



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 3rd Floor Long Beach, CA 90802 (562) 570-5237 Fax: (562) 570-6205

May 14, 2013

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the supporting documentation into the record, conclude the public hearing, and declare the ordinance amending the Use District Map read the first time and laid over to the next regular meeting of the City Council for final reading (District 9);

Declare ordinance amending Table 32-1 of Chapter 21.32 of the Municipal Code read the first time and laid over to the next regular meeting of the City Council for final reading (Citywide); and

Adopt Resolution forwarding the Zoning Text Amendment ordinance to the California Coastal Commission.

DISCUSSION

On March 21, 2013, the Planning Commission approved a Site Plan Review for a new 24,500-square-foot North Branch Library at 5870 Atlantic Avenue (Exhibit A – Location Map). In conjunction with approval of the library, recommendations were unanimously supported for approval of a Zoning Map Amendment to convert 12 vacant, contiguous parcels at the subject site from Two-Family Residential (R-2-N) to Neighborhood Commercial Automobile-Oriented (CNA), and a Zoning Text Amendment to add the “Public Library” use to Table 32-1 of the Zoning Regulations and permit the use, by right, in all commercial zoning districts (Exhibit B – Findings and Conditions). The requested Zoning Map Amendment would create uniform CNA zoning on the approximately 50,000-square-foot project site, and the Zoning Text Amendment would eliminate the current prohibition of library uses in commercial zones.

Development of the new North Branch Library will represent implementation of the first phase of the North Village Center project, a proposed mixed-use development on 6.3 acres of City-owned land centered on Atlantic Avenue between South Street and 59th Street. The goal of the Village Center, as outlined in the former Redevelopment Agency’s 2004 adopted North Long Beach Village Center and Historic Node Implementation Plan, is to create a definable, unique focal point for North Long Beach identity and activity. The North Village Center will ultimately include, in addition to the proposed library, both townhome and commercial uses.

The Planning Bureau first reviewed the conceptual North Village Center proposal in 2008. It was determined that a Zone Change would be necessary to accommodate a public library use at the site, as current zoning prohibits all library uses. An Environmental Impact Report (EIR) was also deemed necessary, and a year later, in 2009, the Redevelopment Agency certified the North Village Center EIR. The EIR analyzed impacts associated with a potential build-out of 61 multi-family residential units, 36,000 square feet of commercial space, a 30,000-square-foot public library, and related zone changes. Staff is currently working with a consultant on drafting a North Village Guide for Development that will establish goals for the appropriate scale and pattern of development in and around the North Village Center and provide guidelines on how to enhance the relationship between new developments, public streets, and open spaces.

This matter was reviewed by Assistant City Attorney Michael Mais on April 23, 2013 and Budget Management Officer Victoria Bell on April 25, 2013.

TIMING CONSIDERATIONS

The ordinance amending Table 32-1 of the Municipal Code requires transmittal of positive Planning Commission amendment action(s) to the City Council within 60 days, which took place on March 21, 2013.

FISCAL IMPACT

There is no fiscal impact and no direct local job impact as a result of the recommended action.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

 *For*

AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

AJB:DB:mh
P:\Planning\City Council Items (Pending)\Council Letters\2013\2013-05-14\North Branch Library.Final.doc

Attachments: EXHIBIT A - Location Map
EXHIBIT B - Findings and Conditions
City Council Ordinances (2)
City Council Resolution

APPROVED:


PATRICK H. WEST
CITY MANAGER

FINDINGS

5870 Atlantic Avenue
Application No. 1205-11
March 21, 2013

Zone Change

Pursuant to Section 21.25.106 of the Long Beach Municipal Code, in all cases, the Planning Commission and the City Council shall be required to make the following findings of fact before rezoning a parcel. These findings and staff analysis are presented for consideration, adoption and incorporation into the record of proceedings:

- 1. THE PROPOSED CHANGE WILL NOT ADVERSELY AFFECT THE CHARACTER, LIVABILITY OR APPROPRIATE DEVELOPMENT OF THE SURROUNDING AREA; AND**

The project site consists of contiguous parcels located on the east side of Atlantic Avenue between 59th Street (north) and South Street (south). Those parcels fronting on Atlantic Avenue are currently zoned CNA, while those fronting on Lime Avenue are currently zoned R-2-N. Both the CNA and R-2-N zoning districts prohibit library uses.

