#### **Long Beach Marketplace Incentives and Waivers Report**

Long Beach Marketplace is a mixed-use development located along Pacific Coast Highway and Studebaker Road. The project proposes 390 for-rent residential units with approximately 5,000 square feet of retail. The 17 affordable units provided by the project are 5% of the base residential units<sup>1</sup>. These affordable units<sup>2</sup> will be deed restricted for 55 years to be affordable to households earning no more than 50% of the area median income (Very Low Income). In accordance with state density bonus law, restricting 5% of the base units to be affordable to Very Low-Income households qualifies a project for a 20% density bonus and one incentive, along with eligibility for waivers.

State Density Bonus Law, Govt. Code §§ 65915 et seq., provides that "[i]n no case may a city, county, or city and county apply any development standard that will have the *effect of physically precluding the construction of a development* [that earns a density bonus incentive] at the densities or with the concessions or incentives permitted by this section." Govt. Code § 65915(e)(1); *emphasis added*. The City can only require compliance with the relevant development standard in three circumstances: when the City finds based on substantial evidence that the waiver (1) would have a specific, adverse impact on health, safety, or the physical environment (and for which there is no feasible method to satisfactorily mitigate or avoid that impact); (2) would have an adverse impact on real property listed on the California Register of Historical Resources; or (3) waiver would be contrary to state or federal law. Govt. Code § 65915(e)(1).

The project proposes using its earned incentive as follows:

Incentive: SEASP 8.2.6 Building Massing

The project proposes the following waivers:

Waiver 1: Maximum building Height, SEASP 6.2.g Height and Stepbacks

Waiver 2: Building story requirements, top end of range, SEASP 6.2.g Height and Stepbacks

Waiver 3: Building story requirements along Shopkeeper Road fronting wetlands, SEASP 6.2.g Height and Stepbacks

Waiver 4: Building Story Requirements, variety of heights, SEASP 6.2.g Height and Stepbacks

#### **Incentive: Building Massing**

Development Standard: SEASP 8.2.6 Building Massing

(a) Mixed-Use Community Core and Mixed-Use Marina projects *shall* be designed as a collection of suitably scaled buildings that form a neighborhood.

The project is designed with an above-ground parking garage. Site constraints make the provision of multiple buildings infeasible with this construction type<sup>3</sup>. Subterranean parking could allow for a collection of buildings. However, building subterranean parking is significantly more expensive than an above ground garage due to soil conditions, groundwater levels, and shoring costs. This additional cost would render the project infeasible.

#### Waiver 1: Maximum Building Height

Reference Development Standard: SEASP 6.2.g Height and Stepbacks

Table 6-4 Building Story Requirements (MU-CC) provides that the maximum building height adjacent to Pacific Coast Highway shall be 5-stories. Given this maximum building height and a 2.0 FAR, 325 units is the base density. By providing 5% of the base units as affordable to Very Low-Income households, the project would earn a 20% density bonus (65 bonus units for a total of 390 units). To provide the earned bonus units in the project, two additional stories are required resulting in a maximum building height of 91'-8 ½". The sixth story consists of 69 residential units, and the seventh story consists 10,498 square feet of common open space and code-required showers and restrooms, trash rooms, and stair and elevator access, which would be physically precluded by this development standard.

#### Waiver 2: Building Story Requirements, top end of range

Reference Development Standard: SEASP 6.2.g Height and Stepbacks

A site plan that proposes construction of all its buildings at the top end of the allowable range in each area is not permitted.

Following the same logic as the previous waiver, the earned bonus units can only be provided by increasing the height of the base project. In other words, varying building heights reduces a building's efficiency, which would physically preclude the construction of the project. That said, the project can comply with the 3-story height restriction at the corner of PCH and Studebaker Road as 2 stories are proposed at this location (fronting PCH). The 10' stepback requirements at the top floor can also be accomplished with the proposed design. However, the 5-story height restriction for PCH projects and the 3-story height restriction at Shopkeeper Road fronting the wetlands needs to be exceeded for the provision of affordable and bonus units. Without this waiver, the earned bonus would be physically precluded.

