

# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 4th Floor Long Beach, CA 90802 (562) 570-5237 Fax: (562) 570-6205

July 9, 2012

HONORABLE MAYOR AND CITY COUNCIL City of Long Beach California

#### RECOMMENDATION:

Receive the supporting documentation into the record, conclude the public hearing, consider the appeals from James Anderson (et al.), Melissa Wyss and Rachel Torres, and uphold the decision of the Planning Commission to approve a Local Coastal Development Permit and a Modification to an approved Site Plan Review decision to revise the project from a four-story, 56-unit residential complex with 40 hotel rooms to a four-story, 33-unit residential complex with 72 hotel rooms and associated amenities, located at 2010 East Ocean Boulevard in the Ocean Boulevard Planned Development District (PD-5) Subarea 2. (District 2)

#### **DISCUSSION**

On May 2, 2013, the Planning Commission conducted a public hearing on the Modification to an approved Site Plan Review decision to revise the entitled project from a four-story, 56-unit residential complex with 40 hotel rooms to a four-story, 33-unit residential project with 72 hotel rooms and related amenities, at 2010 E. Ocean Boulevard (Exhibit A – Plans and Photographs). After considering testimony from the public and applicant, the Planning Commission received the supporting documentation into the record, concluded the hearing, and voted 6-0 to approve the Modification, subject to conditions (Exhibit B – Findings and Conditions of Approval). Three separate appeals to the Planning Commission decision were filed within the appeal period. The reasons stated for the appeals included traffic, parking, safety and inconsistency with the Coastal Act (Exhibit C – Appeals).

The subject property is located on the south side of Ocean Boulevard at the terminus of Cherry Avenue east of 15<sup>th</sup> Place and is currently developed with the 40-room Beach Plaza Hotel. The site has a gross area of 45,643 square feet (1.04 acres) that will be reduced to 39,369 square feet (0.91 acres) after beachfront dedication and is zoned Ocean Boulevard Planned Development District (PD-5) Subarea 2.

The original project was approved on September 6, 2007, when the Planning Commission unanimously certified a Negative Declaration of Environmental Impact (ND 24-07) and approved a Local Coastal Development Permit, Site Plan Review and Tentative Tract Map for a four-story, 56-unit residential complex with 40 hotel rooms. These entitlements are still in effect.

HONORABLE MAYOR AND CITY COUNCIL July 9, 2013 Page 2

The project was not built, primarily due to the nationwide economic downturn which significantly affected construction financing. Since the initial approval in 2007, market conditions have changed with regards to residential units and hotel units, and the applicant is proposing to modify the project to better respond to those changes.

The requested modification will reduce the overall number of residential units from 56 to 33 and increase the overall number of hotel rooms from 40 to 72. The hotel rooms will range in size from 308-493 square feet, while the residential units will range in size from 540-1230 square feet. The residential units are located along the east portion of the property adjacent to 15<sup>th</sup> Place, and the hotel rooms are located in the center and west portion of the property adjacent to Bluff Park. This creates a consistency of residential uses along 15<sup>th</sup> Place, provides a buffer between the proposed hotel use and existing residential uses to the west, and maintains good access and views of the ocean and park for the hotel guests. In addition, the shift from residential units to hotel units is preferred, as the additional hotel units further the goal of the Coastal Act by providing an increase in public overnight accommodations and, thereby, additional opportunities for public access to the coast. Staff reviewed the certified Mitigated Negative Declaration (ND 24-07) for the original project and determined that the proposed Modification, which meets all Zoning Code requirements, will not result in any new adverse impacts nor increase the severity of any previously identified impacts.

The proposed design is very similar to the previously approved project. The architecture is contemporary in style and utilizes smooth stucco and glass as the primary materials. In addition, the design incorporates wood siding, metal fascia and mosaic tiles to create visual interest. The building will be a four-story structure (as measured from Ocean Boulevard grade) that is terraced on the southern portion to reflect the sloping nature of the bluff. From the beach grade, the project totals seven stories in height. It is designed with two courtyards; one that opens to Bluff Park on the east and one that opens to the beach on the south. In addition, the project includes a fitness room, dining facility and lounge for use by the residents, guests and hotel patrons.

If the City Council were to grant the appeals and overturn the decision of the Planning Commission, the applicant retains the right to construct the previously approved project containing 56 residential units and 40 hotel rooms. By upholding the decision of the Planning Commission and denying the appeals, the City Council would be allowing modification to the unit count, which staff believes is more compatible with the existing residential uses and the intent of the Coastal Act. For these reasons, staff recommends approval of the recommended actions.

This matter was reviewed by Assistant City Attorney Michael Mais on June 19, 2013 and by Budget Management Officer Victoria Bell on June 19, 2013.

#### TIMING CONSIDERATIONS

The Municipal Code Section 21.21.504 requires City Council action within 60 days of receiving an application for appeal. The earliest of the three appeals was received on May 10, 2013.

### HONORABLE MAYOR AND CITY COUNCIL July 9, 2013 Page 3

### **FISCAL IMPACT**

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

#### SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

AMY J. BODEK, AICP

DIRECTOR OF DEVELOPMENT SERVICES

APPROVED:

AB: DB: JW

P:\Planning\City Council Items (Pending)\Council Letters\2013-07-09\2010 E Ocean Boulevard.doc

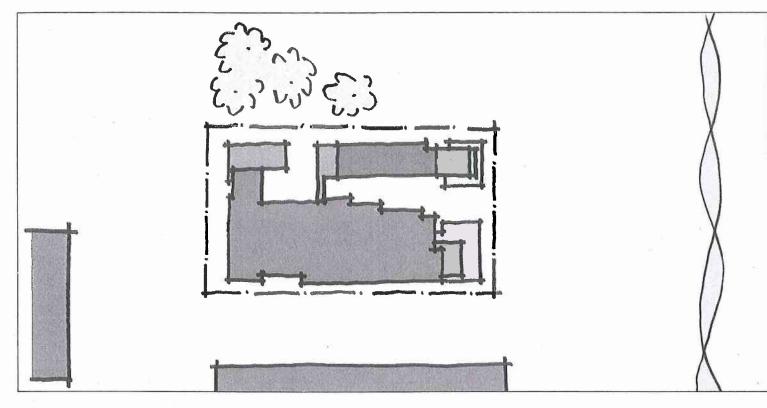
Attachments:

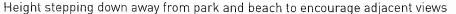
Exhibit A- Plans and Photographs

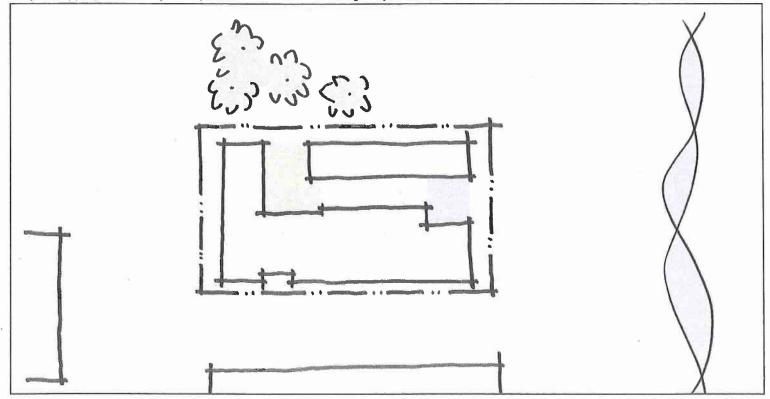
Exhibit B- Findings and Conditions of Approval (05/02/2013)

Exhibit C- Appeals









Courtyards responding to the park and ocean

#### **DESIGN CRITERIA**

#### Massing

Design the project to maximize hotel and residential views of the park and ocean.

Create a strong urban building edge along Ocean Boulevard and 15th Place.

Provide Varied massing on the beach elevation that accentuates the horizontal in order to respect bluff slope and preserve ocean views within and around the site. This also occurs on the east elevation facing the park.

Acknowledge visual terminus of Cherry Avenue with a 2-story hotel.

Accentuate an Overall resort image rather than a distinct differentiation in building style between the hotel and the residential component.

Articulate massing to maximize solar gain.

#### Use

Locate boutique hotel on Ocean Boulevard for Visibility.

Design pool facility with prominent views for hotel and residential users.

Provide a Variety of housing types such as flats, studios, and townhouses.

Locate two courts, one facing the ocean and the other facing the park.

Provide private beach access through stairs and terraces.

Locate residential lobby on 15th Place.

## Transportation + Parking

Provide all parking underground, hidden from the public realm.

Access all parking from 15th Place.

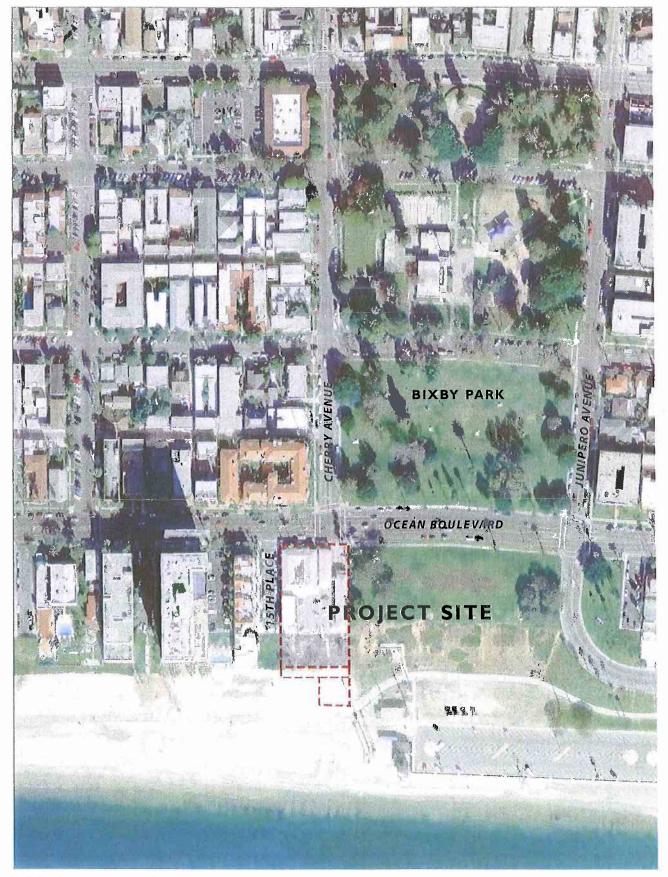
Separate hotel and residential parking.

## Open Space

Create a **Central courtyard** open to Bixby Park.

Activate the edges of 15th Place, Bixby Park, Ocean Boulevard and beachfront with inviting entries, porches, terraces, and stoops.

Enhance Ocean Boulevard with palm trees to provide a continuous street tree network, Parkway to match street trees on west side of 15th Place.



Vicinity Aerial Map

### OCEAN + CHERRY - Long Beach, CA ZONING - Ocean Boulevard Planned Development District (PD-5)

SETBACKS				
PD-5 Zone	ALLOWABLE	PROPOSED		
Ocean Boulevard	20'-0"	20'-0"		
Side Streets (15th Place)	8'-0"	8'-0"		
Interior Property Lines	Ten Percent of the lot width (150'-0" x .10 = 15'-0")	15'-0"		
MONTH CONTRACT OF THE CONTRACT	No building shall extend toward the beach further than the toe	18'-0"		
Beach Property Lines	of the bluff. (average = 18'-0")	19-0		

ALLOWABLE HEIGHT				
PD-5 Zone	ALLOWABLE	PROPOSED		
Building Height	45'-0" or 4 Stories above Ocean Boulevard	45'-0"		

LOT COVERAGE/BUILDABLE AREA			
PD-5 Zone	ALLOWABLE	PROPOSED	
Lot Area - Gross		45,643 (1.04 AC)	
Lot Area - Net (After beachfront dedication)		39,639 (0.91 AC)	
Lot Area (Net)		39,639	
Lot Coverage (65% of Net)	25,765.4 (65% of Net)	21,484 (54.2 %)	

PD-5 Zone	ALLOWABLE (FAR)	PROPOSED (FAR)	ALLOWABLE (SF)	PROPOSED (SF)	
Project Density	2.50	2.49	99,097.5	98,740	
			99,097 > 98,	98,740 thus OK	
PROGRAM/AREA SUMMARY		AND THE PARTY OF T			
FLOOR LEVEL		USE		SF	
Sublevel Floor (P3)		Residential		6,361	
Sublevel Floor (P2)		Residential			
Sublevel Floor (P1)		Residential			
First Floor (01)		Hotel, Residential			
Second Floor (02)		Hotel, Residential			
Third Floor (03)		Hotel, Residential		20,367	
Fourth Floor (04)		Hotel, Residential		16,753	
Proposed Zoning Floor Area (S	(F)			98,740	
Proposed FAR				2.49	

PD-5 Zone requires 64 SF of Private Useable Open Space	per unit.				
UNIT TYPE	# UNITS	AREA	TOTAL SF		
Studio	1	64	64		
1 Bedroom	13	64	832		
2 Bedroom	15	64	960		
Townhouse	4	64	256		
Total Residential			2,112		
Hotel Keys	72	64	4,608		
TOTAL REQUIRED					
TOTAL RESIDENTIAL OPEN SPACE PROVIDED			5,526		
AVERAGE RESIDENTIAL OPEN SPACE PROVIDED/UNIT			167		
TOTAL HOTEL OPEN SPACE PROVIDED					
AVERAGE HOTEL OPEN SPACE PROVIDED/UNIT			70		
TOTAL PROVIDED			10,587		

PARKING REQUIREMENTS (O	CEAN BLVD PLA	ANNED DEVEL	OPMENT DISTRICT	(PD-5)
Residential	2.00 spaces shall be required for each dwelling unit for resident use. One-quarter space per dwelling unit shall be required for guest use.			
Hotel/Motel	One space per room (including banquet, meeting rooms, restaurants, etc.)			
ADA SPACES REQUIRED				
Hotel ADA Required			3 (1 Van Accessible)	
Residential ADA Required			1 (1 Van Accessible)	
LOADING SPACE REQUIREMENTS L.B.M.C.	CHAPTER 21.41***			
Use	Number of Spaces		Type of Spaces	
Hotel	<ol> <li>Required off-street space posted for passenger loading</li> </ol>			
*** 50% of total residential parking space	s provided allowed a	is compact spaces p	er Table 41-2	
FLOOR LEVEL		# UNITS	RATIO/1000 SF	TOTAL
FLOOR (P3)				
Residential		3	2	6
Total Required Stalls		L		6
FLOOR (P2)				
Residential		3	2	6
Total Required Stalls				6
FLOOR (P1)	THE REAL PROPERTY.	# UNITS	RATIO/1000 SF	TOTAL
Residential Total Required Stalls		2	2	4
HLOOR (01)		#UNITS	RATIO/1000 SF	TOTAL
Hotel Residential		10	1 2	10 10
Total Required Stalls				20
FLOOR (02)	WWW. WWW.	#/UNITS	PER UNIT	TOTAL
Hotel		22	1 1	22
Residential		7	2	14
Total Required Stalls				36
FLOOR (03)		# UNITS	PER UNIT	TOTAL
Hotel		23	1	23
Residential		7	2	14
Total Required Stalls		L		37
FLOOR (04)	ide street of the	#WNITS	PER UNIT	TOTAL
Hotel Residential		17	1 2	17
Total Required Stalls		0		29
TOTAL HOTEL SPACES REQUIRED TOTAL RESIDENTIAL SPACES REQUIRED				72 66
Required Parking (Hotel/Residential)*		A TV STAP IIV	Subtotal	138
Required Parking (Visitor)				9
TOTAL PARK	NG REQUIRED	FOR PROJECT	Market State of the State of th	147
* Dining/Lounge spaces to be considered	as accessory to hote	l use; no additional į	parking required	