The subject Zone Change requests would rezone the project site's R-2-N -zoned properties to CNA in conjunction with a revision to Table 32-1 of the Zoning Regulations to include the "Public Library" use and permit that use in all commercial zoning districts. The rezoning of R-2-N parcels to CNA and text amendment allowing public library uses in all commercial zoning districts will not adversely affect the character, livability or appropriate development of the surrounding area. The zone changes will allow development of the proposed library, which has been designed to be compatible with the existing commercial and residential uses in the vicinity of the project site. As the library is a public facility, this development can be considered effectively permanent, without apprehension regarding potential future change of use that may result from transfer of ownership that could be a factor in other instances of rezoning. Additionally, the Zoning Text Amendment would limit library uses in commercial zoning districts to public libraries only. The current prohibition of private, non-City library projects would remain in place.

- 2. THE PROPOSED CHANGE IS CONSISTENT WITH THE GOALS, OBJECTIVES AND PROVISIONS OF THE GENERAL PLAN.**

The project site consists of two General Plan Land Use Districts: LUD 8A, Traditional Retail Strip Commercial District, over the Atlantic Avenue fronting properties; and LUD 2, Mixed Style Homes District, over the Lime Avenue

fronting properties. Institutional uses, such as a library, are consistent with the goals of LUD 8A, but are not referenced in the goals for LUD 2.

The Consistency Tests included in the Land Use Element recognize that "consistency cannot always be readily determined by a mere comparison of a proposal with the land use district maps." Locations for locally needed services, such as libraries, "may or may not be indicate(d)" and that "this plan acknowledges...the need for these neighborhood-serving land uses and explicitly makes provision for them without the necessity of amending this plan, as long as each proposal is in harmony with the design and development standards of that particular use." The subject Zone Change requests, in conjunction with the development of a well-designed, neighborhood-serving public library use, would therefore be consistent with the goals, objectives, and provisions of the General Plan.

3. IF THE PROPOSED CHANGE IS A REZONING OF AN EXISTING MOBILE HOME PARK, THAT THE REQUIREMENTS OF SECTION 21.25.109 HAVE BEEN OR WILL BE FULLY MET.

The proposed change is not a rezoning of an existing mobile home park.

Site Plan Review

Pursuant to Section 21.25.506 of the Long Beach Municipal Code, the site plan review committee or 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:

1. 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 design of the proposed North Branch Library is harmonious, consistent and complete within itself. The design team, LPA, Inc. of Irvine, CA, specializes in libraries and institutional buildings. They were chosen by the City from an applicant field of 23 firms to provide design services. Through the design process, LPA has demonstrated a clear understanding of the site and how interior spaces relate to exterior site configuration. Additionally, the library's design is based on a substantial amount of community outreach – five library-specific meetings/workshops in North Long Beach – and numerous meetings between LPA and City staff.

Building elevations reflect a straightforward design approach that incorporates the use of high quality building materials, unique and interesting architectural

elements, and natural light to create an open and inviting presence. The one-story structure is compatible in design, character, and scale with neighboring structures and will serve as the cultural and social heart of the North Long Beach community.

- 2. 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 meets and exceeds the design guidelines established for the former North Long Beach Redevelopment Project Area. The library's carefully considered design exemplifies the pedestrian-oriented development and site planning that the guidelines strongly encourage. The project is not located within a specific plan, the R-3 or R-4 zone, a Planned Development District (PD), or the downtown area. The General Plan offers no design specifications for the two Land Use Districts (LUD 2 and LUD 8A) governing the site.

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

The proposed project would result in the removal of five trees, each of approximately 20-foot height, located at the southwest end of the development site. These five trees are the only trees at the site; the remaining open areas consist of a dilapidated surface parking lot and a grassy expanse. The completed project would include 38 on-site trees as part of a comprehensive landscape plan. An additional 23 trees are proposed within the Atlantic and Lime Avenue rights-of-way abutting the site.

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

Public improvements required by the Department of Public Works in an October 1, 2008 memo (and reiterated in a July 16, 2012 memo) are included in the project conditions of approval. These improvements consist of right-of-way dedications; full ADA accessibility compliance for all right-of-way improvements; the undergrounding of all existing overhead utility lines; removal of unused driveways and replacement to full-height curb; sidewalk, curb, and gutter repairs; and new street trees, groundcover, and irrigation systems within parkways.

There is an essential nexus between these required improvements and the likely impacts of the proposed development. Increased right-of-way widths are necessary for optimal vehicular and pedestrian access to the site. The increase

in traffic flow as a result of the library use could potentially cause ruinously damage the existing deteriorated street, curb, and sidewalk surfaces if they were not replaced. The undergrounding of utilities a citywide objective to improve aesthetics and reduce the number (and duration) of blackouts. Street tree and right-of-way parkway installations are necessary to provide pedestrian-friendly streetscapes and increase sidewalk shading.

