

CONDITIONS OF APPROVAL

Site Plan Review (SPR17-083)

635–643 Pine Avenue and 636–656 Pacific Avenue

Application No. 1712-09

June 21, 2018

1. Project approvals consist of a Site Plan Review and two Lot Mergers in conjunction with the construction of two, eight-story buildings containing a total of 271 residential units, 1,305 square feet of retail-commercial floor area, and 341 parking stalls on adjacent development sites in the Downtown Planned Development District, PD-30. The six parcels that comprise the Pacific Avenue development site and the three parcels that comprise the Pine Avenue development site will be consolidated by the Lot Mergers.
2. This permit and all development rights hereunder shall terminate two years from the effective date of this permit unless construction is commenced or a time extension is granted, based on a written request submitted to and approved by the Zoning Administrator prior to the expiration of the two-year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
3. This permit shall be invalid if the owner(s) and/or 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).

Special Conditions:

4. All work shall be carried out in substantial conformance with the activities shown on plans received by the Department of Development Services, Planning Bureau, dated March 26, 2018, and approved by the Planning Commission on June 21, 2018
5. A minimum of 314 parking stalls shall be permanently maintained and in useful operation within the buildings' parking garage. The number of Electric Vehicle (EV) charging stations and spaces shall meet California Green Building Standards Code Chapter 5 Section 5.106.5.3 requirements.
6. A minimum of 64 bicycle parking spaces shall be provided for and maintained on site. The type, spacing and placement of bicycle racks shall follow the guidelines of the Bicycle Master Plan to the satisfaction of the Director of Development Services. Each of the project's bicycle storage rooms shall include a bicycle air pump and tools for tenant use. Bicycle storage rooms shall not be repurposed or converted into another function without prior Planning Bureau authorization.

7. A minimum of 11 units within the project shall be deed restricted for moderate-income households. The location, size, and type of the deed restricted units shall be consistent with the Affordable Unit Summary, Sheet A0.6 of the entitlement plan set. The applicant shall execute an Affordable Housing Regulatory Agreement and cause the same to be recorded in the Official Records of Los Angeles County restricting the subject property prior to the issuance of a Certificate of Occupancy for either building.
8. The applicant shall comply with the Mitigation Measures specified in the Mitigation Monitoring and Reporting Program (MMRP) of the Downtown Planned Development Program EIR and as described in Exhibit H – Environmental Compliance Checklist of the subject proposal’s Planning Commission Staff Report dated June 21, 2018.
9. A covenant of easement for reciprocal access permitting residential tenants and their vehicles, as applicable, to project parking areas, common open space areas, tenant amenity areas, and project interiors shall be recorded prior to the issuance of Certificate of Occupancy for either building.
10. The applicant shall complete the recordation of the Certificate of Compliance Notice of Lot Merger prior to issuance of any project building permit beyond demolition and site grading.
11. A Final Certificate of Occupancy for the Pine Avenue building shall be withheld until all inspection approvals for the Pacific Avenue building’s parking areas, common open space areas, tenant amenity areas, and the pedestrian bridge linking the two buildings have been granted. In the event Pine Avenue building Temporary Certificate of Occupancy issuance precedes that of the Pacific Avenue building, the Pine Avenue building shall be limited to occupancy of no more than 61 units until the aforementioned Pacific Avenue building elements and the pedestrian bridge linking the two buildings have received inspection approval.
12. A height elevation certificate shall be required during the project’s inspection phase for each building that has an occupiable floor height at or above 74’-6”. Buildings with an occupiable floor located more than 75 feet above the lowest level of fire department vehicle access shall be subject to the high-rise regulations of CBC Section 403.
13. Archival documentation of as-built and as-found condition shall be collected for the MADhaus building at 624 Pacific Avenue. Prior to issuance of the first demolition permit for the project, the lead agency shall ensure that documentation of the building is completed in accordance with the general guidelines of Historic American Building Survey (HABS) documentation. The documentation shall include large-format photographic recordation, a historic

narrative report, and compilation of historic research. The documentation shall be completed by a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards for History and/or Architectural History. The original archival-quality documentation shall be offered as donated material to repositories that will make it available for current and future generations. Archival copies of the documentation also would be submitted to the City of Long Beach Development Services Department, the downtown branch of the Long Beach Public Library, and the Historical Society of Long Beach where it would be available to local researchers.