#### Waiver 3: Building Story Requirements along Shopkeeper Road fronting wetlands

Reference Development Standard: SEASP 6.2.g Height and Stepbacks

Table 6-4 Building Story Requirements (MU-CC)

Maximum Building Height Shopkeeper Road Fronting Wetlands: 3-stories

The project proposes 6-stories adjacent to Shopkeeper Road fronting the wetlands. There are 6 residential units proposed per floor in this building section, which is 175' in length. Therefore, the three additional levels contain 18 residential units. These units would be physically precluded unless this waiver is granted. We also note that the building is more than 170' from the Wetlands, and not located on a parcel that is immediately adjacent to the wetlands.

#### Waiver 4: Building Story Requirements, variety of heights

Reference Development Standard: SEASP 6.2.g Height and Stepbacks

Buildings across the entirety of each mixed-use block must demonstrate a variety of heights have been applied to the site plan layout consistent with Section 8.2.6, Building Massing and Section 8.2.7, Building Placement and Orientation.

The building heights vary at the corner of PCH and Studebaker, at the 6<sup>th</sup> floor stepback along PCH, and at the midpoint of the project rooftop where the indoor and outdoor common space is provided. Reducing building height beyond what is proposed would require additional waivers to increase heigh in other areas of the project. Therefore, the project seeks a waiver for any additional height variations above what is proposed, due to the loss of units that would be required to further vary building height.

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#### 1. Base Residential Units Calculation

Assembly Bill No. 2334 CHAPTER 653

SECTION 1. 65915. (o)(6) "Maximum allowable residential density" or "base density" means the maximum number of units allowed under the zoning ordinance, specific plan, or land use element of the general plan, or, if a range of density is permitted, means the maximum number of units allowed by the specific zoning range, specific plan, or land use element of the general plan applicable to the project. If the density allowed under the zoning ordinance is inconsistent with the density allowed under the land use element of the general plan or specific plan, the greater shall prevail. Density shall be determined using dwelling units per acre. However, if the applicable zoning ordinance, specific plan, or land use element of the general plan does not provide a dwelling-units-per-acre standard for density, then the local agency shall calculate the number of units by:

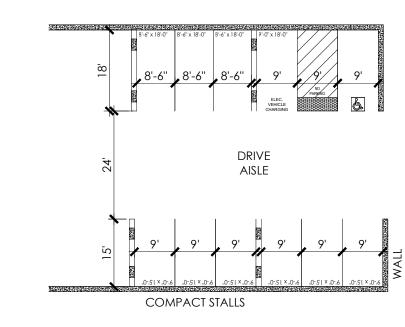
- (A) Estimating the realistic development capacity of the site based on the objective development standards applicable to the project, including, but not limited to, floor area ratio, site coverage, maximum building height and number of stories, building setbacks and stepbacks, public and private open space requirements, minimum percentage or square footage of any nonresidential component, and parking requirements, unless not required for the base project. Parking requirements shall include considerations regarding number of spaces, location, design, type, and circulation. A developer may provide a base density study and the local agency shall accept it, provided that it includes all applicable objective development standards.
- (B) Maintaining the same average unit size and other project details relevant to the base density study, excepting those that may be modified by waiver or concession to accommodate the bonus units, in the proposed project as in the study.

Base Density Study				
Land SF	163,219			
FAR	2.0			
GFA	326,439			
NRSF Total	281,444			
NRSF Retail	5,351			
NRSF Resi.	276,093			
Avg Unit SF	850	Base Density	Units After DB	DB Density (120%)
Base Units	325	86.74 DU/AC	390.00	104.08 DU/AC
VLI Units (5%)	17			

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#### 2. Affordable Unit Summary

