

SITE PLAN REVIEW FINDINGS
210 East Ocean Boulevard
Application No. 1806-19 / SPR18-033
November 15, 2018

Pursuant to Section 21.25.506 of the Zoning Ordinance, the Planning Commission shall not approve a Site Plan Review unless the following findings are made. These findings and staff analysis are presented for consideration, adoption, and incorporation into the record of proceedings.

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;

The proposed Breakers Hotel (Project) involves the renovation and change of use of The Breakers Hotel (City-designated Historic Landmark) into a 185-room hotel with food and beverage venues (with on-site alcohol), banquet/meeting areas, and amenity uses in the Coastal Zone at 210 East Ocean. The project would reuse an existing landmark building located on a site that measures 0.49 acres and has frontages on Locust Avenue (west) and Collins Way (east). Victory Park, a public park, buffers the site from Ocean Boulevard to the north. The centerline of a vacated alley (former Marine Way) forms the southern property line of the site. The site shares its southern boundary with a multi-family residential development (five-stories of apartments over a two-story parking garage) located at 207 Seaside Way, which is currently under construction. The site is improved with a thirteen-story building, constructed in 1925, with a 14th floor cupola and rooftop area. There is no on-site parking for the existing building. At present, vehicle access to the building is maintained through a circular driveway in Victory Park with one entrance and one exit on Ocean Boulevard.

The Project is harmonious, consistent, and complete within itself. The project will restore the building back to its original use as a hotel. The use will include food and beverage venues, banquet/meeting facilities, and amenity uses that would serve both local and hotel patrons. The use will introduce new accommodations to further serve tourists, business visitors, concert and playgoers, and special interest groups in the greater downtown environment. The exterior modifications to the building would work within the constraints of the existing building and site, and would be subject to the Secretary of Interior's (SOI) Standards for Rehabilitation.

The 10-foot addition to the tower portion of the building would accommodate a new stairwell and service elevator. The addition of the stairwell and service elevator is a necessary life safety improvement for the building that provides a gurney elevator and code compliant stairwell. The Cultural Heritage Commission

(CHC) has approved and placed conditions on the design of the stairwell addition to ensure that the new work complies with the SOI Standards for Rehabilitation.

In addition, the new pool deck and terrace areas on the 3rd floor and 14th floor roofs were designed to minimize visibility, while providing amenity space for the proposed use.

Ground floor storefronts would feature a historically appropriate storefront system, and all above grade non-historic windows would be replaced with new aluminum windows.

Building elements for the new stairwell addition, new 3rd floor parapet, and 14th floor terrace have been conditionally approved by the CHC to integrate into the building design, while also differentiating the new and original building elements.

The proposed design modifications to the City-designated landmark building were approved by the CHC in August 2018. The required findings determined that the modifications, as conditioned, would comply with the SOI Standards for Rehabilitation. These findings ensure that the proposed building modifications, are harmonious, consistent, and complete within itself. The design of these modifications would be compatible, but differentiated from the original structure, pursuant to the SOI Standards.

B. THE DESIGN CONFORMS TO ANY APPLICABLE SPECIAL DESIGN GUIDELINES ADOPTED BY THE PLANNING COMMISSION OR SPECIFIC PLAN REQUIREMENTS, SUCH AS THE DESIGN GUIDELINES FOR R-3 AND R-4 MULTI-FAMILY DEVELOPMENT, THE DOWNTOWN DESIGN GUIDELINES, PD GUIDELINES, OR THE GENERAL PLAN;

The Project site is located within Subarea 7 of the Downtown Shoreline Planned Development District (PD-6). Subarea 7 references the Breakers Hotel building and overall standards that apply to all development projects in this specific subarea. The project would reuse the existing landmark building and all new building enhancements would be required to comply with the standards outlined in PD-6. As conditioned, the Project would be consistent with the listed general guidelines, which includes pedestrian oriented walkways, bird-safe building design, and lighting standards.