14. One or several central satellite television/data receiver dish(es) shall be located on the roof of the buildings or in another utility area so that a separate satellite receiver dish is not needed for each residential and community space.
15. On-site landscaping shall be subject to LBMC Section 21.42.035 – Special Requirements for Water Efficient Landscaping. Landscaped areas shall be planted primarily with drought tolerant plant materials and 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. The Department of Development Services and the Long Beach Police Department shall have the authority to review the site for security problems, and said departments shall have the power to require additional security measures including, but not limited to, security guards, fencing, and additional security lighting if problems develop at the site.
17. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
18. Noise levels emanating from the project's common open space areas shall not exceed applicable noise standards specified in Long Beach Municipal Code. Use of the 2nd floor common open space areas and the 8th floor roof decks areas shall be restricted to the hours of 6:00 a.m. – 12:00 a.m. (midnight).
19. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Planning and Building Bureaus. These conditions must be printed on the site plan or a subsequent reference page.

20. The Director of Development Services is authorized to make 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. Any major modifications to the approved project shall be reviewed and approved by the Planning Commission.
21. Site development, including landscaping, shall conform to the approved plans on file in Long Beach Development Services. At least one set of approved plans containing Planning, Historic Preservation, Building, Fire, and, if applicable, Health Department stamps shall be maintained at the job site, at all times for reference purposes during construction and final inspection.
22. Adequately-sized trash rooms shall be designed and provided for this project as per LBMC Section 21.45.167. The designated trash rooms shall be placed in inconspicuous locations on the development site, provide for easy access, and contain a collection area for recyclable materials.
23. 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. These devices shall not be located in any front, side, or rear yard area that is adjacent to a public street. Such devices shall be properly screened with landscaping or other screening methods approved by the Director of Development Services.
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 Development Services prior to the issuance of a building permit.
25. Any graffiti found onsite must be removed within 24 hours of its appearance.

Standard Conditions:

26. If, for any reason, there is a violation of any of the conditions of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.
27. This approval is required to comply with the 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).

28. 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.
29. 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. Saturdays: 9:00 a.m. to 6:00 p.m.; and
 - c. Sundays: Not permitted
30. The applicant shall provide the following to the satisfaction of the Director of Public Works:

GENERAL REQUIREMENTS

- a. Prior to the start of any on-site/off-site construction, the Developer shall submit a construction plan for pedestrian protection, construction area perimeter fencing with custom-printed screen(s), street lane closures, construction staging, shoring excavations and the routing of construction vehicles (excavation hauling, concrete and other deliveries, etc.).
- b. The Developer proposes architectural projection encroachments into the public right-of-way that include architectural features, signage and balconies. Construction plans shall be submitted to the Department of Public Works for all projections over the public right-of-way to be reviewed for approval as to compliance with California Building Code Chapter 32, to the satisfaction of the Director of Public Works. Windows, balconies, architectural features and mechanical equipment more than 8 feet above grade is permitted 1-foot encroachment for every 1-foot rise above 8 feet, with a maximum encroachment of 4 feet.
- c. The Developer proposes encroachments into the public rights-of-way consisting of doors. All door openings swinging into public rights-of-way shall be eliminated or set back outside of the public right-of-way, to the satisfaction of the Director of Public Works.
- d. All refuse and recycling receptacles shall be subject to the standards and requirement of Long Beach Municipal Code Chapter 8.60.
- e. The Developer's site plan proposes construction within the area of an existing historical building. The preservation/relocation of the historical building will

require separate approval. If relocated, the Developer shall submit, at minimum, a traffic control plan to the Department of Public Works for review and approval to the satisfaction of the Director of Public Works.