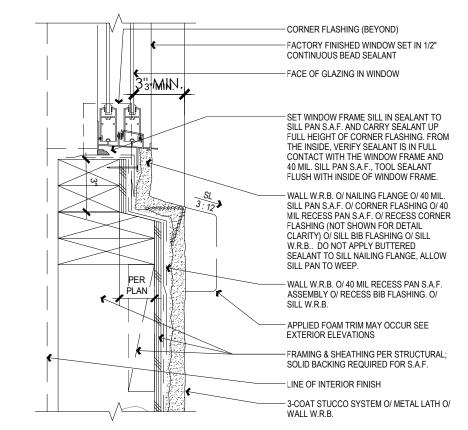
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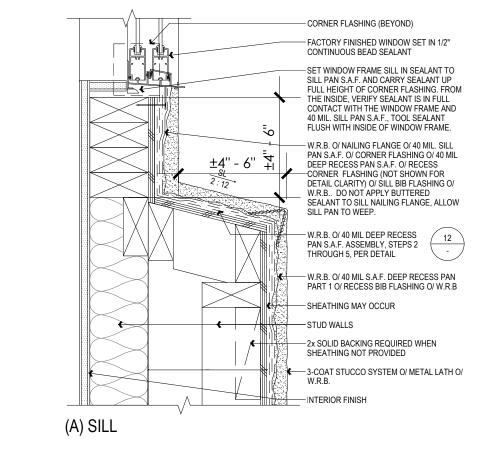
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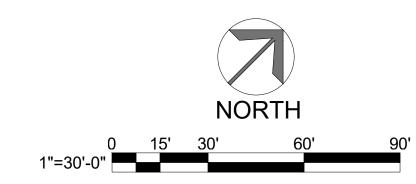
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**BUILDING PLAN - LEVEL 1** 

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DATE: 04-03-2023 JOB NO.: 2021-492





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LONG BEACH, CA

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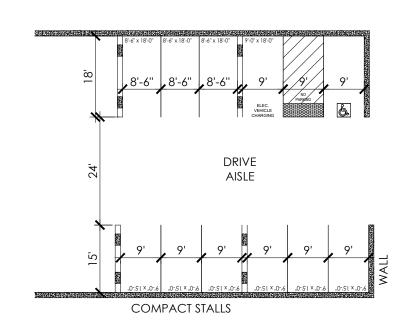
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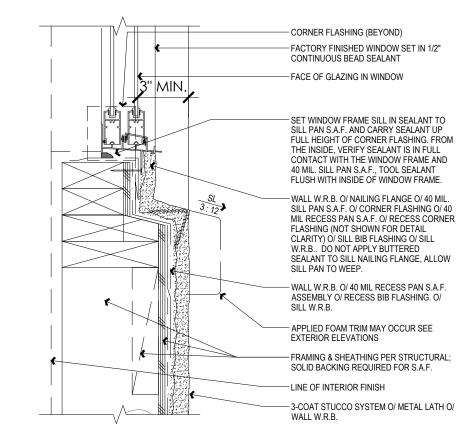




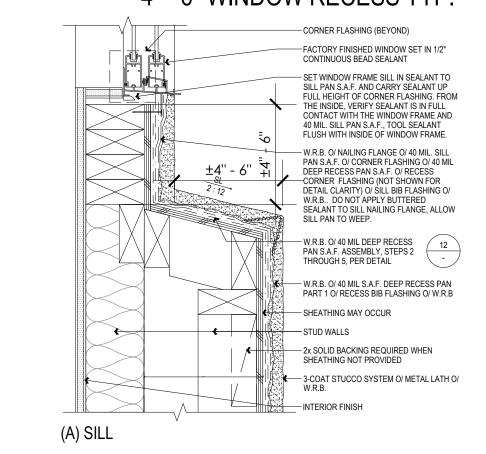
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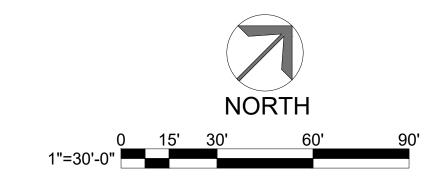
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**BUILDING PLAN - LEVEL 2** 