The conceptual changes to Victory Park would provide new landscaping and amenities to the park that are not present under existing conditions. The driveway realignment would remove the existing vehicle exit from Ocean Boulevard and relocate vehicles onto Collins Way. This relocation would eliminate one point of vehicle and pedestrian conflict along Ocean Boulevard. The overall landscape design is proposed in a manner to provide both drought tolerant landscaping and hardscape areas that allow for new public seating areas.

The Project is consistent with the design guidelines in a number of other ways as well, including the provision of ground floor uses accessible from Ocean Boulevard, appropriate site lighting, and overall restoration of the landmark building.

C. THE DESIGN WILL NOT REMOVE SIGNIFICANT MATURE TREES OR STREET TREES, UNLESS NO ALTERNATIVE IS POSSIBLE;

Victory Park buffers the 0.49-acre project site from Ocean Boulevard. At present, there are turf areas, palm trees, and planting areas within the park. As part of this entitlement, the project would include reconfiguring the driveway in Victory Park and installing new landscaping. The landscaping and architectural details of Victory Park are conceptual and subject to minor changes and adjustments prior to final construction. A condition of approval has been included in the project to reuse or relocate the existing palm trees within the park.

The existing street trees along Ocean Boulevard would be protected in place as part of Project activities.

D. THERE IS AN ESSENTIAL NEXUS BETWEEN THE PUBLIC IMPROVEMENT REQUIREMENTS ESTABLISHED BY THIS ORDINANCE AND THE LIKELY IMPACTS OF THE PROPOSED DEVELOPMENT;

The applicant/developer is required to comply with all public improvement requirements including parkway improvements and property dedications found by the Department of Public Works to apply to this project. The change of use and the potential pedestrian and transit traffic generated by the Project necessitates these public improvements, such as the reconstruction of curb ramps and closure of unused driveways. As conditioned, the Department of Public Works has required the applicant to provide a new Americans With Disabilities Act (ADA) - compliant curb ramp at the corner of Collins Way and Ocean Boulevard.

E. THE PROJECT CONFORMS TO ALL REQUIREMENTS SET FORTH IN CHAPTER 21.64 (TRANSPORTATION DEMAND MANAGEMENT); AND

The Project contains less than 25,000 square feet of new, non-residential development and thus is exempt from Transportation Demand Management requirements. However, the Project's location in PD-6 requires preparation of a Transportation Demand Management (TDM) Plan. The project site is in a transit rich environment. The owner/operator of the hotel shall be required to implement the TDM Plan, which includes transit information and incentives for both employees and hotel/venue patrons. Additionally, the Project has incorporated a basement level bicycle storage area for employees and on-site showers for employees that commute by bicycle. Additional on-site bicycles will be available for rent to hotel patrons, including other strategies to promote bicycle use and reduce vehicle trips.

F. THE APPROVAL IS CONSISTENT WITH THE GREEN BUILDING STANDARDS FOR PUBLIC AND PRIVATE DEVELOPMENT, AS LISTED IN SECTION 21.45.400.

The site is developed with an existing City-designated historic landmark building. All improvements to the building and site will be consistent with all applicable green building standards.

LOCAL COASTAL DEVELOPMENT PERMIT FINDINGS
210 East Ocean Boulevard
Application No. 1806-19 / LCDP18-022
November 15, 2018

Pursuant to Section 21.25.904.C of the Zoning Ordinance, a Local Coastal Development Permit shall not be approved unless the following findings are made. These findings and staff analysis are presented for consideration, adoption, and incorporation into the record of proceedings.

A. THE PROPOSED DEVELOPMENT CONFORMS TO THE CERTIFIED LOCAL COASTAL PROGRAM INCLUDING BUT NOT LIMITED TO ALL REQUIREMENTS FOR REPLACEMENT OF LOW AND MODERATE-INCOME HOUSING; AND

The site is located within Downtown Shoreline area of the Local Coastal Program (LCP). The Downtown Shoreline subarea is characterized by mid- to high-rise office and residential buildings and large scale public recreation and entertainment facilities. Its planning is greatly influenced by the program for revitalization and redevelopment of the commercial shopping district north of Ocean Boulevard, just outside the coastal zone.