- f. A portion of Pacific Avenue in the vicinity of the Pacific Avenue site is currently under a 5-year moratorium, with less than 1 year remaining. The Developer shall provide written approval from the City to implement any street improvements prior to the end of the existing moratorium.
- g. The north-south alley (Solana Court) adjacent to the proposed sites is currently under a 5-year moratorium, with less than 2 years remaining. The Developer shall provide written approval from the City to implement any street improvements prior to the end of the existing moratorium.
- h. Pine Avenue adjacent to the Pine Avenue site is currently under a 5-year moratorium, with 3 years remaining. The Developer shall provide written approval from the City to implement any street improvements prior to the end of the existing moratorium.

PUBLIC RIGHT-OF-WAY

Note: The Developer shall be responsible for the relocation of utility lines and/or any improvements in connection with this development; as structures cannot be built within an easement or dedicated area.

- i. The Developer's site plan shows a 5-foot dedication for alley purposes along the east-west alley (Cobre Way), currently designated as a one-way alley by Long Beach Municipal Code Chapter 10.14. The Developer shall dedicate the proposed area for alley widening purposes along Cobre Way, and improve the full width of the alley right-of-way adjacent to the Pacific Avenue site, relocating all existing facilities as necessary to accommodate the alley widening.
- j. The Developer's site plan shows 2-foot dedications along Solana Court, currently designated as a one-way alley by Long Beach Municipal Code Chapter 10.14. The Developer shall dedicate the proposed areas for alley widening purposes along Solana Court, and improve the full-width of the alley right-of-way adjacent to the Pine Avenue and Pacific Avenue sites, relocating all existing facilities as necessary to accommodate the alley widening.
- k. The Developer proposes the construction of a pedestrian bridge within Solana Court, connecting the Pine Avenue and Pacific Avenue sites. The Developer shall process an Installation and Maintenance Agreement for the proposed improvement. The Developer shall submit complete applications to the City's Public Works Department prior to a building permit. All alley improvements shall be constructed per Public Works Standards, per plans

reviewed and approved by Public Works, per California Building Code Chapter 32, and to the satisfaction of the Director of Public Works. At minimum, the Developer shall provide a 15-foot vertical clearance from the surface of the alley to the lowest part of the pedestrian bridge.

- l. The Developer's site plan proposes construction within the vicinity of existing underground/overhead utility lines. The Developer shall be responsible for resolving all matters relating to public utilities, to the satisfaction of the interested utility agency, City Department, and the Director of Public Works.
- m. The Developer shall construct all off-site improvements needed to provide full ADA accessibility compliance within the adjacent public rights-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, as determined during the plan check process, the right-of-way dedication way shall be provided.

OFF-SITE IMPROVEMENTS

Note: The Developer's site plan shows the construction of sidewalk pavement along the perimeter of the Pacific Avenue site and within the alley roadway, which is not supported by Public Works. The Developer shall reconstruct the alley paving of the adjacent alleyways as described below, extending the paving to the full width of the improved rights-of-way.

- n. The Developer shall reconstruct the full width of Cobre Way alley adjacent to the Pacific Avenue site with Portland cement concrete. All existing facilities shall be relocated by the Developer at project expense, and to the satisfaction of the Director of Public Works, to accommodate the proposed alley widening.
- o. The Developer shall reconstruct the full width of Solana Court alley adjacent to the Pine Avenue and Pacific Avenue sites with Portland cement concrete. All utility lines along the proposed alley widening shall be undergrounded by the Developer at project expense, and to the satisfaction of the Director of Public Works, to accommodate for the proposed parking garage entrances.
- p. The Developer shall reconstruct the alley intersections and curb returns at both Pacific Avenue and 7th Street, to align with the new alley widenings. Alley improvements shall be constructed with Portland cement concrete to the satisfaction of the Director of Public Works.
- q. The Developer shall provide for public street lights or install on-site alley lighting to the improved alleys adjacent to the project site, to the satisfaction of the Director of Public Works.
- r. The Developer shall check with the Long Beach Water Department at (562) 570-2300 and the Gas and Oil Department at (562) 570-2030 for scheduled

main replacement work prior to submitting alley improvement plans to the Department of Public Works.