ROVIDED PARKING TYPES		LEVEL P2	LEVEL P1	TOTAL
Hotel		7	60	67
ADA	ADA	0	3	3
Loading	Loading	0	2	2
TOTAL HOTEL		7	65	72
Residential		65	0	65
	ADA	1	0	1
TOTAL RESIDENTIAL		66	0	66
Guest (Residential)		9	0	9
TOTAL PARKING PROVID	DED	82	65	147
	DED 7 stalls req'd. = 147			147
				147 TOTAL
14 PARKING STALL TYPES **		7 stalls provided	thus OK	
14	7 stalls reg'd. = 147	7 stalls provided	thus OK LEVELPI 31 0	TOTAL 34 35
14 PARKING STALL TYPES **	7 stalls req'd. = 147	7 stalls provided LEVELP2 3 35 35 38	thus OK  LEVELP1  31  0  31	TOTAL 34 35 69
PARKING STALL TYPES **  Compact Stalls  TOTAL Compact	7 stalls req'd. = 147  Hotel Residential  Hotel	7 stalls provided    LEVEL   P2	thus OK LEVELPI 31 0	TOTAL 34 35 <b>69</b> 38
PARKING STALL TYPES **  Compact Stalls  TOTAL Compact  Standard Stalls	7 stalls req'd. = 147  Hotel Residential	7 stalls provided    LEVEL P2   3   35   38   4   40	thus OK  LEVELP1  31  0  31  34  0	TOTAL 34 35 <b>69</b> 38 40
PARKING STALL TYPES **  Compact Stalls  TOTAL Compact  Standard Stalls	7 stalls req'd. = 147  Hotel Residential  Hotel	7 stalls provided    LEVEL   P2	thus OK  LEVELP1  31  0  31  34	TOTAL 34 35 <b>69</b> 38
PARKING STALL TYPES **  Compact Stalls  TOTAL Compact	7 stalls req'd. = 147  Hotel Residential  Hotel	7 stalls provided    LEVEL P2   3   35   38   4   40	thus OK  LEVELP1  31  0  31  34  0	TOTAL 34 35 <b>69</b> 38 40

FLOOR LEVEL	PROGRAM	SF
SUBLEVEL FLOOR (P3)		
loor Area Included in FAR	Residential	2,591
	Hotel Amenity (café)	1,919
	Circulation (includes stairs, elev., corr., trash)	1,851
	TOTAL INCLUDED IN FAR CALC.	6,361
UBLEVEL FLOOR (P2)		
rea Not Included in FAR	Residential Parking	26,361
loor Area Included in FAR	Residential	3,731
	Residential Amenity (includes garage elev. Lobby)	484
	Circulation (includes stairs, elev., corr., trash, utility)	2,124
	TOTAL INCLUDED IN FAR CALC.	6,339
UBLEVEL (P1)	TOTAL INCLODED IN PAR CALC.	0,339
rea Not Included in FAR	Hotel Parking	22,693
loor Area Included in FAR	Residential	2,820
	Circulation (includes stairs, elev., corr., trash, utility)	3,884
	Hotel Amenity (includes garage lobby, service)	3,287
	TOTAL INCIDION IN FAR CALC	0.004
LOOR (01)	TOTAL INCLUDED IN FAR CALC.	9,991
loor Area Included in FAR	Hotel	4,600
9	Hotel Amenity (includes lobby, lounge, dining, service)	7,541
	Residential	4,046
3819	Residential Amenity (Lobby)	378
	Circulation (includes stairs, elev., corr., trash, storage)	2,306
	TOTAL INCLUDED IN FAR CALC.	18,871
LOOR (02)	TO THE INCEODED IN TAIL CALC.	10,071
Floor Area Included in FAR	Hotel	8,117
	Hotel Amenity (Housekeeping)	234
	Residential	7,067
	Circulation (includes stairs, elev., corr., trash, idf)	4,640
	TOTAL INCLUDED IN FAR CALC.	20,058
LOOR (03)		20,050
loor Area Included in FAR	Hotel	8,425
	Hotel Amenity (Housekeeping)	234
	Residential	7,067
	Circulation (includes stairs, elev., corr., trash, idf)	4,641
	TOTAL INCLUDED IN FAR CALC.	20,367
FLOOR (04)	TOTAL INCLUDED IN PAR CALC.	20,307
Floor Area Included in FAR	Hotel	6,172
	Hotel Amenity (Housekeeping)	234
	Residential	6,491
	Circulation (includes stairs, elev., corr., trash, idf)	3,856
	TOTAL INCLUDED IN FAR CALC.	16,753
	TOTAL FLOOR AREA PROPERTY	00 = 10
	TOTAL FLOOR AREA PROPOSED	98,740
	TOTAL ALLOWABLE FLOOR AREA	99,097.50

LOOR (P3)	# OF UNITS	UNIT AREA	TOTAL LEASABLE AREA	PRIVATE OPEN SPACE
Residential			Takes .	· ·
35	1	911	911	243
C5	1	1140	1,140	414
03-1	1	540	540	155
TOTAL DESIDENTIAL	3		2,591	812
TOTAL RESIDENTIAL LOOR (P2)	# OF UNITS	UNIT AREA	TOTAL LEASABLE	PRIVATE OPEN
Residential		San all organization	AREA	SPACE
		911	911	152
35	2	1,140	2,280	571
25	0		540	97
D3-2	Ų.	540	540	97
TOTAL RESIDENTIAL	3		3,731	820
FLOOR (P1)	# OF UNITS	UNIT AREA	TOTAL LEASABLE AREA	PRIVATE OPEN
Residential				
C5	2	1,140	2,280	365
D3-3	0	540	540	74
TOTAL RESIDENTIAL	2		2,820	439
			TOTAL LEASABLE	PRIVATE OPEN
FLOOR (01)	# OF UNITS	UNIT AREA	AREA	SPACE
Residential				
A	1	560	560	123
B1-B	1	799	799	97
83-B	1	782	782	0
C1	1	1,365	1,365	467
D1-1	11	540	540	0
Hotel				Harder II.
B2-B	1	823	823	0
B4	1	803	803	0
K-1	4	336	1,344	425
K-7	1	370	370	0
K-9	2	420	840	263
QQ-2	1	420	420	155
TOTAL DECIDENTIAL			4.046	697
TOTAL RESIDENTIAL TOTAL HOTEL	5 10		4,046 4,600	687 843

(100p (na)	P. OC. A. NUTC	TIMIT ADEA	TOTAL LEASABLE	PRIVATE OPEN
LOOR (02)	# OF UNITS	UNIT AREA	AREA	SPACE
Residential				
31	1	886	886	142
32	1	756	756	88
33	1	922	922	142
C2	1	1,066	1,066	142
C3	1	1,230	1,230	88
C4	1	1,091	1,091	78
01-2	0	540	540	165
02-1	1	576	576	0
Hotel			1	
K-1	10	336	3,360	662
K-3	1	328	328	89
K-4	1	493	493	0
\ <u>-4</u>		332	332	0
<-6	1 1	336	336	0
<b>&lt;-</b> 7	1	370	370	79
<-7 <-8	1	378	378	0
	5	420	2,100	461
QQ-1	1	420	420	0
QQ-2		420	420	0
TOTAL	RESIDENTIAL 7		7,067	845
	TOTAL HOTEL 22		8,117	1,291
	TOTAL UNITS 29		15,184	2,136
			TOTALLEASABLE	PRIVATE OPEN
FLOOR (03)	# OF UNITS	S UNIT AREA	AREA	SPACE
Residential				
B1	1	886	886	74
B2	1	756	756	88
B3	1	922	922	74
C2	1	1,066	1,066	74
C3	i i	1,230		
			1.230	1 88
4			1,230 1.091	88 78
	1	1,091	1,091	78
D1-1				
D1-1 D2-2	1 1	1,091 540	1,091 540	78 146
D1-1 D2-2 <b>Hote</b> l	1 1 0	1,091 540 576	1,091 540 576	78 146 124
D1-1 D2-2 <b>Hotel</b> K-1	1 1 0	1,091 540 576	1,091 540 576 3,360	78 146 124
D1-1 D2-2 <b>Hotel</b> K-1 K-2	1 1 0	1,091 540 576 336 308	1,091 540 576 3,360 308	78 146 124 809 0
D1-1 D2-2 <b>Hotel</b> K-1 K-2 K-3	1 1 0	1,091 540 576 336 308 328	1,091 540 576 3,360 308 328	78 146 124 809 0 89
D1-1 D2-2 <b>Hotel</b> K-1 K-2 K-3 K-4	1 1 0	1,091 540 576 336 308 328 493	1,091 540 576 3,360 308 328 493	78 146 124 809 0 89 55
D1-1 D2-2 <b>Hotel</b> K-1 K-2 K-3 K-4 K-5	1 1 0 10 1 1 1 1	1,091 540 576 336 308 328 493 332	3,360 308 328 493 332	78 146 124 809 0 89 55 55
D1-1 D2-2 <b>Hotel</b> K-1 K-2 K-3 K-4 K-5	1 0 10 1 1 1 1 1	1,091 540 576 336 308 328 493 332 336	3,360 308 328 493 332 336	78 146 124 809 0 89 55 55 55
D1-1 D2-2 <b>Hotel</b> K-1 K-2 K-3 K-4 K-5 K-6	10 10 11 11 11 11	1,091 540 576 336 308 328 493 332 336 370	3,360 308 328 493 332 336 370	78 146 124 809 0 89 55 55 55 180
D1-1 D2-2 Hotel K-1 K-2 K-3 K-4 K-5 K-6 K-7	10 10 11 11 11 11 11	1,091 540 576 336 308 328 493 332 336 370 378	3,360 308 328 493 332 336 370 378	78 146 124 809 0 89 55 55 55 180 49
D1-1 D2-2 Hotel K-1 K-2 K-3 K-4 K-5 K-6 K-7 K-8	10 10 11 11 11 11 11 11 15	1,091 540 576 336 308 328 493 332 336 370 378 420	3,360 308 328 493 332 336 370 378 2,100	78 146 124 809 0 89 55 55 55 180 49
D1-1 D2-2  Hotel K-1 K-2 K-3 K-4 K-5 K-6 K-7 K-8 QQ-1	10 10 11 11 11 11 11	1,091 540 576 336 308 328 493 332 336 370 378	3,360 308 328 493 332 336 370 378	78 146 124 809 0 89 55 55 55 180 49
D1-1 D2-2  Hotel K-1 K-2 K-3 K-4 K-5 K-6 K-7 K-8 QQ-1 QQ-2	10 10 11 11 11 11 11 11 11 15 11	1,091 540 576 336 308 328 493 332 336 370 378 420	1,091 540 576 3,360 308 328 493 332 336 370 378 2,100 420	78 146 124 809 0 89 55 55 55 180 49 238 0
D1-1 D2-2  Hotel K-1 K-2 K-3 K-4 K-5 K-6 K-7 K-8 QQ-1 QQ-2	10 10 11 11 11 11 11 11 15 11 17	1,091 540 576 336 308 328 493 332 336 370 378 420	1,091 540 576 3,360 308 328 493 332 336 370 378 2,100 420	78 146 124 809 0 89 55 55 55 180 49 238 0
K-1 K-2 K-3 K-4 K-5 K-6 K-7 K-8 QQ-1 QQ-2	10 10 11 11 11 11 11 11 11 15 11	1,091 540 576 336 308 328 493 332 336 370 378 420	1,091 540 576 3,360 308 328 493 332 336 370 378 2,100 420	78 146 124 809 0 89 55 55 55 180 49 238 0

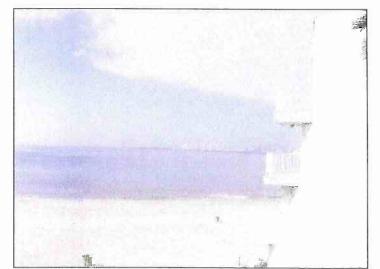
FLOOR (04)	# GF UNITS	UNIT AREA	TOTAL LEASABLE AREA	PRIVATE OPEN SPACE
Residential				
B1	1	886	886	74
B2	1	756	756	88
B3	1	922	922	74
C2	1	1,066	1,066	74
C3	1	1,230	1,230	88
C2 C3 C4	1	1,091	1,091	78
D1-2	0	540	540	701
Hotel				
K-1	- 8	336	2,688	924
K-2	1	308	308	0
K-3	1	328	328	89
K-7	1	370	370	97
K-8	1	378	378	49
QQ-1	5	420	2,100	238
TOTAL RESIDENTIAL	6		6,491	1,177
TOTAL HOTEL	17		6,172	1,397
TOTAL UNITS	23		12,663	2,574
TOTAL HOTEL PROVIDED	72		27,314	5,061
TOTAL RESIDENTIAL PROVIDED	33		33,813	5,526
TOTAL PROVIDED			61,127	10,587



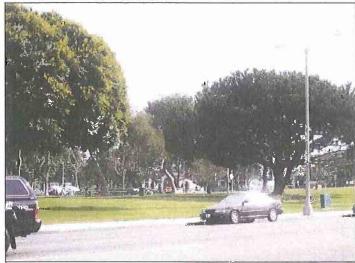
15th Place looking Northwest



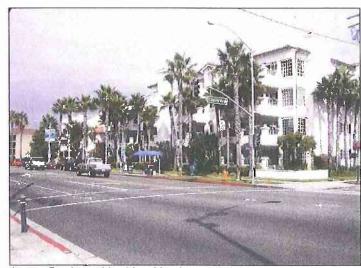
Bixby Park East of site



View of ocean from site



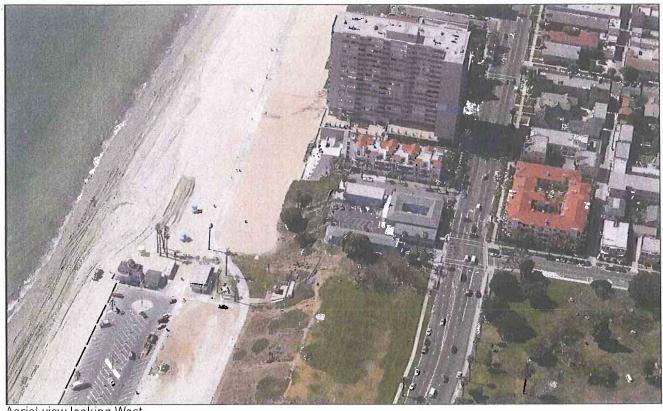
Bixby Park across from Ocean Boulevard



Ocean Boulevard looking Northwest



Existing hotel on site



Aerial view looking West



Aerial view looking North





Proposed Design

Entitled Design

# **OVERVIEW OF DESIGN REVISIONS**

The intention of the Ocean + Cherry 11.21.11 design is to retain the overall aesthetic and massing from the entitled project while altering the program to improve hotel operation and enhance visitor/resident experience within the development. The Ocean Boulevard and 15th Place elevations will remain intact while the Ocean and Park elevations will be altered proportionally to respond to program and open space reallocation. The overview of design revisions are as follows:

