provision of the Uniform Fire Code. No etiologic or radioactive materials shall be used or stored on the site at any time.
4. No process shall be used which is hazardous to public health, safety or welfare.
5. The home occupation shall not displace or block the use of parking spaces required for the residential use including any business storage in required garage parking areas.
6. Not more than two vehicles shall be used in the business. Only one vehicle may be commercially licensed.
7. The Zoning Administrator may require the discontinuance of a work activity in a live/work unit if he/she finds that as operated or maintained there has been a violation of any applicable condition or standard. The Zoning Administrator shall have the authority to prescribe additional conditions and standards of operation for any category of work activity in a live/work unit.

Division XI. Conversion of Commercial Buildings to Loft Use (Residential Lofts and Live/Work Lofts)

The following section establishes standards for the conversion of commercial buildings to loft use within the established Loft Overlay District. For the purposes of this section, a loft is defined as a residential unit or live/work space characterized by a unit size not less than 750 square feet with minimal interior demising walls, a ceiling height not less than 10 feet, and may include a mezzanine or other partial second story area. The Planning Commission may also allow projects that do not meet the loft definition to use the standards set forth in this section through the Conditional Use Permit process.

A. Conversion of Commercial Buildings to Live/Work Lofts

Division X of this title regulates conversion of existing buildings to live/work use within the East Village area. Within the Loft Overlay District (see attached Loft Overlay Map), the following standards shall apply to conversion of a commercial building to live/work lofts:

1. The minimum unit size is seven hundred fifty (750) square feet.
2. Each unit shall have a separate entrance that is clearly identified to provide for emergency services.
3. No more than thirty three percent (33%) of any unit shall be used for exclusive residential purpose such as sleeping area, kitchen, bathroom and closet areas. The unit shall provide as a minimum full cooking and bathing facilities.
4. All necessary building permits shall be obtained prior to the use of the space for residential occupancy.
5. No mechanical equipment shall be used which generates noise higher than the noise standards established for residential uses (chapter 8.80 of the municipal code).
6. There shall be no outside operations, outside storage or outdoor display of materials or products.
7. No toxic, explosive, flammable, combustible or corrosive materials are to be stored or used on the site in quantities or in a manner that violates any provision of the uniform fire code. No etiologic or radioactive materials shall be used or stored on the site at any time.

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8. No process shall be used which is hazardous to public health, safety or welfare.
9. The home occupation shall not displace or block the use of parking spaces required for the residential use including any business storage in required garage parking areas.
10. Not more than two (2) vehicles shall be used in the business. Only one vehicle may be commercially licensed.
11. The Zoning Administrator may require the discontinuance of a work activity in an artist's studio with residence if as operated or maintained there has been a violation of any applicable condition or standard. The zoning administrator shall have the authority to prescribe additional conditions and standards of operation for any category of work activity in an artist's studio with residence. (Ord. C-7729 § 9, 2001; Ord. C-7032 § 51, 1992).

B. Conversion of Commercial Buildings to Residential Lofts

1. **Density.** The density limitations set forth in Table 2 shall apply to conversions from commercial to residential use. Density waivers can be granted subject to approval of a Conditional Use Permit.
2. **Parking.** For conversions of existing buildings, one parking space shall be provided for each residential loft with a floor area less than 1,500 square feet. Residential lofts with a floor area of 1,500 square feet or greater shall require 1.5 parking spaces per unit. Additionally, one guest parking space shall be provided for every four units. No additional parking is required for ground floor commercial use. However, the Director of Planning and Building may approve a reduction in the number and configuration of the parking to account for alternate parking arrangements including use of car lifts, proximity to mass transit, constraints of the existing building, or use of other parking management measures deemed satisfactory by the Director of Planning and Building. In approving reductions in the required number of parking spaces, the Director of Planning and Building shall determine the most feasible number and configuration of parking spaces.
3. **Other Development Standards.** All other development standards set forth in PD-30 shall apply to conversions from commercial to residential use.

4. **Waiver of Development Standards.** The Site Plan Review Committee or Planning Commission may waive development Standards in accordance with the procedures set forth in Division XII.
- C. Re-use of Historic Buildings.** Division IX of this title contains the regulations related to reuse of historic buildings.

Division XII. Development Approval Process

A. Procedures

The PD-30 area is unique in that there are two agencies, the Planning Bureau and the Redevelopment Agency, which play a role in reviewing and permitting development proposals.

In reviewing and approving development plans and discretionary permits in the PD area, the City Council, Planning Commission, Redevelopment Agency and/or Site Plan Review Committee shall be guided by the following:

- 1) The goals and policies of the General Plan;
- 2) The Redevelopment Plan;
- 3) The Redevelopment Agency Design Review Process;
- 4) The development and use standards set forth by the Planned Development Ordinance and
- 5) The procedures, development and use standards set forth in Title 21 Zoning of the Long Beach Municipal Code.

B. Site Plan Review

1. Applicability.

Site Plan Review is required for all non-residential projects consisting of 1,000 square feet or more of new construction (including additions to existing buildings) and for residential projects consisting of 5 units or more of new construction.