- s. The Developer shall remove unused driveways and curb cuts, and replace with full-height curb, curb gutter and sidewalk to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete.
- t. The Developer shall construct new sidewalk pavement, curb and curb gutter along Pacific Avenue and 7th Street adjacent to the Pacific Avenue site, resulting in a 15-foot wide public sidewalk along each street frontage. Sidewalk improvements shall be constructed with Portland cement concrete to the satisfaction of the Director of Public Works.
- u. The Developer shall reconstruct cracked, deteriorated, or uplifted/depressed sections of sidewalk pavement, curb and curb gutter adjacent to the Pine Avenue site along Pine Avenue, to the satisfaction of the Director of Public Works. All sidewalk removal limits shall consist of entire panel replacements (from joint line to joint line).
- v. The Developer shall improve the parkways along Pacific Avenue and 7th Street fronting the Pacific Avenue site with new grass or drought-tolerant accent shrubbery and permeable groundcover such as decomposed granite as described in Section 21.42.050 of the Municipal Code.
- w. The Developer shall provide for new street trees with root barriers, and tree wells as needed, along Pacific Avenue, 7th Street, and Pine Avenue adjacent to the proposed sites. Any street trees requiring removal shall be relocated or replaced to the satisfaction of the Director of Public Works. The Developer and/or successors shall water and maintain all street trees, landscaping and sprinkler systems required in connection with this project. The Developer shall contact the Street Tree Division of the Department of Public Works, at (562) 570-2770, prior to beginning the tree planting, landscaping, and any irrigation system work. The Street Tree Division will assist with the size, type and manner in which the street trees are to be installed. At a minimum, parkway trees shall provide shade coverage, after five years of growth, of 50% of the total area dedicated for public right of way.
- x. The Developer shall install Custom Printed Flex Mesh screen(s), such as FenceScreen.com Series 311, or equivalent, fence screening along the perimeter of the development site, and provide for the printed graphic, to the satisfaction of the Director of Public Works. The Developer shall consult with Public Works prior to submitting the graphic design for printing.
- y. The Developer 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. All off-site improvements adjacent to the development site, and/or along the truck delivery route found damaged as a result of construction activities, shall be reconstructed or replaced by the Developer, to the satisfaction of the Director of Public Works.

- z. The Developer shall provide for the resetting to grade of existing manholes, pull boxes, meters, and other existing facilities in conjunction with the required off-site improvements, to the satisfaction of the Director of Public Works.
- aa. To the satisfaction of the Director of Public Works, the Developer shall submit for approval a shoring plan, for any temporary or permanent tiebacks/soil nails that are required to extend beneath the public rights-of-way adjacent to the project site. Tiebacks/soil nails shall be per the standards and requirement of Long Beach Municipal Code Chapter 14.08.
- bb. The Developer shall submit a grading plan with hydrology and hydraulic calculations showing building elevations and 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.
- cc. All work within the public right-of-way must 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 work. The Contractor shall have on file with the City Engineer a Certificate of General Liability insurance, and endorsement evidencing minimum City of Long Beach limits of required general liability insurance.
- dd. Public improvements shall be constructed in accordance with plans reviewed and approved by Public Works. The City's Public Works Engineering Standard Plans are available online at www.longbeach.gov/pw/resources/engineering/standard-plans. Detailed off-site improvement plans shall be prepared by a licensed Civil Engineer, stamped, signed and submitted to the Department of Public Works for approval.
- ee. All conditions of approval, including cover letter signed by the Planning Officer and Case Planner, must be printed verbatim on all plans submitted for plan review to the Department of Public Works.
- ff. 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 developer 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) 576-6600 or visit their website for complete instructions at

www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml. Left-click on the Construction General Permit Order 2009-0009-DWQ link.