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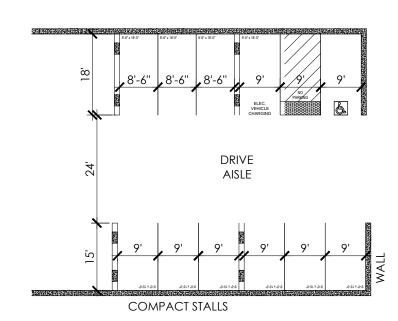
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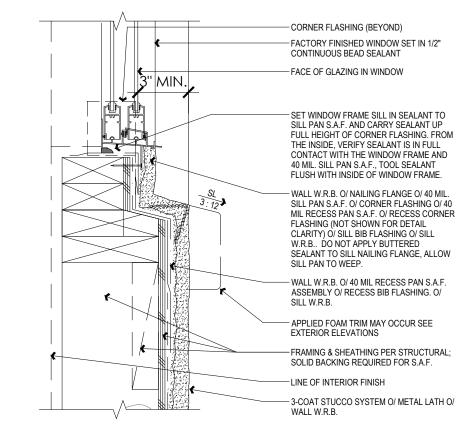
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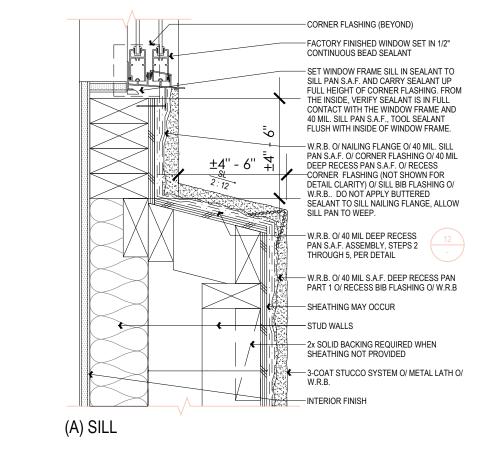
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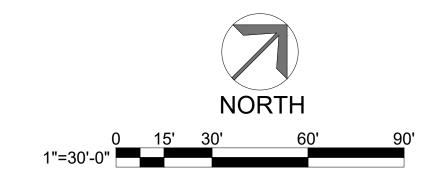
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**BUILDING PLAN - LEVELS 3-5** 

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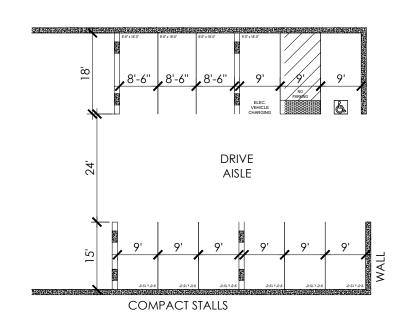
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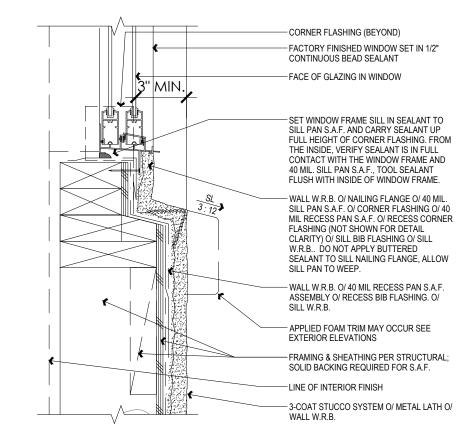
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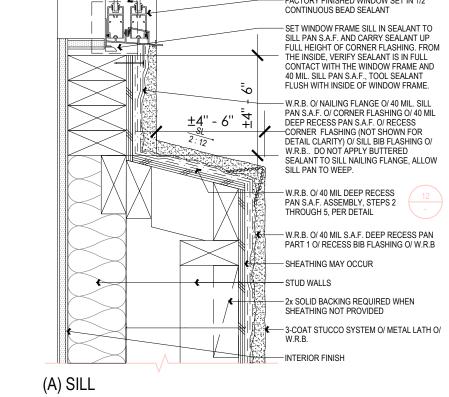
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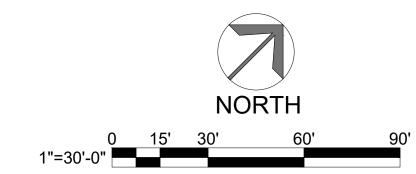
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**BUILDING PLAN - LEVELS 3-5** 