5. **THE PROJECT CONFORMS WITH ALL REQUIREMENTS SET FORTH IN CHAPTER 21.64 (TRANSPORTATION DEMAND MANAGEMENT), WHICH REQUIREMENTS ARE SUMMARIZED IN TABLE 25 1 AS FOLLOWS:**

Table 25-1

Transportation Demand Management Ordinance Requirements TDM Requirements	New Nonresidential Development		
	25,000+ Square Feet	50,000+ Square Feet	100,000+ Square Feet
Transportation information area	*	*	*
Preferential carpool/vanpool parking		*	*
Parking designed to admit vanpools		*	*
Bicycle parking		*	*
Carpool/vanpool loading zones			*
Efficient pedestrian access			*
Bus stop improvements			*
Safe bike access from street to bike parking			*
Transit review	For all residential and nonresidential projects subject to EIR		

An Environmental Impact Report for the larger North Village Center project (of which the subject 24,500-square-foot library was included, as Phase I) was prepared and Certified by the Redevelopment Agency Board in December 2009. Transportation Demand Management analysis was conducted and incorporated into project mitigation. Those measures pertaining to the library use or east block development are included in the subject proposal's conditions of approval.

CONDITIONS OF APPROVAL

5870 Atlantic Avenue

Application No. 1205-11

March 21, 2013

1. Approvals granted under this permit consist of a Site Plan Review for a new 24,500-square-foot North Branch Library in conjunction with a Zoning Map Amendment to convert a series of vacant parcels at the project site from R-2-N to CNA and a Zoning Text Amendment to permit public library uses in all commercial zoning districts.
2. Project approvals granted herein coincide with plans on file dated March 21, 2013.
3. This permit and all development rights hereunder shall terminate one year from the effective date of this permit unless construction is commenced or 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.
4. 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 Acknowledgement 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:

5. The project shall comply with any and all applicable mitigation measures called for in the certified North Village Center Project Environmental Impact Report (SCH No. 2008021087; Resolution No. 40-2009).
6. The final project design shall include replication or reuse of the Atlantic Theater tower. The theater's interior drinking fountain, interior and exterior tiles, and terrazzo floors shall be salvaged, stored, and incorporated into the final project to the satisfaction of the Site Plan Review Committee.
7. Prior to the issuance of building permits, the applicant shall review and comply with all applicable Department of Public Works requirements as outlined in memorandums dated October 1, 2008 and July 16, 2012.
8. Prior to the issuance of building permits, the applicant shall review and comply with all Building Bureau requirements, as outlined in a June 12, 2012 memorandum.

9. Prior to the issuance of building permits, the applicant shall review and comply with all public safety and crime prevention requirements, including security and lighting systems, as outlined in a June 14, 2012 memorandum.
10. Prior to the issuance of building permits, the applicant shall comply with all Fire Department requirements.
11. Prior to the issuance of building permits, the applicant shall review and comply with all Gas and Oil Department requirements.

Standard Conditions:

12. 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.
13. 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.
14. 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).
15. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Department of Development Services. These conditions must be printed on the site plan or a subsequent reference page.
16. The Director of Development Services is authorized to make minor modifications to the approval design plans or the any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project. Any major modifications shall be reviewed by the Zoning Administrator or Planning Commission, respectively.
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

Conditions of Approval
Application No. 1205-11
March 21, 2013

and the perimeter of the site (including all public parkways).

18. Any graffiti found on site must be removed within 24 hours of its appearance.
19. 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.

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ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE USE DISTRICT MAP OF THE CITY OF LONG BEACH AS SAID MAP HAS BEEN ESTABLISHED AND AMENDED BY AMENDING PORTIONS OF PART 29 OF SAID MAP FROM R-2-N (TWO-FAMILY RESIDENTIAL, STANDARD LOT) TO CNA (NEIGHBORHOOD COMMERCIAL AUTOMOBILE-ORIENTED)

The City Council of the City of Long Beach ordains as follows:

Section 1. Environmental documentation having been prepared, certified, received and considered as required by law, and the City Council hereby finding that the proposed change will not adversely affect the character, livability or appropriate development of the surrounding area and that the proposed change is consistent with the goals, objectives and provisions of the General Plan, the official Use District Map of the City of Long Beach, as established and amended, is further amended by amending portions of Part 29 of said Map to rezone the subject property from R-2-N (Two-family Residential, standard lot) to CNA (Neighborhood Commercial Automobile-Oriented). Those portions of Part 29 of said map that are amended by this ordinance are depicted on Exhibit "A" which is attached hereto and by this reference made a part of this ordinance and the official Use District Map.

Section 2. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 3. The City Clerk shall certify to the passage of this ordinance by the City Council and cause it to be posted in three conspicuous places in the City of Long

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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Beach, and it shall take effect on the thirty-first day after it is approved by the Mayor.