The proposed project consists of the conversion of a City-designated landmark building into a 185-room hotel with associated amenity uses in the Planned Development District 6 (PD-6), Subarea 7 zone (Council District 2). Under the PD-6 zoning designation, the intended hotel and visitor-serving uses meet all present-day codes and requirements. The existing structure would maintain the existing food and beverage venues and banquet/meeting areas, while also providing new ground-floor and rooftop areas for use. The proposed on-site uses would maintain the existing non-conforming parking rights established for the building, while also providing a minimum of 250 of-site parking spaces.

The specific Local Coastal Program provision of low and moderate-income housing replacement would not apply to this project. The previous congregate care facility has ceased operation and the conditions of approval for that entitlement did not require a covenant or deed-restriction of affordability. No low and moderate-income housing will be removed as a result of the development.

The LCP Downtown Shoreline Policy Plan calls for the Breakers Area (Area 14) to include uses consisting of Victory Park, residential, hotel, parking, or mixed use office with hotel or residential. The LCP also calls for the strengthening of the entry to Promenade South on Ocean Boulevard near Pine Avenue. While the project site does not abut that specific entry to the Promenade South, the change of use to a hotel with food and beverage venues, banquet/meeting areas, and amenity uses would constitute visitor-serving uses. The LCP and the Coastal Act

include policies that relate to coastal tourism, including overnight accommodations and recreation and visitor serving facilities. As noted in the LCP, new development or changes in use in the Downtown Coastal Zone are intended to support the overall economic development of the City and promote efforts aimed at downtown revitalization. The proposed hotel's adjacency to the Long Beach Convention and Entertainment Center would provide overnight accommodations to further serve tourists, business visitors, concert and playgoers, and special interest groups.

In addition to the proposed uses on site, the hotel would include a Transportation Demand Management Plan and off-site parking to increase reliance on transit and active transportation modes, while also ensuring the availability of parking to support on-site uses.

Victory Park will remain a public park under the proposed project. The reconfiguration of the existing driveway would not change the ownership of the property. Drought-tolerant landscaping and new park amenities would be added to enhance the existing park area. While no net loss of dedicated parkland will occur, the widened driveway would reduce the active/passive park space for private access. As conditioned, the applicant will replace the displaced parkland at a 2:1 ratio. Existing parkland shall not be permanently displaced until the replacement parkland (excluding roadways and parking) is guaranteed, under construction, or developed elsewhere.

The approval of this Site Plan Review and Conditional Use Permit for on-site alcohol uses will conform to the Local Coastal Program as this area is allocated for the Downtown Shoreline area.

B. THE PROPOSED DEVELOPMENT CONFORMS TO THE PUBLIC ACCESS AND RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT. THIS SECOND FINDING APPLIES ONLY TO DEVELOPMENT LOCATED SEAWARD OF THE NEAREST PUBLIC HIGHWAY TO THE SHORELINE.

Chapter 3 of the Coastal Act concerns the public's right to use beach and water resources for recreational purposes. The chapter provides the basis for state and local government beach access requirements with a stated objective of prohibiting development projects that hinder public access to the beach and/or water resources.

The proposed project is located within the Downtown Shoreline subarea, south of East Ocean Boulevard, north of Seaside Way, situated between Locust Avenue and Collins Way. The proposed scope of work includes a change of use, a stairwell addition to provide life-safety facilities, and building modifications that will pose no obstruction to recreational and visitor serving uses in the Coastal Zone.

CONDITIONAL USE PERMIT FINDINGS
210 East Ocean Boulevard
Application No. 1806-19 / CUP18-015
November 15, 2018

Pursuant to Section 21.25.206 of the Zoning Ordinance, the Planning Commission shall not approve a Conditional Use Permit unless the following findings are made. These findings and staff analysis are presented for consideration, adoption, and incorporation into the record of proceedings.