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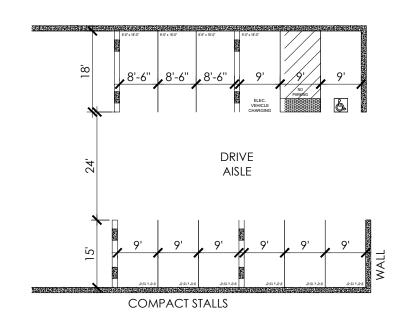
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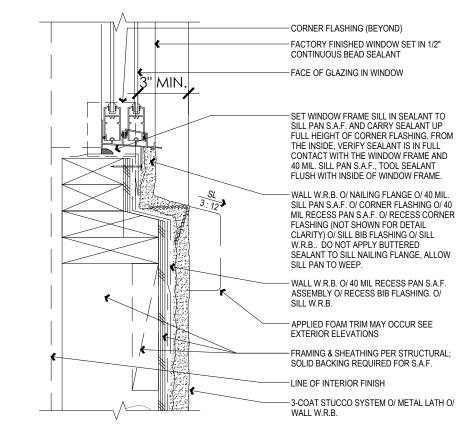
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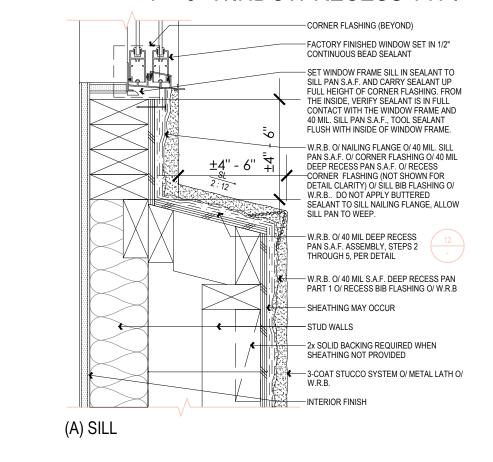
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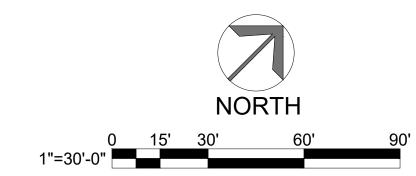
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BUILDING PLAN - LEVELS 3-5

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DATE: 04-03-2023
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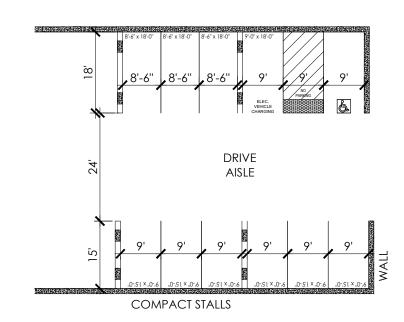
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NGE, CA 92866
(714) 639-9860

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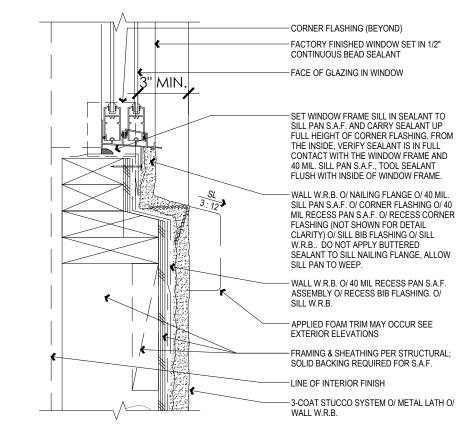
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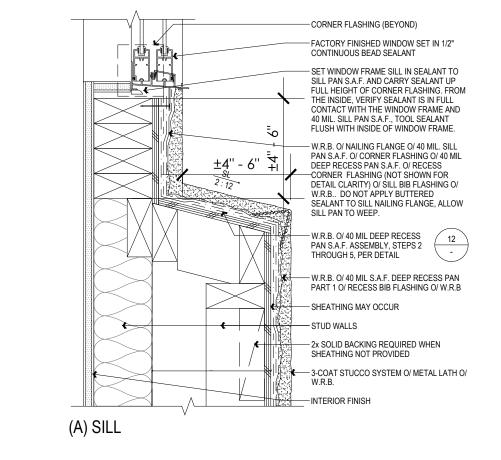
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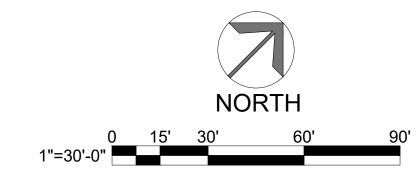
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# 4" - 6" WINDOW RECESS TYP.