- Additional hotel keys and operation area (including lobby/lounge, service and storage)
- Reduce residential program while retaining flexibility for market conditions
- Redistribute community open space area and program
- Creation of north-south circulation and view corridor directly connecting two courtyards
- Use of tandem stalls reduces the parking garage from three to two levels below grade
- Extension of subterranean garage under parkside and Ocean Boulevard (new) setbacks



Ocean Boulevard + Cherry Avenue



Ocean Boulevard + 15th Place



View towards 15th Place

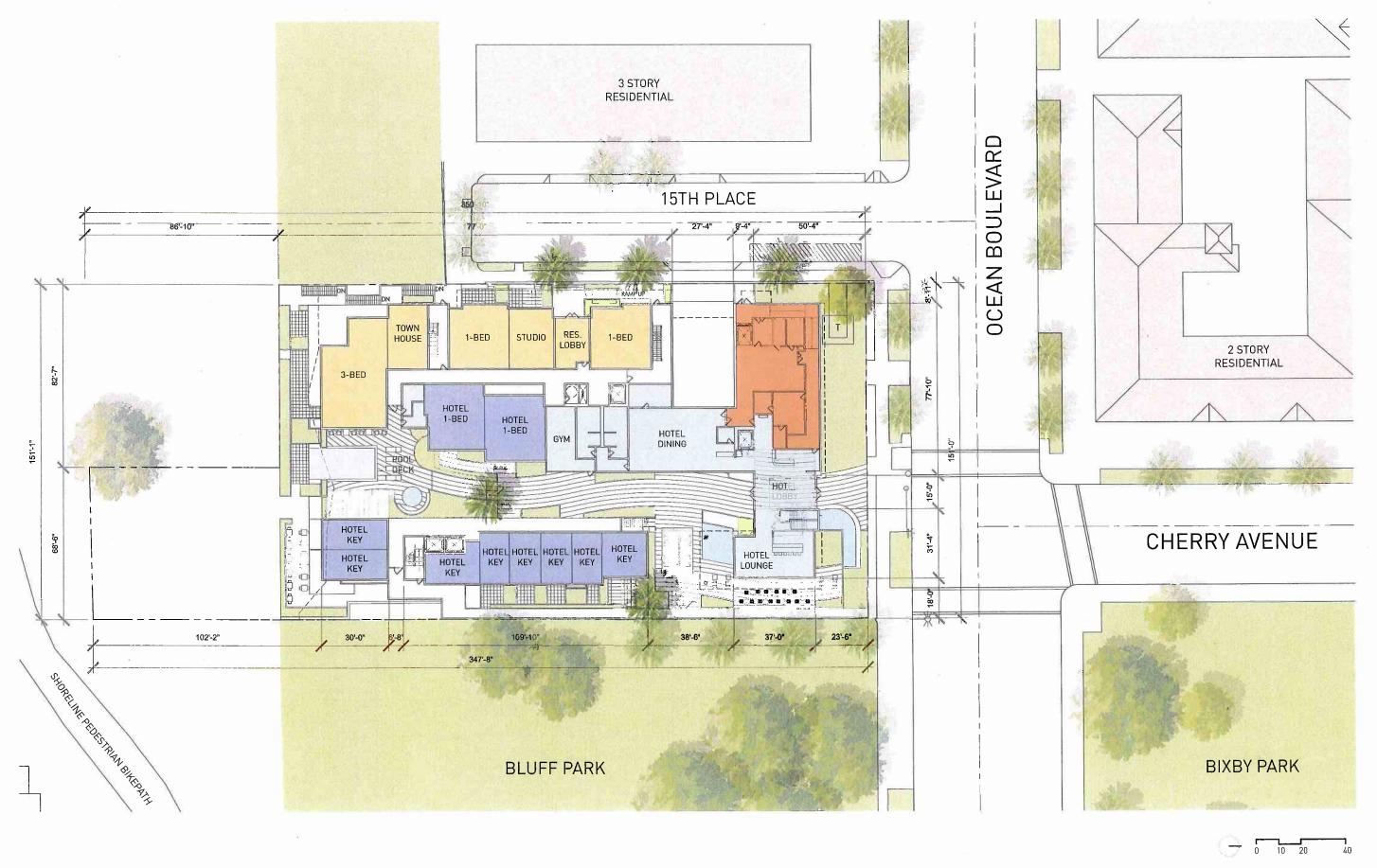


View towards Bluff Park



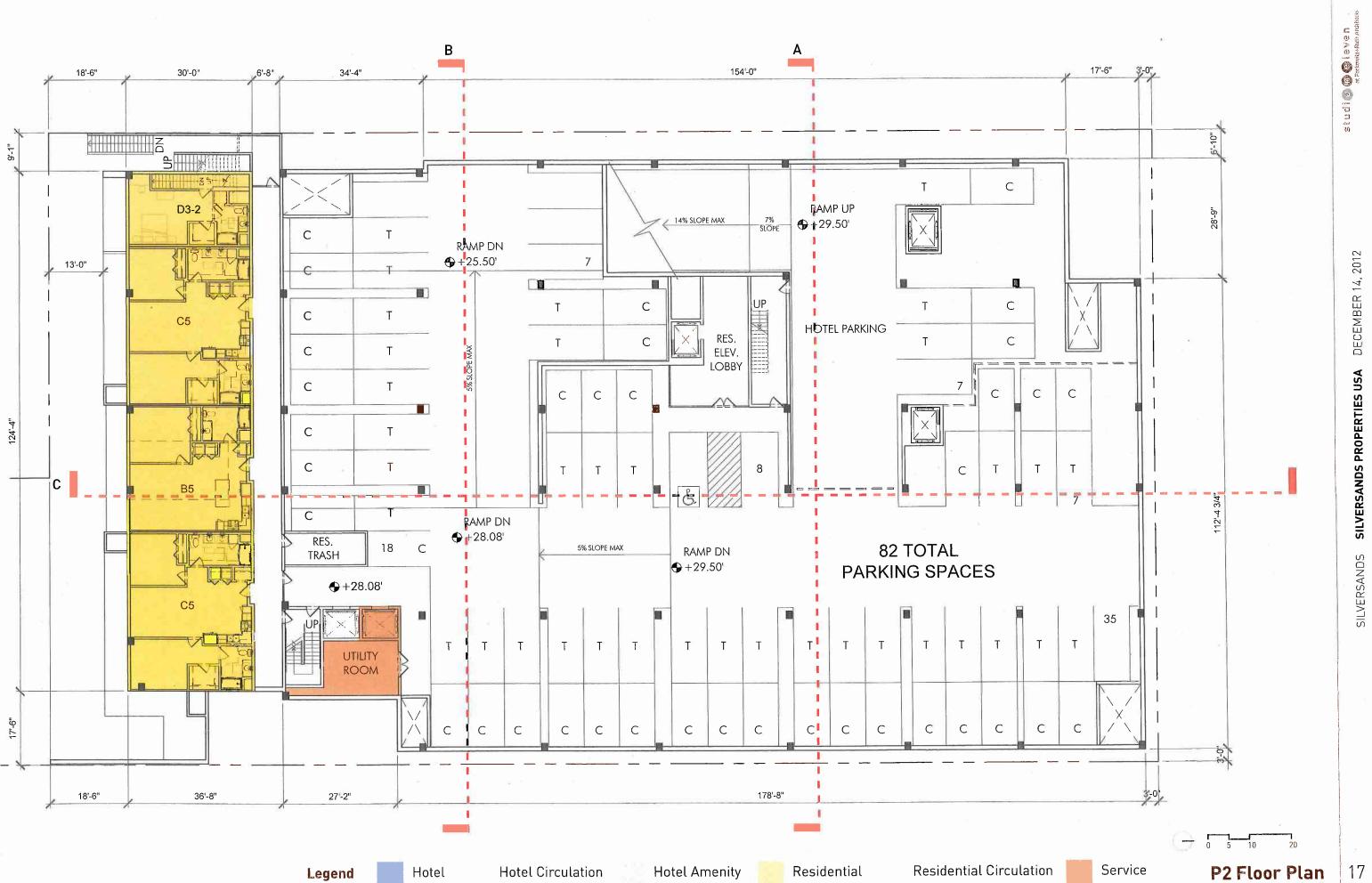
Courtyard View from Lobby





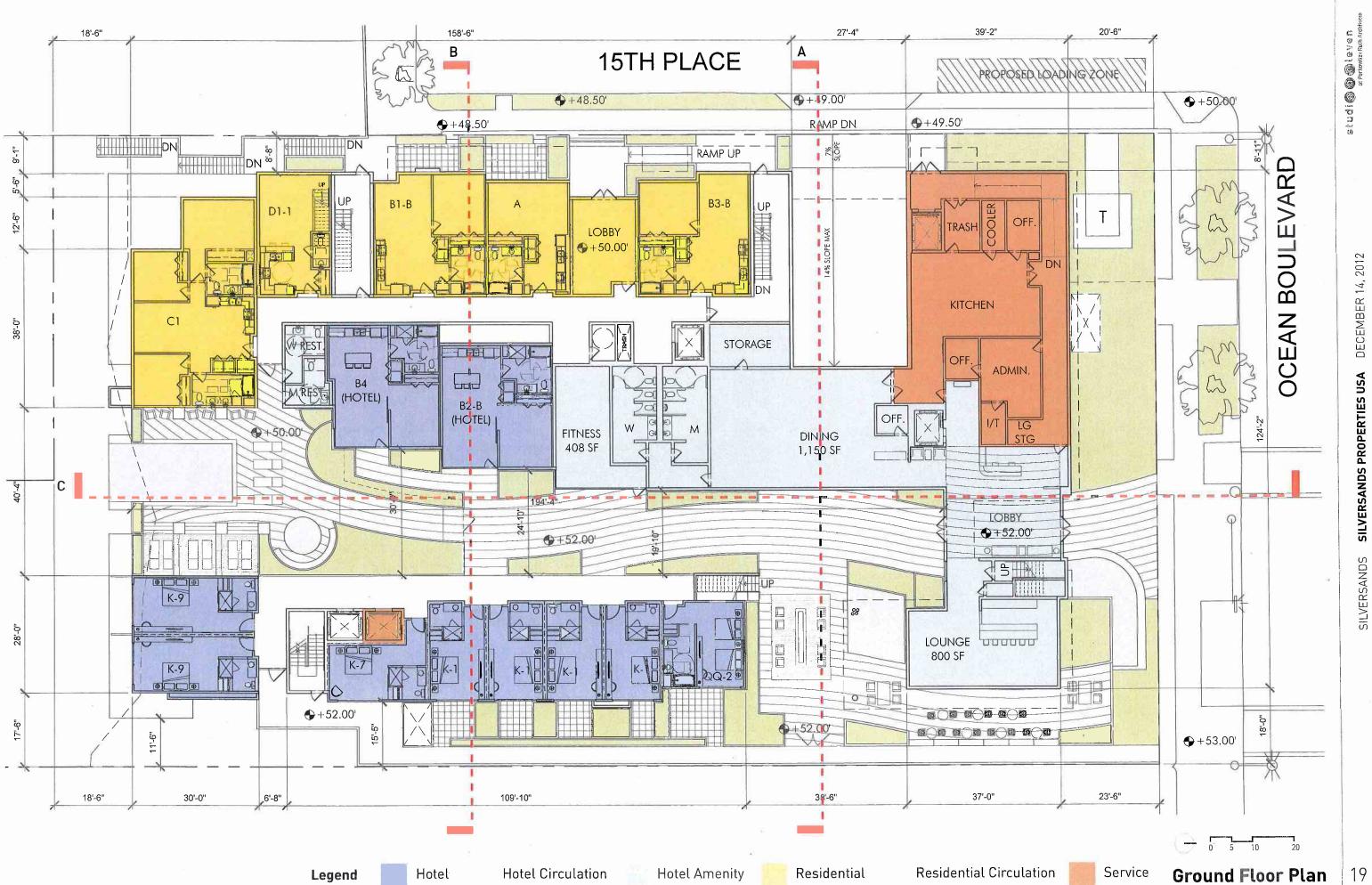
30'-0"