C. Waiver of Development Standards.

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During the Site Plan Review process, the Planning Commission or Site Plan Review Committee may waive certain development standards. Such relief may only be granted if it is found that the waiver improves project design and the waiver will not degrade the environment or result in any changes to classification of land use or to density.

The development standards which may be waived are limited to:

- residential privacy requirements
- residential open space requirements
- landscaping requirements
- the prohibition against tandem parking in commercial developments (provided the tandem parking utilizes a valet service)
- average unit size for restricted senior citizen development
- screening/setback requirements

D. Conditional and Administrative Use Permits

Divisions I and IV of Chapter 21.25 of the Long Beach Municipal Code establish the procedures for uses requiring a Conditional Use Permit or an Administrative Use Permit.

E. Appeal

The applicant or aggrieved person may appeal any decision made by the Planning Commission, Site Plan Review Committee or Zoning Administrator. Such appeal shall be processed in accordance with provisions set forth by Division V of Chapter 21.21 of the Long Beach Municipal Code.

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APPENDIX A
Downtown Street Tree Species

EAST to WEST STREETS

Ninth Street from Pacific Avenue to Pine Avenue
Magnolia grandiflora/Southern Magnolia

Eighth Street from Pacific Avenue to Pine Avenue
Cupaniopsis anacardioides/Carrotwood or Tuckerroo

Seventh Street from Golden Avenue to Pacific Avenue
Pinus canariensis/Canary Island Pine

Seventh Street from Pacific Avenue to Long Beach Boulevard
Tabebuia cysotricha/Golden Trumpet Tree

Seventh Street from Long Beach Boulevard to Alamitos Avenue
Pinus canariensis/Canary Island Pine

Sixth Street from the Topaz Court to Pacific Avenue
Trintania conferta/Brisbane Box

Sixth Street from Pacific Avenue to Long Beach Boulevard
Tabebuia cysotrich/Golden Trumpet Tree

Sixth Street from Long Beach Boulevard to Alamitos Avenue
Trintania conferta/Brisbane Box

Fifth Street from Topaz Court to Pacific Avenue
Koelreuteria bipinnata/Chinese Flame Tree

Fifth Street from Pacific Avenue to Long Beach Boulevard
Tabebuia cysotricha/Golden Trumpet Tree

Fifth Street from Long Beach Boulevard to Alamitos Avenue
Koelreuteria bipinnata/Chinese Flame Tree

Fourth Street from Pacific Avenue to Long Beach Boulevard
Tabebuia cysotricha/Golden Trumpet Tree

Fourth Street from Long Beach Boulevard to Alamitos Avenue
Ulmus parvifolia/Chinese Evergreen Elm

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Third Street from Topaz Court to Pacific Avenue
Cupaniopsis anacardioides/Carrot Wood or Tuckeroo

Third Street from Pacific Avenue to Long Beach Boulevard
Pyrus kawakamii/Evergreen Pear

Third Street from Long Beach Boulevard to Alamitos
Cupaniopsis anacardioides/Carrot Wood or Tuckeroo

Broadway from Topaz Court to Pacific Avenue
Bauhinia blakeana/Hong Kong Orchid

Broadway from Pacific Avenue to Long Beach Boulevard
Tabebuia crosotrich/Golden Trumpet Tree

Broadway from Long Beach Boulevard to Alamitos Avenue
Bauhinia blakeana/Hong Kong Orchid

First Street from Pacific Avenue to Long Beach Boulevard
Tabebuia crosotricha/Golden Trumpet Tree

First Street from Long Beach Boulevard to Alamitos Avenue
Cassia leptophylla/Golden Medallion Tree

Ocean Boulevard from Golden Avenue to Alamitos Avenue
Washingtonia filifera/California Fan Palm

NORTH to SOUTH STREETS

Topaz Court from Broadway to Seventh Street
Pinus Canariensis/Canary Island Palm

Golden Avenue from Ocean to Seventh Street
Ginkgo biloba/Maidenhair Tree - male only

Main Avenue from Broadway to Seventh Street
Cupaniopsis anacardioides/Carrotwood or Tuckeroo

Daisy Avenue from Broadway to Seventh Street
Jacaranda mimosifolia/Jacaranda

Magnolia Avenue from Ocean to Seventh Street
Magnolia grandiflora/Southern Magnolia

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Chestnut Avenue from Broadway to Seventh Street
Calondendrum capense/Cape Chestnut

Cedar Avenue from Broadway to Seventh Street
Podocarpus gracilior/Fern Pine

Pacific Avenue from Ocean Boulevard to Seventh Street
Tabebuia cysotricha/Golden Trumpet Tree and Washington filifera/California Fan Palm

Pacific Avenue from Seventh Street to Ninth Street
Washingtonia filifera/California Fan Palm

Pine Avenue from Ocean Boulevard to Seventh Street
Tabebuia cysotricha/Golden Trumpet Tree and Washingtonia filifera/California Fan Palm

Pine Avenue from Seventh Street to Ninth Street
Cupaniopsis anacardioides/Carrotwood or Tuckeroo

Promenade North from Ocean Boulevard to Third Street
Robinia pseudoacacia/Black Locust