A. THE APPROVAL IS CONSISTENT WITH AND CARRIES OUT THE GENERAL PLAN, ANY APPLICABLE SPECIFIC PLANS SUCH AS THE LOCAL COASTAL PROGRAM AND ALL ZONING REGULATIONS OF THE APPLICABLE DISTRICT;

The project site is located in Land Use District (LUD) 7 – Mixed Uses. LUD No. 7 is intended to include vital activity centers. A combination of land uses intended for this district include employment centers such as retail, medical facilities, higher density residences, visitor-serving facilities, personal and professional services, or recreational facilities. The existing Sky Room Restaurant was approved for a Conditional Use Permit Exemption (CUPEX) that allows the sale of general alcohol at an existing restaurant with a fixed bar. In addition, the banquet room/halls were re-established on the site in 1998 through a use permit. The proposed changes to the floor plan of the landmark building trigger the requirement to issue a Conditional Use Permit (CUP) for all uses on site. There is no proposed change to the existing alcohol licenses on site (Type 47 – On Sale General – Eating Place, Type 58 – Caterers Permit, and Type 68 – Portable Bar). The Conditional Use Permit request for existing restaurant uses and new food and beverage venues within the Breakers Hotel is consistent with the requirements of this district (PD-6) and is consistent with the General Plan. The subject site is located in the Coastal Zone. Conformance with the Local Coastal Program has been met and is demonstrated by the findings subsequently found under the Local Coastal Development Permit Findings. The project is consistent with the zoning regulations of the Downtown Shoreline Planned Development District (PD-6) as the sale of alcoholic beverages for on-site consumption at a hotel and within food and beverage venues is allowed through the Conditional Use Permit process, and includes conditions of approval to prevent nuisances and minimize potential negative impacts to surrounding areas.

B. THE PROPOSED USE WILL NOT BE DETRIMENTAL TO THE SURROUNDING COMMUNITY INCLUDING PUBLIC HEALTH, SAFETY OR GENERAL WELFARE, ENVIRONMENTAL QUALITY OR QUALITY OF LIFE;

The existing Sky Room Restaurant (13th floor), Cielo Bar (14th floor), and banquet/meeting areas are existing uses on site and would continue to operate under the proposed project. In addition to existing uses, the hotel would include new food and beverage uses that would include the service of alcohol. The overall operation of the food and beverage uses would be accessory to the proposed hotel use. The serving of alcohol is currently permitted on the subject site and the expansion of those uses within the building envelope would not be detrimental to the surrounding area. The proposed changes to the floor plan of the building trigger the need for a Conditional Use Permit. Conditions of approval are included to ensure minimization of any possible negative impacts associated with the operation of the proposed project. Conditions include security measures to prevent nuisances and loitering and to ensure safe operations of the facility.

C. THE APPROVAL IS IN COMPLIANCE WITH THE SPECIAL CONDITIONS FOR SPECIFIC CONDITIONAL USES, AS LISTED IN CHAPTER 21.52; AND

THE FOLLOWING CONDITIONS SHALL APPLY TO ALL ALCOHOLIC BEVERAGE SALES USES REQUIRING A CONDITIONAL USE PERMIT:

Section 21.52.210 states that the following conditions shall apply to all alcoholic beverages sales uses requiring a Conditional Use Permit:

a. THE OPERATOR OF THE USE SHALL PROVIDE PARKING FOR THE USE EQUIVALENT TO THE PARKING REQUIRED FOR NEW CONSTRUCTION REGARDLESS OF THE STATUS OF THE PREVIOUS USE AS TO LEGAL NONCONFORMING RIGHTS;

The Breakers Hotel is a standalone structure with no on-site parking. The building has non-conforming parking rights to a 233-unit congregate care facility with restaurant uses and banquet/meeting areas. The applicant proposes to reduce the amount of ballroom/meeting area by 4,250 square feet and the retail square footage by 670 square feet.