Residential

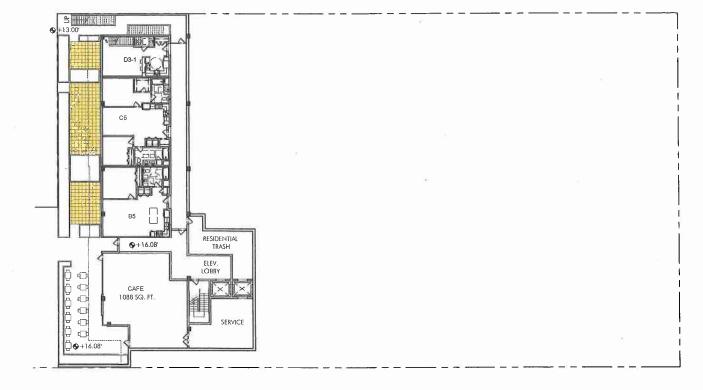








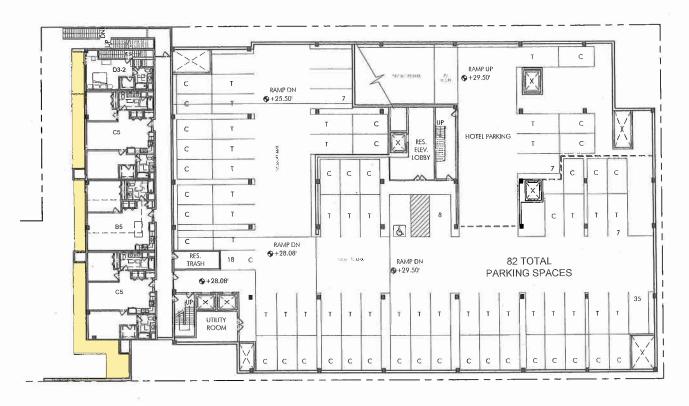
SILVERSANDS PROPERTIES USA



P3 FLOOR PLAN Residential Open Space - 812 SF

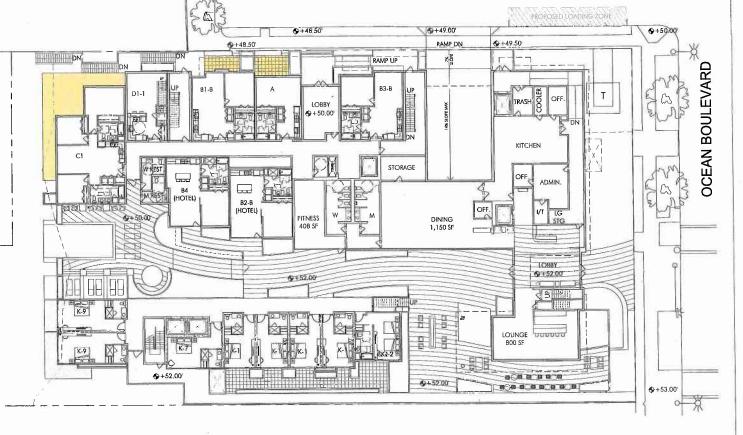
# **Useable Open Space Summary**

Hotel	4	Residential	
TOTAL OPEN SPACE	5,061 SF	TOTAL OPEN SPACE	5,526 SF
P3 FLOOR	0	P3 FLOOR	812 SF
P2 FLOOR	0	P2 FLOOR	820 SF
P1 FLOOR	0	P1 FLOOR	439 SF
GROUND FLOOR	843 SF	GROUND FLOOR	687 SF
SECOND FLOOR	1,291 SF	SECOND FLOOR	845 SF
THIRD FLOOR	1,530 SF	THIRD FLOOR	746 SF
FOURTH FLOOR	1,397 SF	FOURTH FLOOR	1,177 SF



P2 FLOOR PLAN Residential Open Space - 820 SF



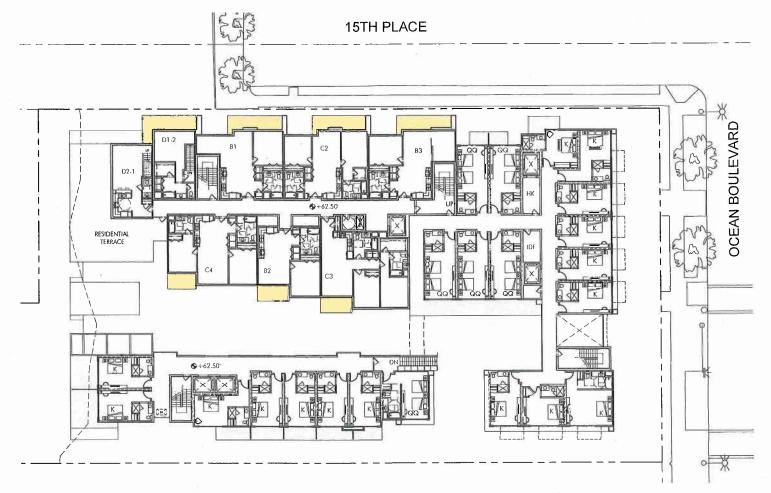


GROUND FLOOR PLAN Residential Open Space - 687 SF Hotel Open Space - 843 SF

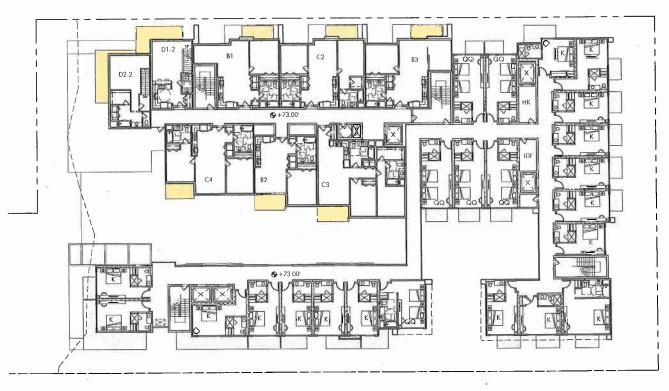
RESIDENTIAL USEABLE OPEN SPACE
64 SF per unit required (Ocean Boulevard Planned Development District (PD-5)

HOTEL USEABLE OPEN SPACE
64 SF per unit required (Ocean Boulevard Planned Development District (PD-5)

P1 FLOOR PLAN Residential Open Space - 439 SF



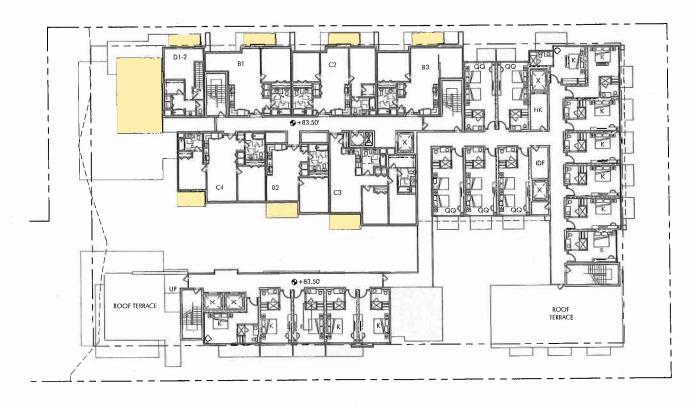
SECOND FLOOR PLAN Residential Open Space - 812 SF Hotel Open Space - 1,291 SF