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of _____, 2013, by the following vote:

Ayes: Councilmembers: _____

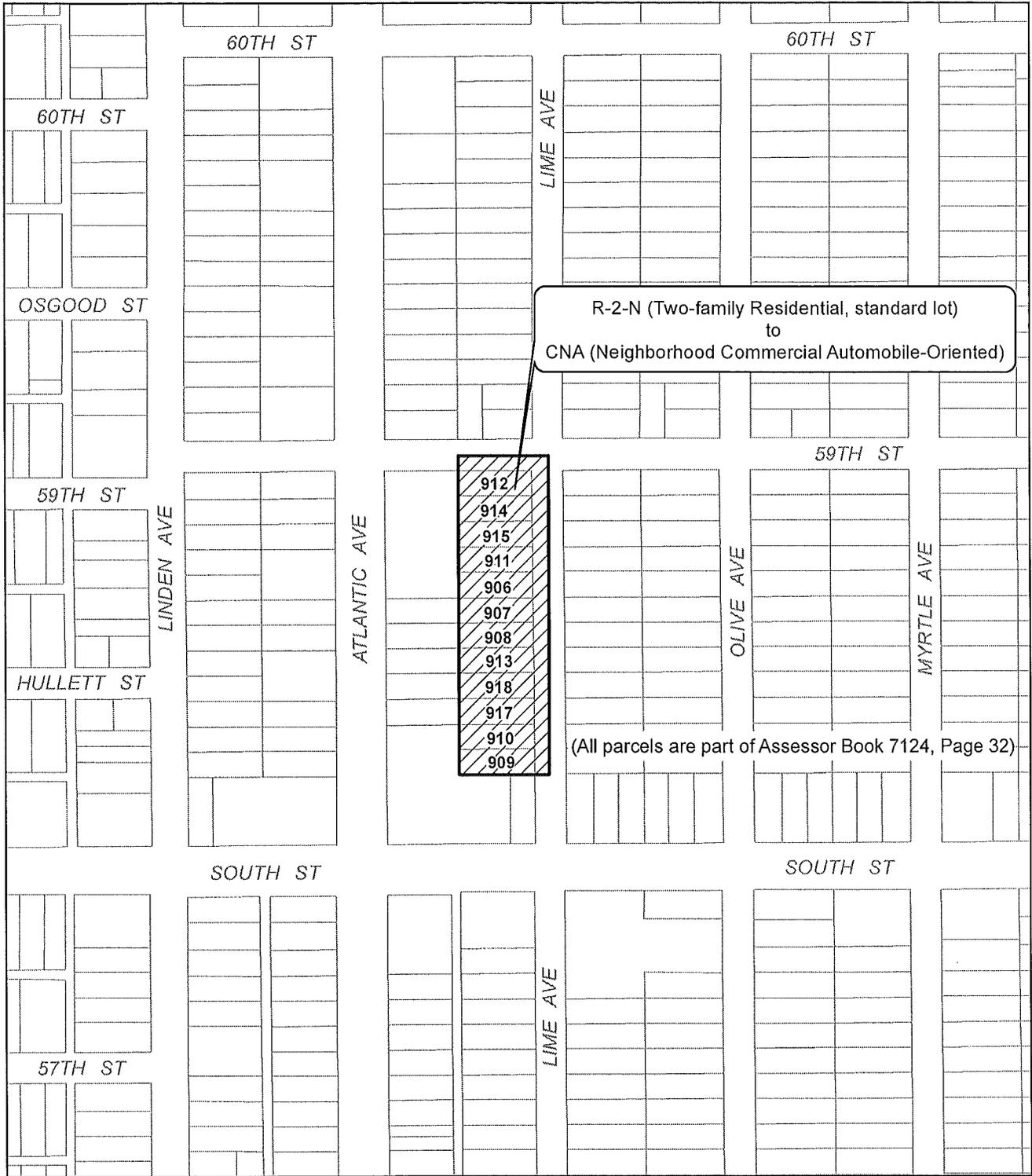
Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

Approved: _____

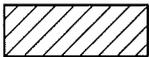
Mayor



R-2-N (Two-family Residential, standard lot)
to
CNA (Neighborhood Commercial Automobile-Oriented)

- 912
- 914
- 915
- 911
- 906
- 907
- 908
- 913
- 918
- 917
- 910
- 909

(All parcels are part of Assessor Book 7124, Page 32)



Area to be modified from R-2-N to CNA



PROPOSED
AMENDMENT TO A PORTION OF PART 29
OF THE USE DISTRICT MAP

Rezoning Case
ZC : 1205 - 11