

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

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ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH FINDING AND DETERMINING THAT A CREDIT IS DUE AGAINST THE TRANSPORTATION IMPROVEMENT FEE APPLICABLE TO THE SHORELINE GATEWAY PROJECT LOCATED AT 777 EAST OCEAN BOULEVARD; AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT REGARDING CREDIT FOR TRANSPORTATION IMPROVEMENTS MADE IN CONNECTION WITH THE SHORELINE GATEWAY PROJECT

WHEREAS, Chapter 18.17 of the Long Beach Municipal Code imposes a Transportation Improvement Fee (“TIF” or “Impact Fee”) upon certain new residential and commercial development within the City for purposes of assuring that the transportation level of service goals of the City as set forth in the Traffic Mitigation Program are met with respect to the additional demands placed on the transportation system by traffic generated from such development; and

WHEREAS, Shoreline Development Partners, LP (“Developer”), owner of the Shoreline Gateway project located at 777 East Ocean Boulevard (“Project”), requests a Transportation Improvement Fee credit in the amount of \$369,596 for transportation improvements requested by the City that are above and beyond those required by the project; and

WHEREAS, as a new development, the Shoreline Gateway project is obligated to pay the TIF. Typically, the collection of the TIF is paid by the applicant prior to the issuance of the Certificate of Occupancy. In addition to the Shoreline Gateway development, the project has designed, permitted, and is in the process of constructing

1 transportation improvements consistent with the City’s Alamitos complete streets project
2 encouraging multi model transportation along the Alamitos corridor. Complete streets
3 elements include bicycle lanes, traffic signal improvements, reconfiguration of the
4 intersection, extended sidewalk and parkway, signage and striping and additional right of
5 way improvements necessary to implement the project. These elements were not
6 contemplated nor conditions of approval of the project entitlement. Constructing these
7 complete streets elements as part of the project ensures compatibility between the two
8 projects, minimizes phasing concerns, avoids duplication of work, and helps minimize
9 impacts at one of the City’s major intersections; and

10 WHEREAS, the Transportation Improvement Fee for the Project is
11 \$369,596; and

12 WHEREAS, Developer will construct improvements consisting of traffic and
13 street improvements at a cost of \$369,596 as is more fully set forth in Exhibit “A,” a copy
14 of which is attached hereto and incorporated herein by this reference; and

15 WHEREAS, Developer seeks offset of the Transportation Improvement Fee
16 in the amount of \$369,596; and

17 WHEREAS, such offset and credit is authorized under Chapter 18.17 of the
18 Municipal Code; and

19 WHEREAS, Developer has filed an application for a credit against the
20 Transportation Improvement Fees in accordance with the requirements of Section
21 18.17.110 of the Municipal Code, together with sufficient supporting documentation of
22 certain expenditures related to the Shoreline Gateway project located at 777 East Ocean
23 Boulevard;

24 NOW, THEREFORE, the City Council of the City of Long Beach ordains as
25 follows:

26 Section 1. Having reviewed the Application for Credit filed by the
27 Developer and all other documentary evidence before it, the City Council hereby finds
28 and determines that Shoreline Development Partners, LP is due a credit in the amount of

1 \$369,596 against the Transportation Improvement Fee otherwise payable in connection
2 with the Project.

3 Section 2. The City Manager is authorized to execute an agreement with
4 Shoreline Development Partners, LP, together with all other documents necessary to
5 carry out the terms thereof, regarding the construction of certain transportation
6 improvements in connection with the Shoreline Gateway project located at 777 East
7 Ocean Boulevard and the construction of transportation improvements consistent with the
8 City's Alamitos complete streets project along the Alamitos corridor in the City of Long
9 Beach.

10 Section 3. The City Clerk shall certify to the passage of this ordinance by
11 the 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.

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I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of _____, 2021, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s) Councilmembers: _____

City Clerk

Approved: _____

Mayor

EXHIBIT “A”

PUBLIC WORKS / DEVELOPER IMPACT FEE

Transportaiton Improvement Fee ("TIF")

2019.07.31

Shoreline Gateway	RATE	QTY	TOTAL
Trans. Impr. Fee - Commercial	\$ 4.50	6,000 sf	\$27,000.00
Trans. Impr. Fee - Residential	\$ 1,125.00	315 units	\$354,375.00
TOTAL TIF FEE			\$381,375.00

CREDIT 1: Pre-Existing Commerical Use			
CREDIT FOR PRE-EXISTING USES			
777 E. Ocean Commercial Building	\$ 4.50	(8,799) sf	(\$39,595.50)
<i>Less: Pre-Existing Use</i>			SUBTOTAL 1 - TIF FEE
			\$341,779.50

CREDIT 2: City-Requested Public Improvements, Outside Conditions of Approval	
ROW RECONFIGURATION / ALAMITOS ROAD DIET	
Reconfig Alamos Avenue (DELTA AREA)	(\$198,000.00)
Reconfigure Ocean Blvd (DELTA AREA)	(\$66,000.00)
ALAMITOS ROAD DIET STRIPING PLAN COSTS	
Signing & Striping Modifications	(\$31,000.00)
TCP SIGNING AND STRIPING PLAN PER ALAMITOS ROAD DIET	
Signing & Striping Modifications	(\$35,000.00)
<i>Subtotal City-Requested Public Improvements, Outside COA</i>	
(\$330,000.00)	

Less: City-Requested Public Improvements, Outside COA **SUBTOTAL 2 - TIF CREDIT** **\$11,779.50**