THIRD FLOOR PLAN Residential Open Space - 820 SF Hotel Open Space - 1,530 SF



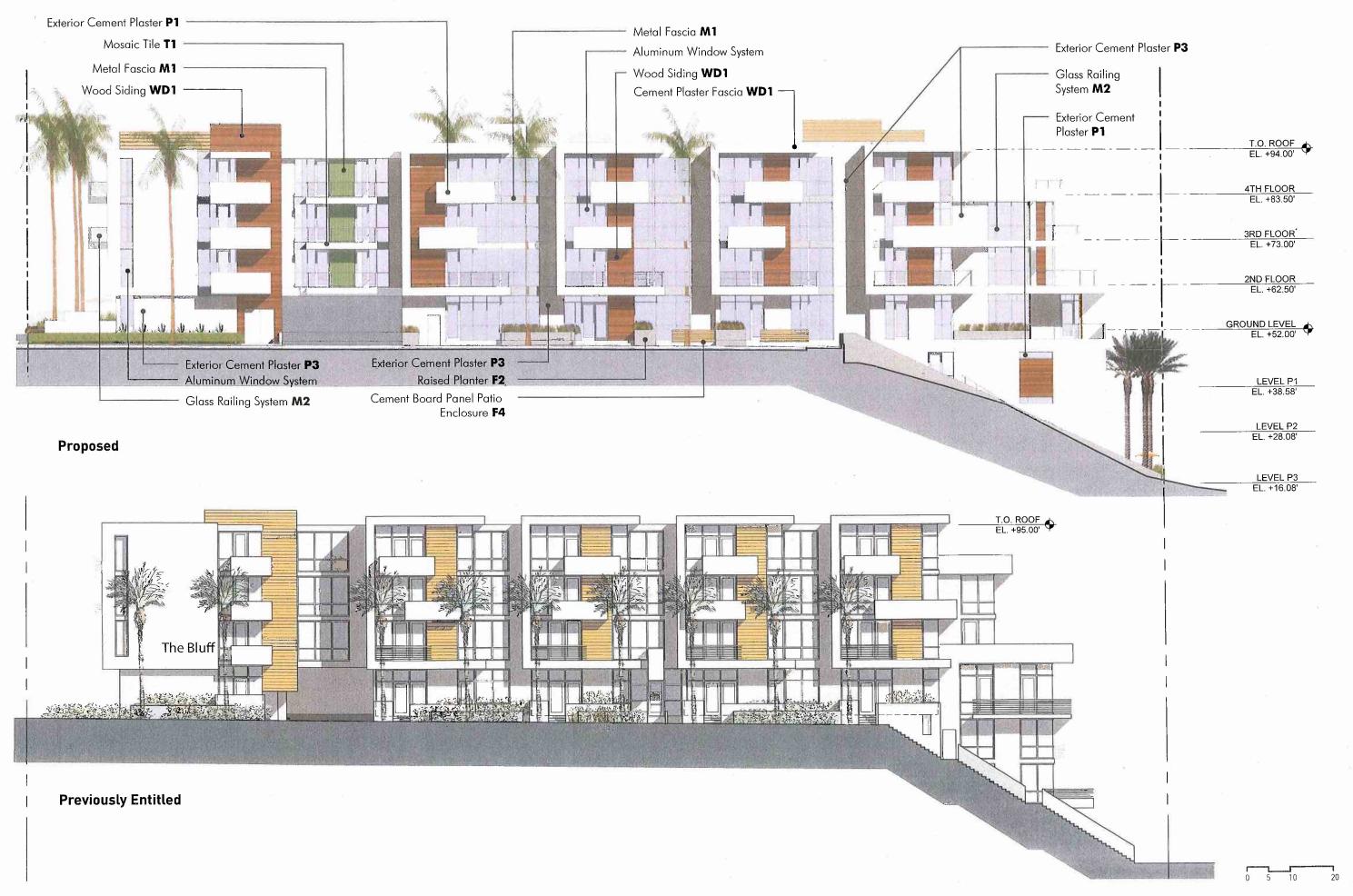


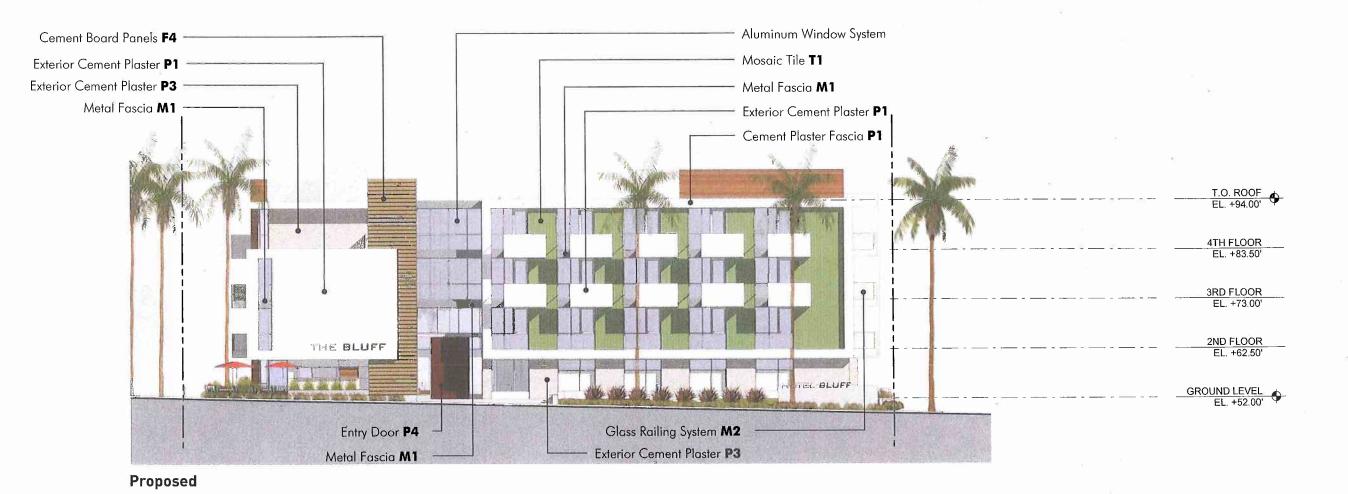


FOURTH FLOOR PLAN Residential Open Space - 820 SF Hotel Open Space - 1,530 SF

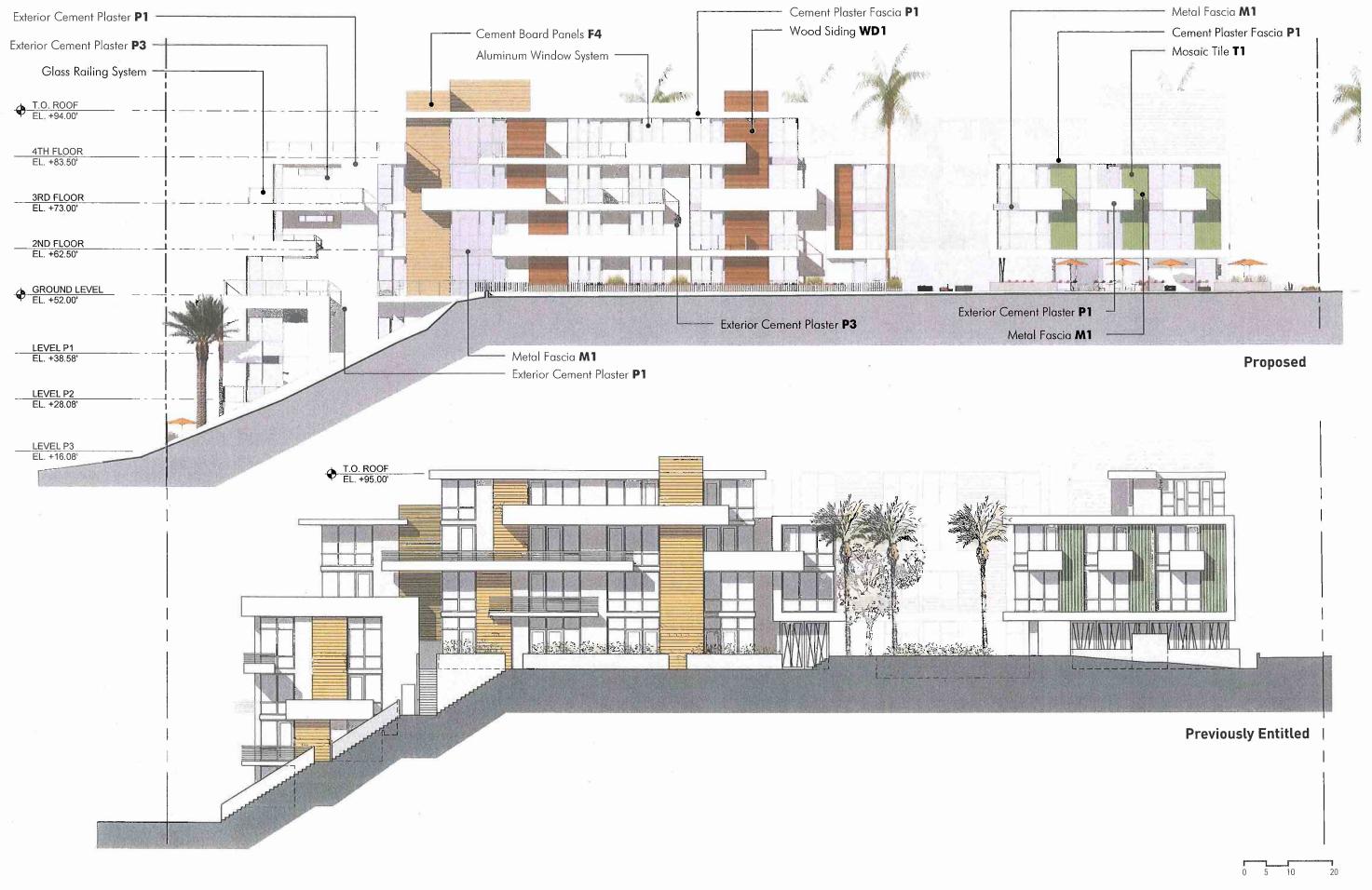








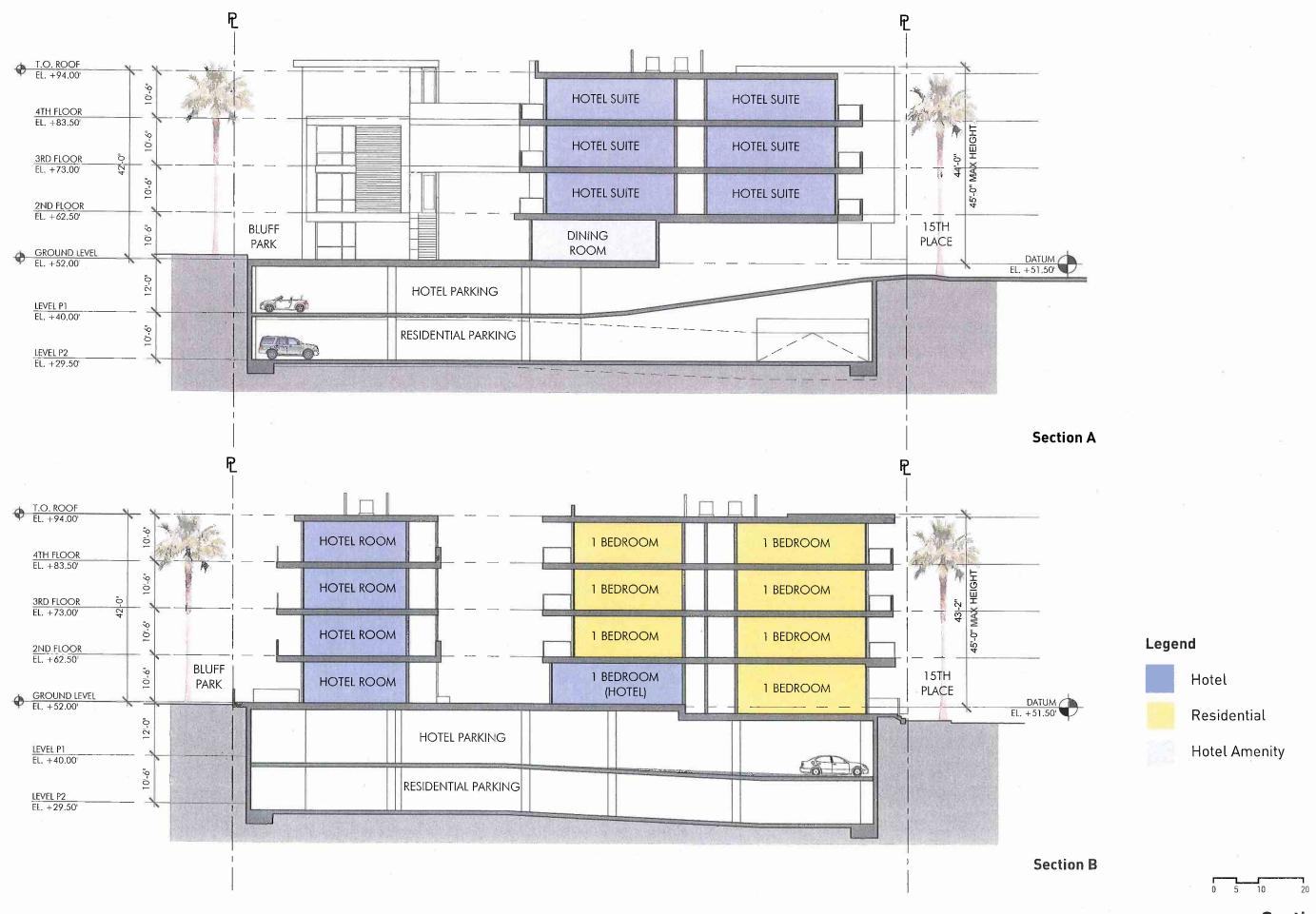


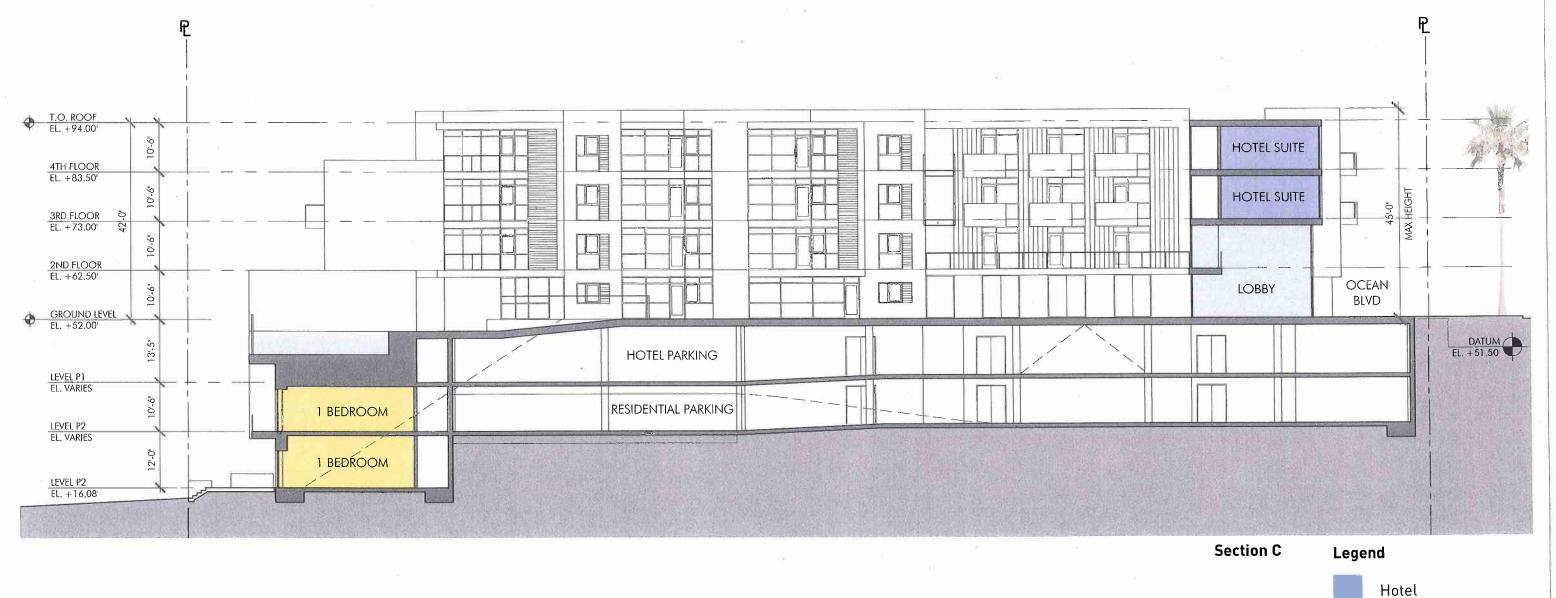


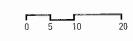




Proposed

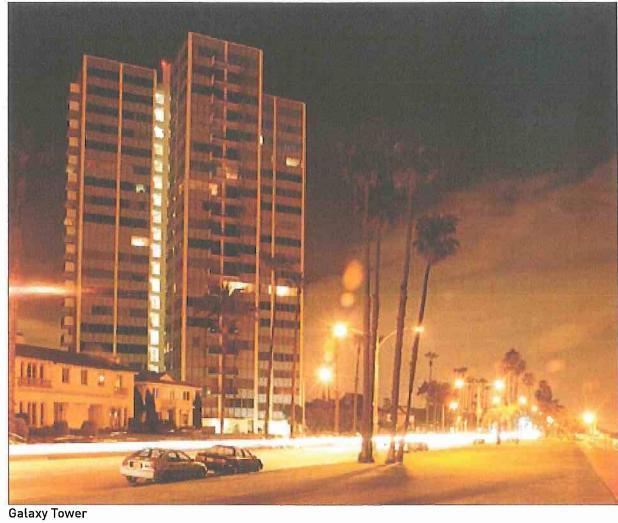






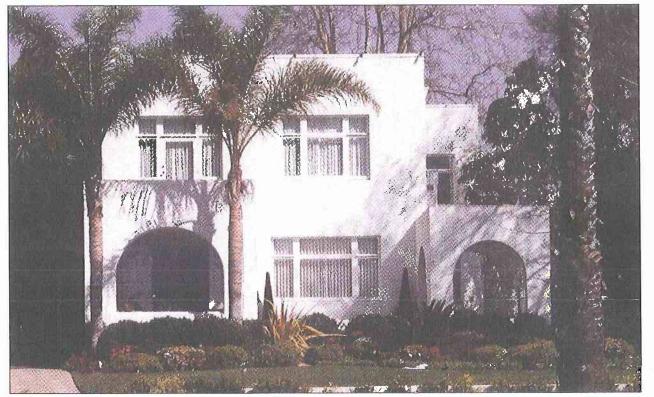
Residential

**Hotel Amenity** 

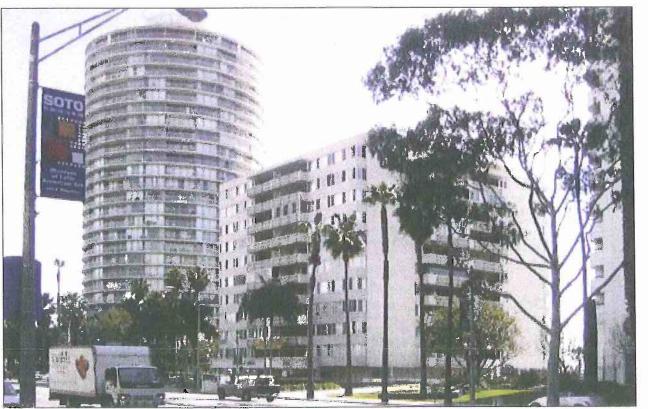




Marina Tower model home

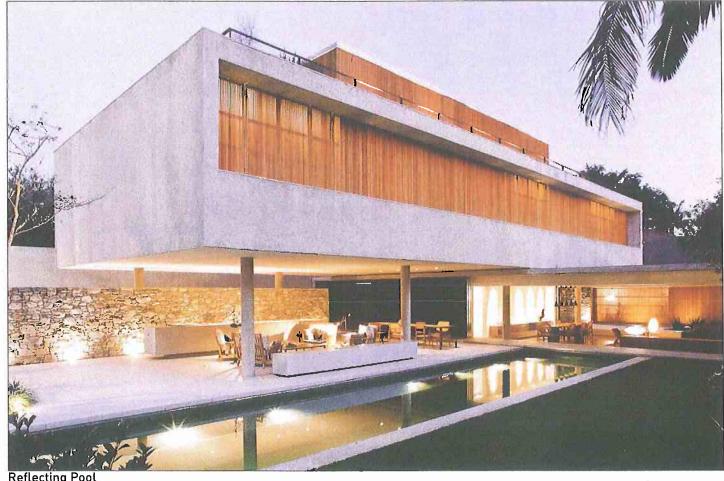


Residence by Irving Gill



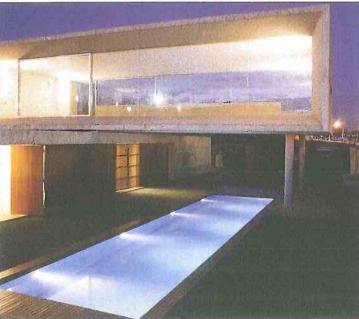
International Towers







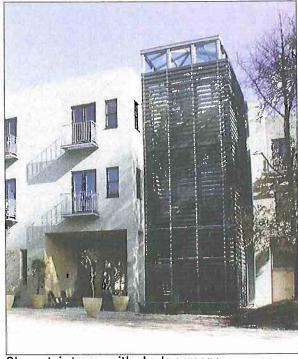
Wood complimented with white plaster



Building supported by piers



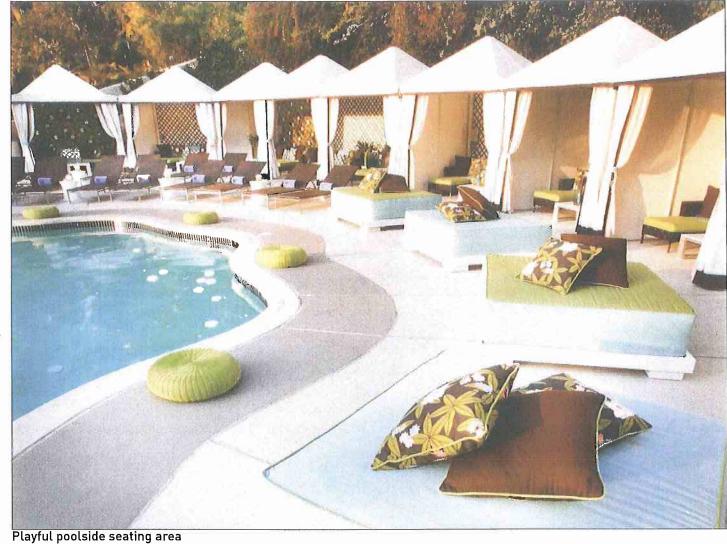
Wood sun control screen



Glass stair tower with shade screens

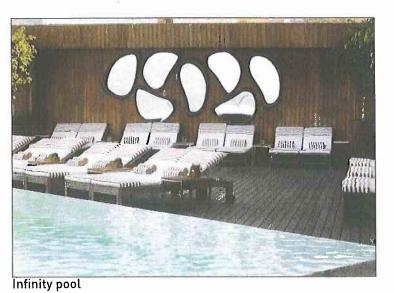


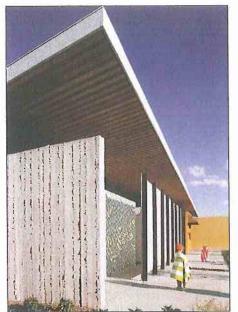
Solid and void





Cabanas fronting pool

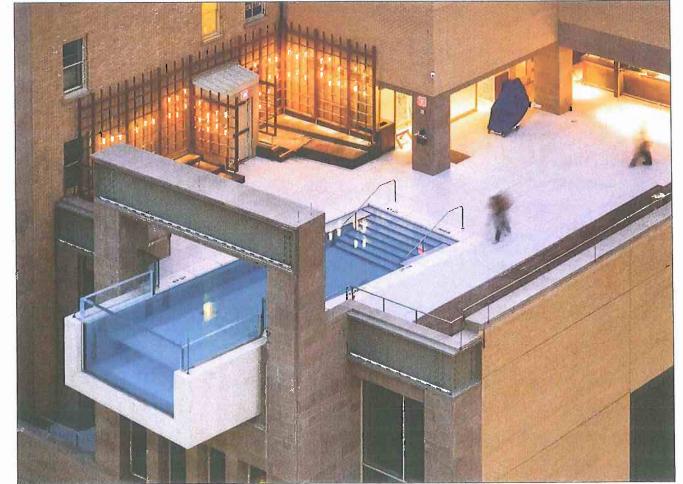




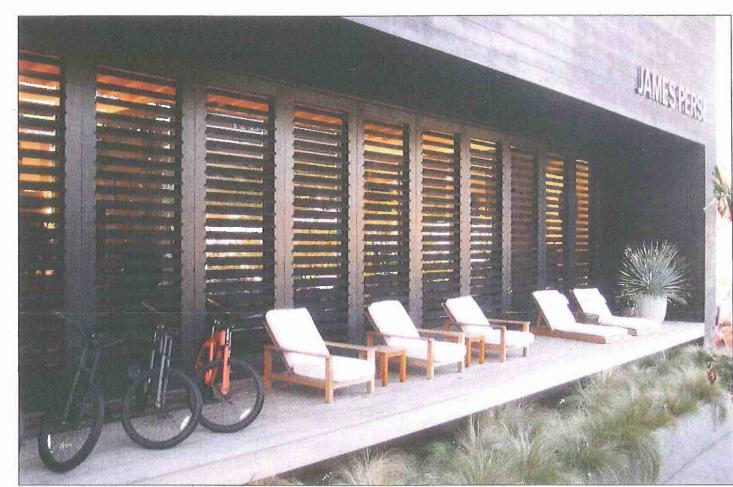
Pool restrooms integrated into architecture