Locust Avenue from Sixth Street to Seventh Street
Tabebuia cysotricha/Golden Trumpet Tree and Washingtonia filifera/California Fan Palm

Long Beach Boulevard from Ocean Boulevard to Seventh Street
Tabebuia cysotricha/Golden Trumpet Tree and Washingtonia filifera/California Fan Palm

Elm Avenue from Ocean to Seventh Street
Ulmus parvifolia/Chinese Evergreen Elm

Linden Avenue from Ocean Boulevard to Seventh Street
Arcastrum romansoffianum/Queen or Coco Palm

Atlantic Avenue from Ocean to Seventh Street
Archontophoenix cunninghamiana/King Palm

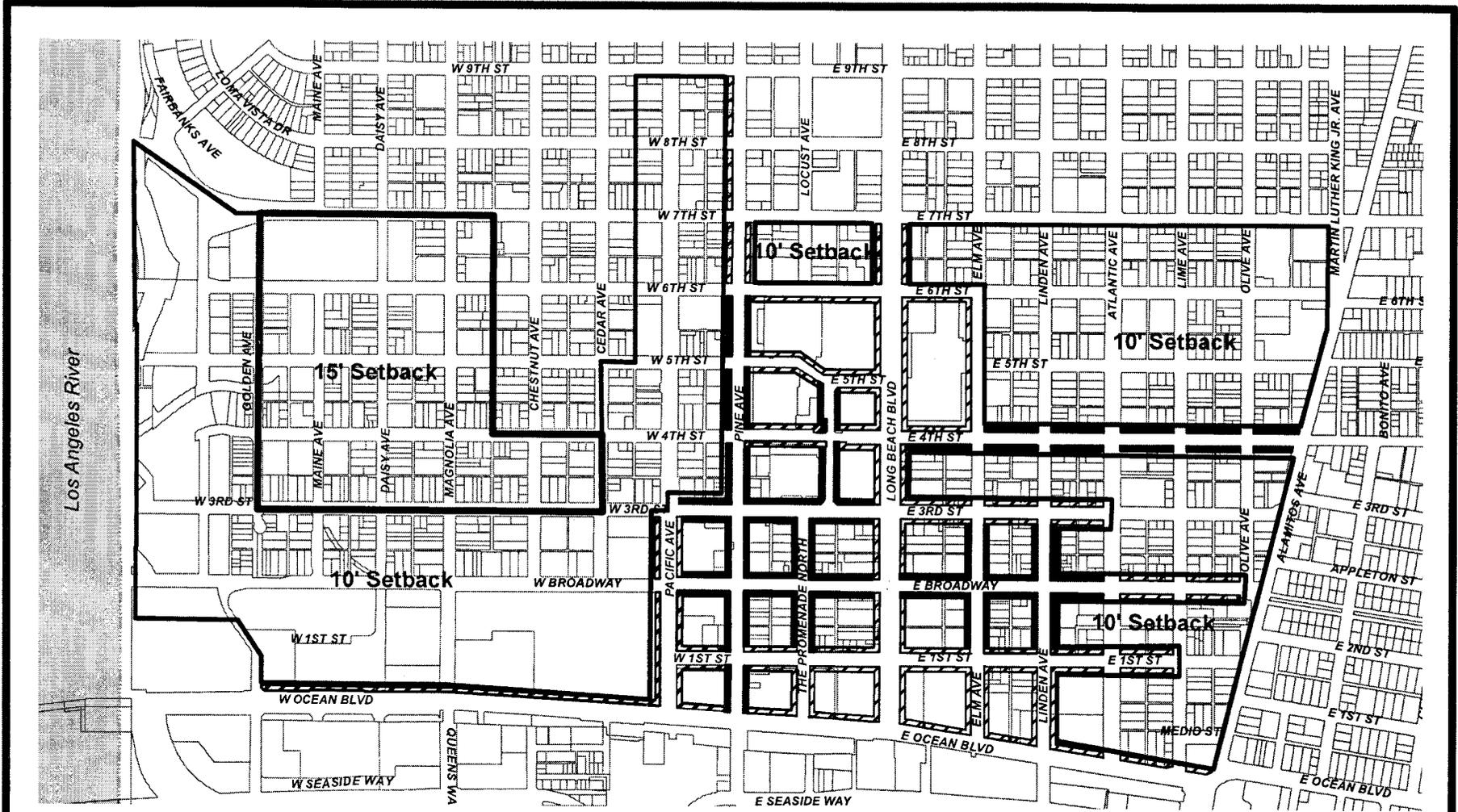
Lime Avenue from Ocean Boulevard to Seventh Street
Magnolia grandiflora/Southern Magnolia

Downtown Planned Development District (PD-30)

Olive Avenue from Broadway to Seventh Street
Jacaranda mimosifolia/Jacaranda

Alamitos Avenue from Ocean to Seventh Street
Fraxinus oxycarpa/Ash

MAP - 2



City of Long Beach
DOWNTOWN PD-30 -- BUILDING SETBACK

- Legend**
-  Required Active Ground Floor Uses (0' setback)
 -  Required Subject to design Standard
 -  10 Setback
 -  15 Setback

MAP - 3