The parking requirement for the uses serving alcohol under this CUP would be 218 parking spaces. The required 250 off-site parking spaces would cover this requirement. All parking would be through a valet service. As conditioned, a minimum of 250 off-site parking spaces shall be leased at all times.

b. THE OPERATOR OF THE USE SHALL PROVIDE NIGHT LIGHTING AND OTHER SECURITY MEASURES TO THE SATISFACTION OF THE CHIEF OF POLICE;

The Long Beach Police Department (LBPD) reviewed this application. The LBPD had no objections to the request provided that the project incorporate Conditions of Approval that require security measures such as night lighting, security cameras, and an operations plan for alcohol sales have been incorporated.

c. THE OPERATOR OF THE USE SHALL PREVENT LOITERING OR OTHER ACTIVITY IN THE PARKING LOT THAT WOULD BE A NUISANCE TO ADJACENT USES AND/OR RESIDENTIAL NEIGHBORHOODS;

A Condition of Approval has been incorporated in the project approvals to require the operator prevent loitering and other related nuisances, such trash and debris on the sidewalk and in Victory Park.

d. THE USE SHALL NOT BE IN A REPORTING DISTRICT WITH MORE THAN THE RECOMMENDED MAXIMUM CONCENTRATION OF THE APPLICABLE ON OR OFF-PREMISES SALES USE, AS RECOMMENDED BY THE STATE OF CALIFORNIA ALCOHOLIC BEVERAGE CONTROL BOARD, NOR WITH A HIGH CRIME RATE AS REPORTED BY THE LONG BEACH POLICE DEPARTMENT, EXCEPT: (1) LOCATIONS IN THE GREATER DOWNTOWN AREA; OR (2) STORES OF MORE THAN TWENTY THOUSAND (20,000) SQUARE FEET FLOOR AREA, AND ALSO PROVIDING FRESH FRUIT, VEGETABLES AND MEAT, IN ADDITION TO CANNED GOODS; AND

In consideration of a Conditional Use Permit application for the sale of alcoholic beverages, staff evaluates the number of existing alcohol licenses in the subject Census Tract (5760.01) in which the use is located, as well as the total number of reported crimes in the subject Police Reporting District.

The proposed project includes the transfer of the existing on-site alcohol licenses to the applicant/owner. While the project site Census Tract is over concentrated for on-sale alcohol licenses as reported by Alcohol Beverage Control (ABC), presently having 78 existing on-sale licenses with 5 as the ABC recommended maximum, the project site is already licensed under three types of licenses: Type 47 (On-Sale General Eating Place), Type 58 (Caterers Permit), and Type 68 (Portable Bar). In addition, the site is within a high crime as reported by the Long Beach Police Department (LBPD). Staff consulted with the LBPD on this application and the LBPD expressed no opposition provided security measures such as security cameras and adequate lighting are included in the approval conditions.

- e. THE USE SHALL NOT BE LOCATED WITHIN FIVE HUNDRED FEET (500') OF A PUBLIC SCHOOL, OR PUBLIC PARK, EXCEPT: (1) LOCATIONS IN THE GREATER DOWNTOWN AREA; OR (2) STORES OF MORE THAN TWENTY THOUSAND (20,000) SQUARE FEET OF FLOOR AREA, AND ALSO PROVIDING FRESH FRUIT, VEGETABLES AND MEAT IN ADDITION TO CANNED GOODS.**

Although the project site abuts a public park, the subject site is located within the greater downtown Long Beach area. The sale of alcoholic beverages for on-site consumption at existing venues within the building have been previously covered under valid alcohol licenses. The previous alcohol licenses (active since 1997) would be transferred to the project applicant/owner. The hotel will be adding new venue areas to be covered by the existing alcohol licenses.

- D. THE RELATED DEVELOPMENT APPROVAL, IF APPLICABLE, IS CONSISTENT WITH THE GREEN BUILDING STANDARDS FOR PUBLIC AND PRIVATE DEVELOPMENT, AS LISTED IN SECTION 21.45.400.**

The site is developed with an existing City-designated historic landmark building. All improvements to the building and site will be consistent with all applicable green building standards.