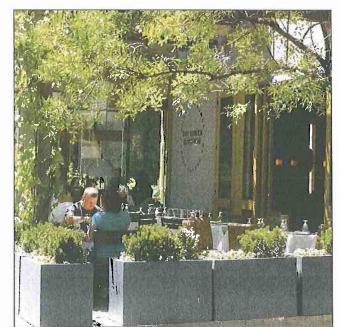
Floating private cabanas



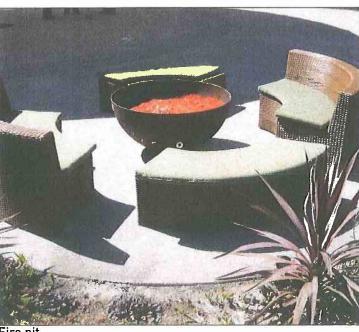
Projecting pool



Private and public seating with coastal grass



Outdoor drinking and dining areas





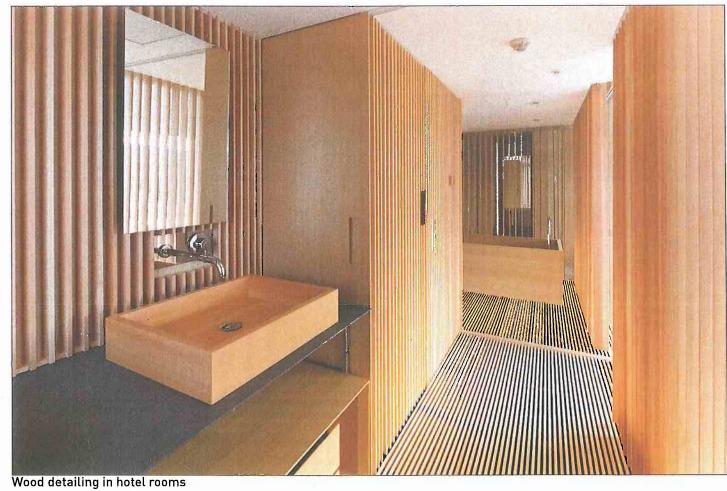
Intimate seating area



Mid-century seating with iconic citrus landscape



Wood decking with concrete seat wall define outdoor lounge





Reception Desk



Open space between lobby, lounge and restaurant

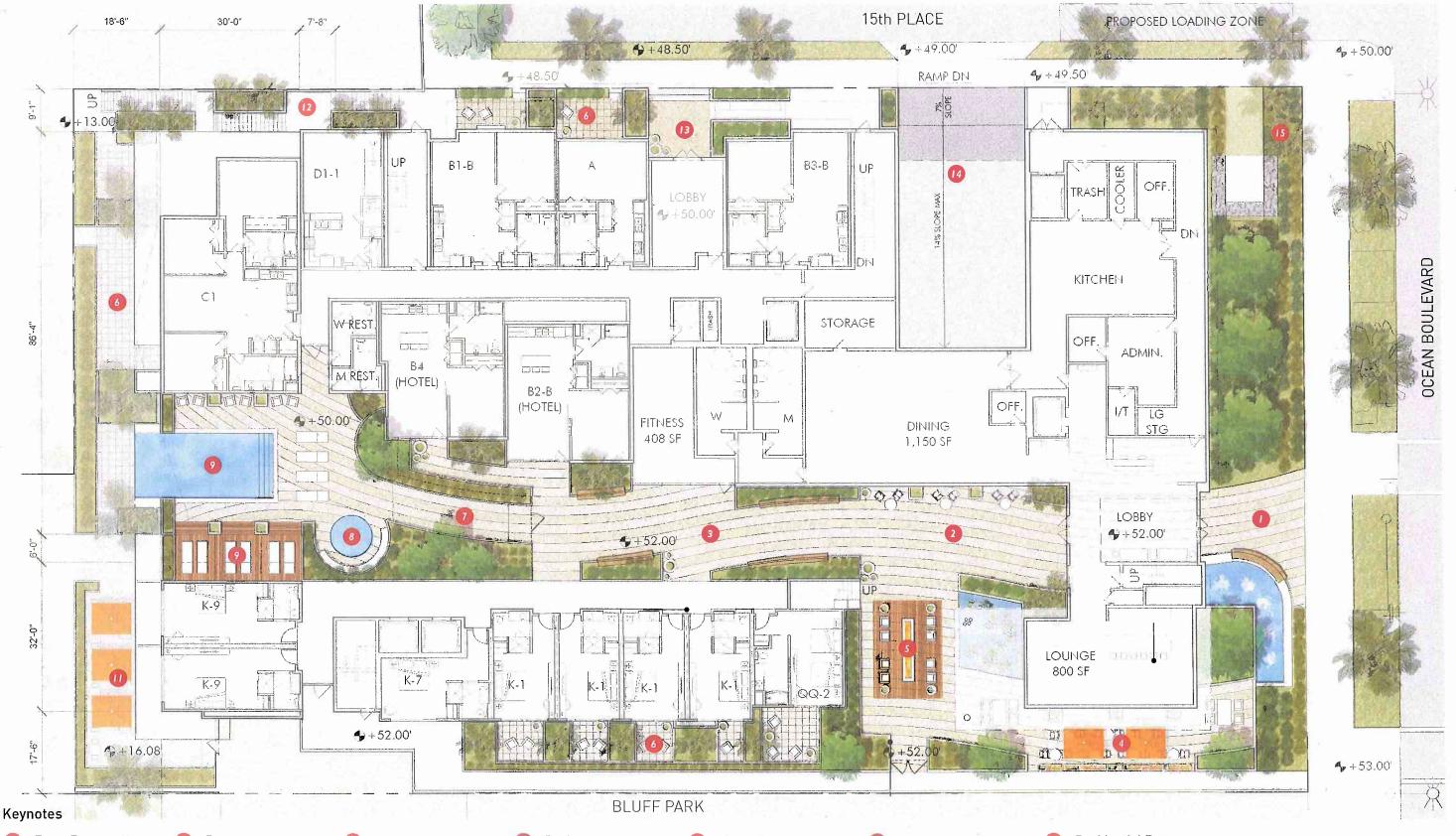


Openable walls to capture water view



Dramatic stair in double volume space





**Entry Forecourt** Indoor/outdoor paving Entry fountain Built-in seating Project signage

Dining Patio Movable seating Potted plants

Paseo Accent paving Raised planters with built-in seating

Seaside plantings

Lounge Patio Movable seating Indoor outdoor paving Potted plants

Outdoor Lounge Linear fire pit

Soft seating + tables Wood decking Koi pond + waterplants Lush planting

Private patios Outdoor rugs Privacy planting Pool Ramp

Accent paving Lushly planted Accent palms + lights Pool fence and gate

Spa Built-in seating Privacy planting Poolside Cabanas Wood decking Fabric privacy screens Soft seating

Pool deck Infinity edge pool Soft seating Lush planting Poolside bar area Beachside Cafe Movable seating Colorful umbrellas Raised planters with Seaside planting

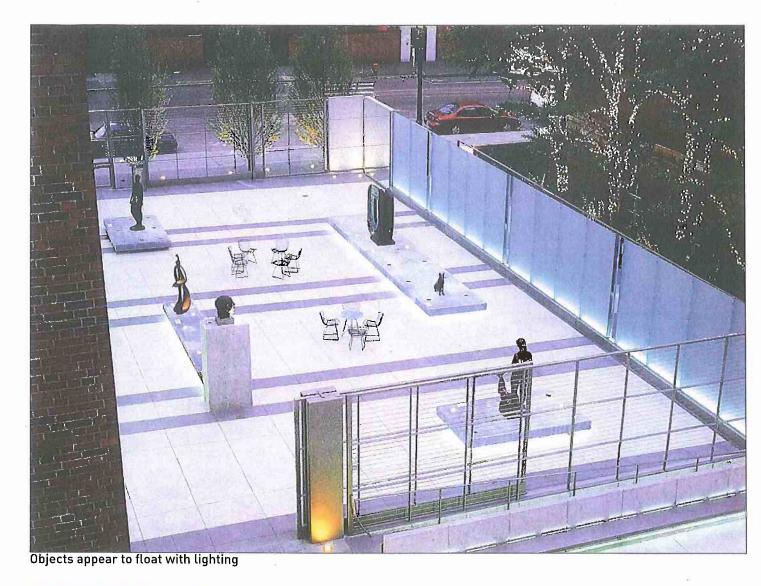
Coastal Access Walk Raised planters with accent palms Seaside planting

Residential Entry Indoor/outdoor paving Accent planting + lighting Potted plants

Vehicular Entry

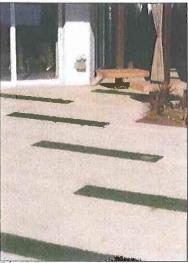
Transformer Screen/ Project signage





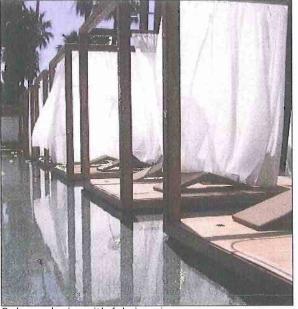


Succulent planting



Playful landscape





Cabana decks with fabric privacy screens





Coastal grasses with succulents

#### LOCAL COASTAL DEVELOPMENT PERMIT FINDINGS

Case No. 1302-16 Date: May 2, 2013

Pursuant to Chapter 21.25, Division IX of the Long Beach Municipal Code, the City shall not approve a Local Coastal Development Permit unless positive findings are made consistent with the criteria set forth in the Local Coastal Development Permit regulations.

1. 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 Local Coastal Program and land use regulations for this site is the Ocean Boulevard Planned Development Plan (PD-5) dated April 21, 1982, which provides for large-scale high intensity dense residential developments in two different subareas.

The zoning designation for this site is the Ocean Boulevard Planned Development District (PD-5) Subarea 2. This subarea is identified as a transition between the large-scale high intensity development of downtown and smaller, less intense development of the eastern portion of the coastal zone.

The proposed project conforms to the density requirements and development standards of the Planned Development Plan including height, density, setbacks, terracing and parking requirements.

The site currently contains the 40-room Beach Plaza Hotel that will be demolished prior to construction of the proposed project. The 40 hotel rooms will be will be re-incorporated as part of the new project as required by both PD-5 and the Local Coastal Plan. There are no existing residential units on the site. There are no existing residential units on the site. Therefore, the project is not subject to Chapter 21.60 and Chapter 21.61 of the Long Beach Municipal Code relative to relocation assistance for qualified very low and low-income households and the maintenance of and replacement of very low to moderate-income housing units in the Coastal Zone.

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

Chapter 3 of the Coastal Act deals with the public's right to use of the beach and water resources for recreational purposes. The chapter provides the basis for

Findings Case No, 1302-16 05/02/13

state and local governments to require beach access dedication and to prohibit development that restricts public access to the beach and/or water resources.

The project, as currently proposed, will not reduce access or public views to the beach.

The proposed 72-room hotel and 33-unit residential complex will not block public access to the beach or recreational resources. Re-establishment of the hotel will help to ensure continued public coastal access and recreation opportunities.

The project, as proposed, complies with all PD-5, Subarea 2 requirements including height, parking, setbacks, floor-area ratio, lot coverage and open space. Additionally, the portion of the project south of the shoulder (upper edge) of the bluff will be terraced to reflect the sloping nature of the bluff.

Additionally, as required by the Planned Development Regulations, the developer will be contributing funds (0.5% of the value of the development) for bluff improvements for general access along the bluff area.

#### MODIFICATION TO SITE PLAN REVIEW FINDINGS

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; AND

The proposed design of the building incorporates a consistent design theme that is compatible in design, character and scale with the neighboring structures. The materials used for the new construction, including wood siding, metal fascia and mosaic tiles are complementary to the materials used on the adjacent buildings.

2. THE DESIGN CONFORMS TO THE "DESIGN GUIDELINES FOR R-3 AND R-4 MULTI-FAMILY DEVELOPMENT", THE "DOWNTOWN DESIGN GUIDELINES", THE GENERAL PLAN, AND ANY OTHER DESIGN GUIDELINES OR SPECIFIC PLANS WHICH MAY BE APPLICABLE TO THE PROJECT.

The project, as proposed, complies with all PD-5, Subarea 2 requirements including height, parking, setbacks, floor-area ratio, lot coverage and open space. Additionally, the portion of the project south of the shoulder (upper edge) of the bluff will be terraced to reflect the sloping nature of the bluff.

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

No mature trees or street trees will be removed as a result of the project.

Findings Case No. 1302-16 05/02/13

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

The proposed improvements that include, but are not limited to, the reconstruction of sidewalks, re-configuring of the adjacent intersections, and improvement of the street-end of 15<sup>th</sup> Place in the public right-of-way do not exceed the likely impacts of the proposed project coupled with cumulative development.