TRAFFIC & TRANSPORTATION

- gg. At the discretion of the City Traffic Engineer, the Developer shall be responsible for providing directional signage along the adjacent one-way alleys, Cobre Way and Solana Court. All traffic signs shall be installed to the satisfaction of the City Traffic Engineer.
- hh. The Developer shall be responsible to improve certain traffic signal related equipment to current CA MUTCD and/or City of Long Beach Standards. The traffic signal related equipment shall be within signalized intersections that are directly impacted by the Developer's project (e.g. 7th Street and Pacific Avenue/Pine Avenue). If not existing, the Traffic Signal related equipment shall include, but may not be limited to the following:
- i. All 8" Traffic Signal indications shall be updated to 12" LED units.
 - ii. Vehicular detection shall be installed on all approaches to the signalized intersection. This may include presence, mid or advance detection per City direction. Options will include standard Type E loops or video detection.
 - iii. All signalized intersections will require the installation of Emergency Vehicle Pre-Emption (EVPE) equipment. The equipment and installation must be completed per the most current City Standard.
 - iv. Because of the fact that so many City of Long Beach traffic signals operate and share coordinated signal timing plans, the developer shall install a GPS Module at all traffic signals that are directly impacted by their project. The GPS Modules create accurate time-based communications between nearby traffic signals.
 - v. The developer may be asked to update the traffic signal controller located in the traffic signal cabinet. At the discretion of the City Traffic Engineer, it may be decided that the existing traffic signal controller does not have the capability to handle the complexities of new traffic patterns that are directly related to the Developer's project. In such cases, the developer will be asked to install a new traffic signal controller based on the most current City Standard.

Note: The traffic signal related equipment described in subitem "ii." of the above requirement are existing at the intersection of 7th Street and Pacific Avenue. The traffic signal indication units described in subitem "i." are existing, in the northeast and southeast quadrants of said

intersection; the Developer shall update the traffic signal indication units in the northwest and southwest quadrants. The traffic signal related equipment described in subitem “i.” of the above requirement are existing at the intersection of 7th Street and Pine Avenue.

- ii. New crosswalks in the vicinity of the project shall be added by the Developer at the discretion of the City Traffic Engineer. The Developer shall be responsible to upgrade all existing crosswalks, and install all new marked crosswalks, to the newest City standards. The Developer shall install new continental style crosswalks, on all approaches, at the intersections of 7th Street & Pacific Avenue and 7th Street & Pine Avenue.
- jj. At the discretion of the City Traffic Engineer, the Developer shall be responsible to implement the most recent Bicycle Master Plan of the City at its frontage blocks, or contribute a fair share fee to the City for future implementation.
- kk. The size and configuration of all proposed driveways serving the project sites shall be subject to review and approval of the City Traffic Engineer. Driveways greater than 28 feet require a variance; contact the Traffic & Transportation Bureau at (562) 570-6331 to request additional information regarding driveway construction requirements.
- ll. The Developer shall salvage and reinstall all traffic signs that require temporary removal to accommodate new construction within the public right-of-way. All traffic signs shall be reinstalled to the satisfaction of the City Traffic Engineer.
- mm. The Developer shall replace all traffic signs and mounting poles damaged or misplaced as result of construction activities to the satisfaction of the City Traffic Engineer.
- nn. The Developer shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
- oo. The Developer shall contact the Traffic & Transportation Bureau, at (562) 570-6331, to modify any existing curb marking zones adjacent to the project sites.
- pp. All traffic control device installations, including pavement markings within the private parking lots, shall be installed in accordance with the provisions of the Manual on Uniform Traffic Control Devices (MUTCD), 2012 or current edition (i.e. white parking stalls, stop signs, entry treatment signage, handicapped signage, etc.).