**BUILDING PLANS - LEVEL 6** 

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DATE: 04-03-2023

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72'-4''

COURTYARD

66'-7''

3. Geotechnical Opinion Letter



April 20, 2023

CP VI MARKETPLACE, LLC 707 17<sup>th</sup> Street, Suite 3050 Denver, Colorado

Attention: Mr. Joe Pink

Subject: Geotechnical Opinion Letter

Geotechnical Issues of Podium-Type Construction Method with Subterranean

Parking for the Proposed Long Beach Marketplace Project

#### Dear Mr. Pink:

This letter provides a summary of some of the geotechnical issues related to the construction of the Long Beach Marketplace Project using a Podium-Type Construction Method with the residential building having subterranean parking levels in lieu of the current concept which includes a parking structure as a separate structure.

We understand that the current concept includes a parking structure with about 576 parking spaces. Given the building area of about 137,000 square feet, two levels of subterranean parking would be required to contain the requisite number of parking spaces. This will require excavations that extend about 20 to 25 feet below existing grade.

As noted in the geotechnical investigation report for the project, most of the site was previously used as a landfill between the mid-1960 and early 1961, with trash depths extending to a maximum depth of about 30 feet. The site is located with the Seal Beach Oil Field, and previously included two oil wells (between 1928 and 1960s). The potential for methane and natural oil or gas at the site is considered high. Based on the current field investigation and previous field investigation data, groundwater is approximately 10 feet (Elevation 0 feet) below the existing grade and could vary between Elevation 0 feet and 3 feet above mean sea level.

With excavations of a two-level subterranean structure extending 20 to 25 feet, the primary issues related to construction include the removal of landfill material and the need for dewatering.

Prior to the start of the excavations, dewatering wells need to be installed at the perimeters of the excavation to draw down the groundwater to levels below the bottom of the excavation, i.e. 25 to 30 feet below grade. Any groundwater pumped out of the excavation will need to be treated prior to discharge to a storm drain. Furthermore, since groundwater is extracted from layers of landfill material, and/or compressible clayey soils, a substantial amount of dewatering settlement should be anticipated. The lateral extent of the drawdown curves of the dewatering wells is expected to cause differential dewatering settlement radially away from the excavation, which may affect nearby structures, such as the building immediately to the east.

The excavation needed to build the subterranean levels will not only substantially increase the soil export volumes (by roughly 110,000 cubic yards), but will remove the majority of the landfill material, subject to proper environmental disposal testing and waste handling. The project methane consultants should also be consulted to address issues related to potential off-gassing from the excavation walls, as well as the potential off-gassing of the excavated materials.

Excavations deeper than about 12 feet are generally not feasible using a cantilever shoring system. A braced shoring system using tiebacks and/or struts and rakers will be required for a two-level subterranean excavation, increasing the construction cost of the project.

The subgrade soils at the bottom of the excavation are anticipated to be primarily soft to medium stiff fine-grained silty and clayey soils which are low permeability and difficult to dewater. Passive methods of dewatering using a combination of French drains, sumps, and pumps will likely be required (in addition to dewatering wells) to dewater and stabilize the subgrade soils at this depth. Subgrade stabilization may need to include the use of a combination of geogrids, crushed aggregate base, and lean concrete slurry, and is anticipated to impede the progress of construction activity at the bottom of the excavation.

Since the bottom of the excavation will be below the permanent groundwater level, the perimeter basement walls will also need to be designed for hydrostatic pressures, and the inverted structural slab will need to be designed for the corresponding uplift pressures. To avoid water intrusion into the basement levels, waterproofing will also be required below the foundation slab level and along the perimeter basement walls.

It is further noted that due to the presence of soft, compressible, and liquefiable soils, two levels of the underground parking garage will not relieve the project from the need to use of pile foundations, in combination with structural slabs, where building loads are anticipated.

Given the added complexity of both design and construction, the need for dewatering and groundwater treatment and discharge, appropriate waste characterization through testing, and the export of primarily landfill material from the excavation, the podium-type structure with underground parking garage levels does not appear to be viable for the project and is not recommended from a geotechnical standpoint at this site.

If you have any questions regarding this issue, please feel free to contact us.

Sincerely,

**GROUP DELTA CONSULTANTS, INC.** 