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

Not applicable.

Date: 05/02/13

Page 1

# CONDITIONS OF APPROVAL LOCAL COASTAL DEVELOPMENT PERMIT/MODIFICATION TO SITE PLAN REVIEW

Case No. 1302-16 Date: May 2, 2013

- 1. This permit and all development rights hereunder shall terminate concurrent with the expiration date from the previously approved Tentative Tract Map (TT6892) under Case No. 0604-08, unless construction is commenced or a 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. The time extension request shall be submitted to the Zoning Administrator for review and approval as per Section 21.21.406 of the Zoning Regulations.
- 2. 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 form 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). Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval to the satisfaction of the Zoning Administrator.
- 3. Violation of any of the conditions of this permit shall be cause for the issuance of an infraction, citation, prosecution, and/or revocation and termination of all rights thereunder by the City of Long Beach.
- 4. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Development Services Department. These conditions must be printed on all plans submitted for plan review.
- 5. The developer must comply with all mitigation measures of the applicable Environmental Review (ND 24-07) prior to the issuance of a Certificate of Occupancy. These mitigation measures, if applicable, must be printed on all plans submitted for plan review.
- 6. Approval of this development is expressly conditioned upon payment (prior to building permit issuance or prior to Certificate of Occupancy, as specified in the

Date: 05/02/13

Page 2

applicable Ordinance or Resolution for the specific fee) of impact fees, connection fees and other similar fees based upon additional facilities needed to accommodate new development at established City service levels standards, including, but not limited to, sewer capacity charges, Park Fees, and Transportation Impact Fees.

- 7. The Director of Development Services is authorized to make minor modifications to the approved concept design plans or any of the conditions if such modifications shall achieve substantially the same results as would strict compliance with said plans and conditions.
- 8. Site development, including landscaping, shall conform to plans approved on file in the Department of Development Services.
- 9. 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 the exterior facades of the buildings and all landscaping surrounding the building including all public parkways.
- 10. All structures shall conform to Building Code requirements. Notwithstanding this review, all required permits from the Building and Safety Bureau must be secured.
- 11. Any graffiti found on site must be removed within 24 hours of its appearance.
- 12. Site preparation and construction shall be conducted in a manner which minimizes dust.
- 13. Prior to the release of the foundation permit, the applicant shall submit a soils analysis and shoring plan for the discretionary approval of the Superintendent of Building and Safety.
- 14. The applicant/developer shall be required to keep the beach area from the toe of the bluffs seaward maintained in a clean condition and open to the public. Storage of construction materials and equipment on the beach is expressly prohibited.
- 15. Upon completion of construction, applicant shall restore any damage to the beach to the satisfaction of the Director of Public Works.
- 16. Prior to the issuance of a building permit, the applicant shall formulate a plan to reduce impacts regarding construction hours, construction personnel parking and the staging of construction materials to the satisfaction of the Director of Development Services.

Date: 05/02/13

Page 3

17. Prior to the release of any building permit, the applicant shall submit for review and approval of the Director of Development Services a landscape and irrigation plan in full compliance with Chapter 21.42 of the Long Beach Zoning Code and any landscape standards outlined in the Ocean Boulevard Planned Development Plan (PD-5).

The plan shall meet the following minimum landscape requirements:

One palm tree not less than fifteen foot high as street tree for each twenty feet of street frontage; one twenty-four inch box and one fifteen gallon tree for each twenty feet of street frontage. Five five-gallon shrubs per tree. One cluster of three (25 ft. and 30 ft.) tall palm trees for each twenty feet of beach frontage. Any exposed bluff area shall be landscaped to the satisfaction of Public Works, including bluff areas on public property and adjacent public street rights-of-way. All street trees shall contain root diverter barriers. Such landscaping shall not block views of the ocean and shall soften the scale of the building to the pedestrian and motorist.

- 18. The subdivider shall be required to provide for street end beautification improvements along 15<sup>th</sup> Place and improvements adjacent to Bixby Park to the satisfaction of the Director of Public Works, the Director of Development Services, and the Director of Parks, Recreation and Marine.
- 19. In conjunction with the street end beautification improvements, the developer shall improve the bluff slope at 15<sup>th</sup> Place according to the guidelines of the "Plan for Development Bluff Erosion and Enhancement Project" of November 2000, to the satisfaction of the Director of Parks, Recreation and Marine. Under such guidelines, the developer shall re-grade the 15<sup>th</sup> Place right-of-way bluff to create a slope not to exceed 1.5 to 1, shall install an irrigation system or modify the existing irrigation system to contain an automatic shut-off provision in the case of a break or leak, and shall re-landscape the bluff. The re-grading shall meet the grade of the property at the property line on the west side of 15<sup>th</sup> Place. No cross-lot drainage shall be allowed from the project to the 15<sup>th</sup> Place bluff right-of-way, or from the regarded right-of-way to the property west of 15<sup>th</sup> Place.
- 20. The applicant shall provide for not less than one-half of one percent of the value of the construction costs for off-site improvements to beach access to the satisfaction of the Director of Parks, Recreation and Marine and the Director of Development Services.
- 21. The applicant shall provide for reconstruction and stabilization, if necessary, of 15<sup>th</sup> Place to the satisfaction of the Director of Public Works.

Date: 05/02/13

Page 4

- 22. Prior to the issuance of any demolition permits, the applicant shall prepare a "Construction Staging and Management Plan" for review and comment by the Palacio Del Mar Homeowners Association (25 15<sup>th</sup> Place). The Plan shall be approved by the Director of Development Services or their designee. The Plan shall indicate:
  - No construction parking is permitted on the west side of 15<sup>th</sup> Place
  - Entry and exit points for construction employees
  - Parking for construction employees
  - Temporary construction office location
  - Construction equipment staging area
  - Demolition materials storage area
  - Construction materials storage area
  - Screening for the project site and all storage and staging areas (temporary fencing with opaque material)
  - Details of the Construction Staging and Management Plan shall be included on all final grading and construction plans.
- 23. Prior to the issuance of any building permits, the applicant shall demonstrate on the final project plans that all exterior lighting fixtures and light standards shall be shielded and shall be located and installed to prevent spillover of light onto the surrounding properties and roadways.
- 24. Prior to the issuance of any building permits, the applicant shall demonstrate on the final project plans that minimally reflective glass and other building materials will be incorporated on the building exteriors in order to reduce reflective glare. The use of glass with over 25 percent reflectivity shall be prohibited.
- 25. As required by South Coast Air Quality Management District Rule 403- Fugitive Dust, all construction activities that are capable of generating fugitive dust are required to implement dust control measures during each phase of the project development to reduce the amount of particulate matter entrained in the ambient air. The measures shall be printed on the final grading and construction plans. They include the following:
  - Application of soil stabilizers to inactive construction areas.
  - Quick replacement of ground cover in disturbed areas (as applicable).
  - Watering of exposed surfaces twice daily.
  - Watering of all unpaved haul roads three times daily.
  - Covering all stock piles with tarp.
  - Reduction of vehicle speed on unpaved roads.

Date: 05/02/13

Page 5

- Post sign on-site limiting traffic to 15 miles per hour or less.
- Sweep streets adjacent to the project site at the end of the day if visible soil material is carried over to adjacent roads.
- Cover or have water applied to the exposed surface of all trucks hauling dirt, sand, soil, or other loose materials prior to leaving the site to prevent dust from impacting the surrounding areas.
- 26. Prior to release of the grading permit, the applicant shall prepare and submit a Storm Master Plan to identify all storm run-off and methods of proposed discharge. The plan shall be approved by all agencies.
- 27. Prior to the release of any grading or building permit, the project plans shall include a narrative discussion of the rationale used for selecting or rejecting BMPs. The project architect or engineer of record, or authorized qualified designee, shall sign a statement on the plans to the effect: "As the architect/engineer of record, I have selected appropriate BMPs to effectively minimize the negative impacts of this project's construction activities on storm water quality. The project owner and contractor are aware that the selected BMPs must be installed, monitored and maintained to ensure their effectiveness. The BMPs not selected for implementation are redundant or deemed not applicable to the proposed construction activities.
- 28. Any person(s) associated with the proposed project shall only operate or permit the operation of any tools or equipment used for site preparation, construction or any other related building activity that produces loud or unusual noise which annoys or disturbs a reasonable person of normal sensitivity between the following hours:

Weekdays 7:00am to 7:00pm Sundays No work permitted Saturdays 9:00am to 6:00pm Holidays No work permitted.

- 29. 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.
- 30. All stucco surfaces shall have a smooth fine sand stucco finish.

Conditions of Approval

Case No. 1302-16 Date: 05/02/13

Page 6

- 31. Trash bins shall be fully enclosed at all times. If the proposed enclosure does not meet the capacity needs for the complex, an additional enclosure shall be required.
- 32. The Developer shall fully screen any utility meters or equipment to the satisfaction of the Director of Development Services.
- 33. The applicant shall comply with the following conditions to the satisfaction of the Public Works Department:

#### **GENERAL REQUIREMENTS**

- a. Prior to the start of any on-site/off-site construction, the Developer shall submit a construction plan for pedestrian protection, street lane closures, construction staging, shoring excavations and the routing of construction vehicles (excavation hauling, concrete and other deliveries, etc.).
- b. The final map shall be based upon criteria established by the Director of Public Works.
- c. Prior to approval of the final map, the Developer shall obtain utility clearance letters for any public entity or public utility holding any interest in the subdivision as required by Section 66436(c)(1) of the Subdivision Map Act.
- d. Prior to the release of any building permit, the Developer shall submit to the Department of Public Works a Storm Drain Master Plan to identify all storm drain run-off and methods of proposed discharge to the satisfaction of the Director of Public Works.
- e. All off-site improvements not completed prior to the approval of the subdivision map shall be secured by bonds or an instrument of credit.

#### **PUBLIC RIGHT-OF-WAY**

- f. The Developer shall construct all off-site improvements needed to provide full ADA accessibility compliance within the adjacent public right-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, the right-of-way dedication way shall be provided.
- g. Demolition and reconstruction of curb and gutter, driveways, sidewalks, wheelchair ramps, and roadway, removal and relocation of utilities, traffic signal modifications and installations, traffic striping and signing, street tree removals and plantings in the public right-of-way, shall be performed under Public Works street improvement permit. Permits to perform work within the public right-of-way must be obtained from the Public Works counter, 10th Floor of City Hall, 333 West Ocean Boulevard, telephone (562) 570-6784.
- h. All work within the public rights-of-way shall 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 the work. The contractor shall

Date: 05/02/13

Page 7

have on file with the City Engineer Certification of General Liability Insurance and an endorsement evidencing minimum limits of required general liability insurance.

- i. Easements shall be provided to the City of Long Beach for proposed public utility facilities, as needed, to the satisfaction of the concerned City Department or public agency and shown on the map.
- j. Unless approved by the Director of Public Works, easements shall not be granted to third parties within areas proposed to be granted, dedicated, or offered for dedication to the City of Long Beach for public streets, alleys, utility or other public purposes until after the final map is filed with the County Recorder. If easements are granted after the date of tentative map approval and prior to final map recordation, a notice of subordination must be executed by the third-party easement holder prior to the filing of the final map.

#### **ENGINEERING BUREAU**

- k. The Developer shall improve the parkway on the two streets fronting this project with drought-tolerant accent shrubbery and permeable groundcover such as decomposed granite as described in Section 21.42.060 of the Municipal Code.
- I. The Developer shall provide for street trees with root barriers and irrigation on 15th Place, adjacent to the project site. The Developer and/or successors shall privately maintain all street trees, landscaping and sprinkler systems required in connection with this project.
- m. 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 irrigation system work on 15th Place. The Street Tree Division will assist with the size, type and manner in which the street trees are to be installed.
- n. The Developer shall be responsible for the maintenance of the off-site improvements during construction of the on-site improvements. All off-site improvements 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.
- o. The Developer shall remove unused driveways 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.
- p. The Developer shall provide for the resetting to grade of existing manholes, pullboxes, and meters in conjunction with the required off-site improvements to the satisfaction of the Director of Public Works.
- q. The Developer shall repair the cracked and uplifted section of sidewalk pavement adjacent to the east side of 15<sup>th</sup> Place and along the sidewalk at the south end of 15<sup>th</sup> Street. Sidewalk improvements shall be constructed with Portland cement concrete 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).

Date: 05/02/13

Page 8

- r. The Developer shall construct the curb and gutter along the southeast end of 15<sup>th</sup> Place as needed for a complete and continuous curb and gutter. Improvements shall be constructed with Portland cement concrete to the satisfaction of the Director of Public Works.
- Prior to approving an engineering plan, all projects greater than 1 acre in size must s. 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) 266-7500 or visit website their for complete instructions www.waterboards.ca.gov/stormwtr/construction.html Left-click on the Construction General Permit 99-08-DWQ link.
- t. Public improvements shall be constructed in accordance with approved plans. Detailed off-site improvement plans shall be submitted to the Department of Public Works for review and approval.

#### TRAFFIC & TRANSPORTATION BUREAU

- u. The size and configuration of all proposed driveways serving the project site shall be subject to review and approval of the City Traffic Engineer. Driveways grater than 28 feet requires a variance; contact the Traffic and Transportation Bureau at (562) 570-6331 to request additional information regarding driveway construction requirements.
- v. In lieu of a traffic impact study, developer shall upgrade the traffic signal equipment at the intersection of Ocean Boulevard and Cherry Avenue to improve the phasing separation between vehicular and pedestrian traffic. These traffic signal improvements shall be constructed to the satisfaction of the City Traffic Engineer.
- w. The Developer shall explore with the City Traffic Engineer the option of expanding traffic control functions of the Ocean Boulevard and Cherry Avenue intersections to include 15th Place. Contact Dave Roseman, City Traffic Engineer, at (562) 570-6331, to arrange a meeting to discuss this option. If it is determined that these traffic improvements are feasible, the Developer shall include this work with the traffic signal upgrade to the satisfaction of the City Traffic Engineer.
- x. If a new intersection design is required by the City Traffic Engineer, the Crosswalks and Curb ramp configurations on the Ocean Boulevard, Cherry Avenue and 15th Place adjacent to the project site shall be revised and/or constructed to conform to the new intersection design to the satisfaction of the Director of Public Works.
- y. 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

Date: 05/02/13

Page 9

signs shall be reinstalled to the satisfaction of the City Traffic Engineer.

- z. 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.
- aa. The Developer shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
- bb. All traffic control device installations, including pavement markings within the private parking lot, shall be installed in accordance with the provisions of the current Manual On Uniform Traffic Control Devices (MUTCD), (i.e., white parking stalls, stop signs, entry treatment signage, handicapped signage, etc.).
- cc. The Developer shall contact the Traffic & Transportation Bureau, at (562) 570-6331, for approval to construct the proposed loading zone on 15<sup>th</sup> Place, or to modify the existing curb marking adjacent to the project site.