				15%	10%	10%	10%	
				Design & Eng.	Contingency	Gen. Req.	GC Fees	TOTAL
1.0	ROW RECONFIGURATION / ALAMITOS ROAD DIET							\$ 264,000
1.1	Reconfig Alamos Avenue (DELTA AREA)			\$ 127,374	\$ 20,000	\$ 15,000	\$ 17,000	\$ 18,000
	1	Demo Existing Asphalt	2765 SF	\$ 5.25	\$ 14,516			
	2	New Asphalt Paving, Base, Etc.	20 SF	\$ 8.25	\$ 165			
	3	Extruded Curb & Gutter	16 LF	\$ 22.50	\$ 360			
	4	Parkway Improvements	2765 SF	\$ 30.50	\$ 84,333			
	5	ADA Ramp (Mid-block crossing)	2 EA	\$ 14,000.00	\$ 28,000			
1.2	Reconfigure Ocean Blvd (DELTA AREA)			\$ 41,152	\$ 7,000	\$ 5,000	\$ 6,000	\$ 6,000
	1	Demo Existing Asphalt (at 'Off-Site' Portion only)	805 SF	\$ 5.25	\$ 4,226			
	2	New Asphalt Paving, Base, Etc.	15 SF	\$ 8.25	\$ 124			
	3	Extruded Curb & Gutter	7 LF	\$ 22.50	\$ 158			
	5	Modify drain inlets	1 EA	\$ 12,000.00	\$ 12,000			
	6	Parkway Improvements	808 SF	\$ 30.50	\$ 24,644			
2.0	ALAMITOS ROAD DIET STRIPING PLAN COSTS							\$ 31,000
2.1	Signing & Striping Modifications			\$ 18,683	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000
	1	12" White Limit Line	195 LF	\$ 6.50	\$ 1,268			
	2	Double Yellow Median	375 LF	\$ 4.50	\$ 1,688			
	3	Type VI Arrow Pavement Marking	2 EA	\$ 400.00	\$ 800			
	4	Type IV(L) Arrow Pavement Marking	3 EA	\$ 250.00	\$ 750			
	5	Type IV(R) Arrow Pavement Marking	2 EA	\$ 250.00	\$ 500			
	6	Bike Lane Symbol Pavement Marking	7 EA	\$ 250.00	\$ 1,750			
	7	6" White Line	475 LF	\$ 4.50	\$ 2,138			
	8	4" White Line	2930 LF	\$ 3.00	\$ 8,790			
	9	Install new sign and post	4 EA	\$ 250.00	\$ 1,000			
				<p>NOTES: Costs are associated with implementing the proposed striping along Alamos Avenue per the Alamos Avenue Road Diet Project. The City requested Iteris to include the proposed signing and striping design on the Plan Check Correction List dated January 31, 2018. New striping costs include removal of existing/conflicting striping.</p> <p>NOTES: Original staging plan did not require lane shifting on the northbound approach on Alamos but due to the 2.5' overlay (narrowing of Alamos per City Project - Alamos Road Diet) requested by the City, it was unavoidable for land shifting along Alamos to accommodate the bike lanes and lane reduction on Alamos per the Road Diet. (Original Road Diet implementation comment was part of Plan Check Correction List, dated January 31, 2018).</p>				
3.0	TCP SIGNING AND STRIPING PLAN PER ALAMITOS ROAD DIET							\$ 35,000
3.1	Signing & Striping Modifications			\$ 20,133	\$ 4,000	\$ 3,000	\$ 3,000	\$ 4,000
	1	12" White Limit Line	155 LF	\$ 6.50	\$ 1,008			
	2	Double Yellow Median	400 LF	\$ 4.50	\$ 1,800			
	3	Type I Arrow Pavement Marking	2 EA	\$ 250.00	\$ 500			
	4	Type IV(L) Arrow Pavement Marking	4 EA	\$ 250.00	\$ 1,000			
	5	Type IV(R) Arrow Pavement Marking	2 EA	\$ 250.00	\$ 500			
	6	Bike Lane Symbol Pavement Marking	1 EA	\$ 250.00	\$ 250			
	7	8" White Line	665 LF	\$ 6.00	\$ 3,990			
	8	4" White Line	2310 LF	\$ 3.50	\$ 8,085			
	9	Install new sign and post	12 EA	\$ 250.00	\$ 3,000			
				<p>NOTES: Costs are associated with shifting the northbound approach lanes to accommodate the 2.5' overlay on the north side of Alamos as requested by the City. This land shift coincides with the Alamos Road Diet Project. New striping costs include removal of existing/conflicting striping.</p>				
TOAL FEE CREDIT FOR ROW, SIGNAL, STRIPING IMPROVEMENTS OUTSIDE OF COA								\$ 330,000

Based on ITERIS files, the City proposed to include the [Alamos Road Diet](#) on the Plan Check Correction List, dated 01/31/2018 (see attached). The comment is located on [page 32; Item #15](#). The COA dated 12/17/2017 does not specifically state that any off-site improvements regarding the Alamos signing and striping shall be implemented. As stated on Page 1 of the COA (Case No. 1512-25; Item 3): "The applicant shall comply with all applicable Mitigation Measures Adopted in the Mitigation Monitoring and Reporting Program from the Shoreline Gateway EIR and Shoreline Gateway Supplemental EIR." Based on the EIR, the project does not have a significant impact at this intersection and does not require any mitigation measures. As a result, no lane reconfiguration is required. Hence, the signing and striping improvements on the final plans should be considered out of scope items.