#### LONG-TERM MAINTENANCE

- dd. The Developer and successors shall be responsible for the maintenance of the site drainage system and for the operation and maintenance of the private sewer connection to the public sewer in the abutting public right-of-way, and for the maintenance of the sidewalk, parkway, street trees and other landscaping, including irrigation, within and along the adjacent public right-of-way. Such responsibilities shall be enumerated and specified in the project "Conditions, Covenants and Restrictions", and a recorded copy of said document shall be provided to the Director of Public Works.
- 34. The C, C & R's shall be executed and recorded against the title of the parcel and shall contain the following provisions (provisions shall also be noted on the final map):
  - a. The subject residential project consists of thirty-three (33) residential units; and
  - b. A minimum of seventy-five (75) parking spaces will be permanently maintained as parking facilities for the residential portion of the project. The spaces shall be permanently assigned to a specific unit and labeled thusly or assigned as guest parking and labeled thusly. Parking spaces must be used solely for the parking of personal vehicles. Parking spaces may not be leased, subleased, sold or given to others not a resident(s) of the condominium unit within the development. These statements shall also be noted on the final map; and
  - c. The common areas and facilities for the condominium shall be clearly described including a parking assignment plan; and
  - d. The Homeowner's Association shall be responsible for the operation and maintenance of the private sewer connection to the public sewer in the

Date: 05/02/13

Page 10

public right-of-way, the site drainage system, the maintenance of the common areas and facilities, the exterior of the building, the abutting street trees, parkways and any costs or corrections due to building or property maintenance code enforcement actions. Such responsibilities shall be provided for in the C, C & R's; and

- e. Graffiti removal shall be the responsibility of the Homeowners Association and shall be removed within 24 hours; and
- f. A clear, detailed and concise written description of the common areas and facilities of the condominium shall be provided. This information shall be included on the final map.
- g. Individual homeowners shall be jointly liable and responsible for any costs of corrections due to building or property maintenance code enforcement actions.
- 35. Separate permits are required for signs, fences, retaining walls, trash enclosures, flagpoles, pole-mounted yard lighting foundations and planters.
- 36. Site development, including landscaping, shall conform to the approved plans on file in the Department of Development Services. At least one set of approved plans containing Planning, Building, Fire, and, if applicable, Redevelopment and Health Department stamps shall be maintained at the job site, at all times for reference purposes during construction and final inspection.
- 37. The Applicant and/or successors is encouraged to utilize and incorporate energy conserving equipment, lighting and related features with the project to the greatest extent possible.
- 38. Applicant shall file a separate plan check submittal to the Long Beach Fire Department for their review and approval prior to the issuance of a building permit.
- 39. Prior to the issuance of a building permit, the applicant shall submit architectural, landscaping and lighting drawings for the review and approval of the Police Department for their determination of compliance with Pol/ice Department security recommendations.
- 40. The applicant shall make design modifications to the south elevation to better reflect the sloping nature of the bluff, to the satisfaction of the Director of Development Services.

#### Added at the Planning Commission hearing:

41. The applicant shall submit a valet parking plan to manage hotel parking on the

Date: 05/02/13

Page 11

property to the satisfaction of the Director of Development Services and the City Traffic Engineer.

42. Hotel deliveries, drop-offs and other similar hotel-related uses shall occur either in a designated loading/unloading space on 15<sup>th</sup> Place or within the parking garage to the satisfaction of the Director of Development Services and the City Traffic Engineer.

### **EXHIBIT C**



### CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

PLANNING BUREAU

#### **APPLICATION FOR APPEAL**

An appeal is hereby made to Your Honorable Body from the decision of the				
Zoning Administra Planning Commiss	.ta.a	day of		
Cultural Heritage C Site Plan Review C	70111111331011	uay 01		
Project Address:	2010 E. OCE	AN BLUD		
Project Address: 2010 E. OCEAN BLUD  Reasons for Appeal: Plans Dee ATTACHED				
Your appellant herein respectfully requests that Your Honorable Body <b>reject</b> the decision and \( \subseteq \text{Approve} / \( \subseteq \text{Deny} \text{ this application.} \)				
	Appellant 1	Appellant 2		
Name:	ES ANDERSON	27 RESIDENTS O		
Organization		PARK REGENCY (ENDOS		
	E. OCEAN BLUS	1901 E. OCEAH BRUD		
	BEAUN, (A 90302 -590-5685	Cara Beach, CA 90802		
Signature:	WV. Mullon	562-590-5685 Signatures attribud		
Date: MAY	10, 2013	to written objections 5/		
A separate appeal form is required for each appellant party, except for appellants from				
the same address, or those representing an organization.				
Appeals must be filed within 10 days after the decision is made (LBMC 21.21.502). You must have established <i>aggrieved</i> status by presenting oral or written testimony at the				
hearing where the deci	sion was rendered: otherwi	se, you may not appeal the decision.		
See reverse of this form	n for the statutory provision	s on the appeal process.		
(Below This Line for Staff Use Only)				
Appeal by Applicant, or Appeal by Third Party				
Received by: VW	App. No.: 1702-16	Filing Date: 5 10 13		
Fee: <u>50</u> _ 5	Eee Paid Project (rece	ipt) No.: 8502 29 199		

#### Addendum to Application for Appeal of James Anderson dated May 10, 2013

To the Honorable City Council of Long Beach, California:

I, James Anderson, file this appeal to the May 2, 2013 decision (**Decision**) of the Planning Commission approving expansion of a mixed use hotel and condo project at 2010 Ocean Boulevard, Long Beach California (**Expanded Project**) on behalf of myself and twenty-seven other residents of 1901 E. Ocean Blvd, Long Beach, California, commonly known as the Park Regency Condominiums (collectively, **Appellants**). All of us are residents from the same address. We have established our aggrieved status by signing and submitting at the hearing written objections to the Expanded Project. A copy of those objections is attached to this appeal. Additionally, I presented oral testimony at the hearing.

Appellants urge the City Council to reject the Decision on the following grounds:

- 1. The Expanded Project will significantly increase car and truck traffic on the already overburdened Ocean Blvd. and Cherry Ave;
- 2. The Expanded Project will further tax the limited parking available in the neighborhood, including, but not limited to, Ocean Blvd, !5<sup>th</sup> Place, and Cherry Ave;
- 3. Construction of the Expanded Project will significantly degrade air quality and produce noise pollution;
- 4. The Expanded Project is unsafe as it will increase usage of the intersection at Ocean Blvd. and Cherry Ave, presently one of the most accident prone intersections in the city;
- 5. The plan for the Expanded Project either does not address mitigation of the matters raises in objections 1-4, or the mitigation proposed is inadequate to address the adverse effects of these matters; and
- 6. The Expanded Project is not properly permitted as it relies on a 2007 permit that does not allow for a restaurant and other increase amenities

These grounds, both individually and together, are more than sufficient to reject the Decision of the Planning Commission and deny the request to allow the Expanded Project to go forward on 2007 permit.

#### PARK REGENCY C.O.A. 1901 E. OCEAN BLVD. LONG BEACH CA 90802

Hearing Date: May 2, 2013

Notice dated Feb. 20, BUT POSTMARKED APRIL 17!

To Members of the LB Planning Commission.

Proposed Modification: 40 room to 72 room hotel—2012 E Ocean Blvd.

DENY Permit change to 72 room hotel. DENY Permit change to 105 unit project. ISSUES:

PARKING. This neighborhood is severely impacted with lack of parking. There are no nearby parking lots, either public or private. A 72 room hotel "with amenities" at this location will require more than code to accommodate the increased ratio of staff, servers, room cleaners, security, and maintenance people required to serve 140 or more guests. This project will eliminate existing street spaces. It will cause more people to compete for already inadequate street parking spaces.

TRAFFIC. 15<sup>th</sup> Place is inadequate to serve the increased number of trucks--many tractors with semi-trailers—that handle soft drinks, beer and wine, liquor, food, linens, supplies, et al. as well as all other traffic entering and exiting. These are necessary to provide "amenities" expected in a 72 room hotel on Ocean Blvd. Loading bays are necessary to keep them from blocking one lane of Ocean Blvd. as happens now when the LBT 121 bus stops at Cherry, or trucks have to double-park.

SAFETY. Cherry Ave. is the only through north-south street serving this location. The WIDTH of Cherry Ave. was recently REDUCED to provide diagonal Parking for more cars. Pick-up trucks and SUV's in these diagonal spaces force the LBT 21, 22, and 23 buses to swing out over the center line. Its HAZARDOUS when trucks and buses pass. Even cars have close scrapes. The increased traffic for a 70+ room hotel will require returning Cherry Ave. to its original width. Or eliminating more parking spaces on the other side of Cherry.

Enclosed petition by the neighbors,



## April 30, 2013 PETITION To Members of the LB Planning Commission. TO DENY

Proposed Modification: 40 room to 72 room hotel—2012 E Ocean Blvd.

We The Undersigned Print name EXGENIO TREVINO		sign name	address 1901 E. OceanBlvd.LB90802
			1701 E. Occambiva.Eb70802
VIVIANA CRUZ		ylvī -	11
K.Benjamin Find		EANT!	11
MIKI Tennant	J/	Whi Jean	aut, 11
Georgia Hodge	Kinson	Axelai	a Hodakusor "
Wast Hodakin	2500	Mack.	Horabenson
Chisato Umemura		Chilo 7	long 10
Nobuzo J Chremum		Du no	1
	<u> </u>		
	April	30, 2013	
PETITION To Members	of the I B P	lanning Com	mission
TO DENY	or the Lb r	iaming Com	1111551011,
	10 40040 to 7	0 1 4 . 1	2010 F O D1 1
Proposed Modification:	<u> </u>	2 room noter	-2012 E Ocean Blvd.
We The Undersigned	$I \sim$	nt lâte sam dan hat wax yan yan way war dan sam kate hat gia, dan yan hali gai, ann sida yan ann sida yan.	
Print name		sign name	address
	$\Lambda L / M$	J	1901 E. OceanBlvd.LB90802
LONY KOMAN	1/10/10	~	1) 11 (M)+ 11)
hash Durge	VIVIO	200	u /0°
OliVIA TANGONAN	Olympia	7	167
CHY IT THOUGHTON	0000 = 0	- Jan	
0			٨,
We The Undersion of	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~		
We The Undersigned Print name			
1 IIII name		sign name	address
Tall 12512			1901 E. OceanBlvd.LB90802
YOHW BILLAUGS	West)	Selling	11 UNITH 106
JOHN BLESI	- Cil	SE	" UNIT # 109

# April 30, 2013 PETITION To Members of the LB Planning Commission.

### TO DENY

Proposed Modification: 40 room to 72 room hotel—2012 E Ocean Blvd.

We The Undersigned		to the last of the six has been six and the six and	4 -
Print name	sign name		address
	and the same of th	1901 E. OceanI	3lvd.LB90802
PAMES ANDERSON	San Undern	ίl	
Judith M. Bride	South MBride	((	·····
Byron Mc Bride	Shuthers	- 11	
Paulette HAFFACE	Paulette Haffner	) il	
Das Satoron	TON GATY	N 21	
Chroinia Der	VIRGINIA PERI	P //	404
HARLAN W. IDEG	potente w. Stell	1/ 11	305
RICK DEGRANT	Jick Disront	, \	305
GARY DOUGLAS	Cary Douglas	) (1	
TOM RIORDAY	Muley (2	_ 11	301
Shelley Weston	Shelley to get	Jn	405
Karin'yasuda	· Karler		306
Jeff Bownar	1 5 KBOWNay	1/	402
Donald Machuc			402
DEAD SMITS	( Dean Souls	> 1(	304



## CITY OF LONG BEACH

**DEPARTMENT OF DEVELOPMENT SERVICES** 

333 West Ocean Blvd., 5th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

PLANNING BUREAU

#### **APPLICATION FOR APPEAL**

☐ Zoning Administrator				
V Diamaina Commission				
Cultural Heritage Commission on the 10Th day of 12 12 12				
Site Plan Review Committee	/			
	-1.0			
Project Address: 2010 F Ocean	BIVOL			
Parking Impacts: This Planning Commission Decision negatively impacts public parking space. Public Parking will be reduced, as the proposed plan will attract more visitors, staff, taxis, service deliveries, etc. Our units are already impacted by — insufficient public parking space. Our guests' ability to find parking will be further impacted. This will affect our property values, as guest parking and congestion will become negative factors to prospective buyers.  Traffic and Safety Impacts: This plan will cause a significant increase in traffic and safety issues. Already, there are traffic jams, and vehicle and pedestrian accidents with the current 40 room facility. Imagine the additional traffic and safety impacts if the proposed plan is approved, which includes an estimated 300% or more increase in vehicular traffic; not to mention the impacts during the construction phase.  Precedent: We are asking the Planning Commission to follow the excellent example set by the City when the Second St./PCH hotel expansion project was denied for the same concerns we have regarding traffic and safety. We are confident that a thorough Environmental Impact Report will demonstrate that this proposed expansion will negatively impact this neighborhood and should be denied.				
Your appellant herein respectfully requests that Your Honorable Body <b>reject</b> the decision and Approve / Deny this application.				
Annallant				
Appellant 1	Appellant 2			
Name: Me SSa M WYSS  Organization OWNEY of qunit of Pucus  Address: 25 /5 Th Pl #603  City/ZIP: Long Beach Ca 70802  Phone: 562 /37227  Signature: Walls a W Wyss  Date: Way 10 2013  • A separate appeal form is required for each appell the same address, or those representing an organ  • Appeals must be filed within 10 days after the decision was rendered; otherwith the statutory provision.	ant party, except for appellants from ization. ision is made (LBMC 21.21.502). esenting oral or written testimony at the se, you may not appeal the decision.			
Name: Me 155a M WYSS Organization OWNEY of aunit of Phaces Address: 25 15 Th P1 503 City/ZIP: Long Beach Ca 70802 Phone: 562 1437227 Signature: Wallissa W Wyss Date: Way 10 2013  • A separate appeal form is required for each appell the same address, or those representing an organ • Appeals must be filed within 10 days after the decision was rendered; otherwing where the decision was rendered; otherwing see reverse of this form for the statutory provision	lant party, except for appellants from ization. ision is made (LBMC 21.21.502). esenting oral or written testimony at the se, you may not appeal the decision. s on the appeal process.			
Name: Me issa M Wyss Organization Owner of aunit of Phacus Address: 25 15 Th P1 603 City/ZIP: Long Beach Ca 70802 Phone: 562 437 227 Signature: Wallssa W Wyss Date: Way 10 2013  • A separate appeal form is required for each appell the same address, or those representing an organ • Appeals must be filed within 10 days after the decision was rendered; otherwi • See reverse of this form for the statutory provision  (Below This Line for Staff	ant party, except for appellants from ization. ision is made (LBMC 21.21.502). esenting oral or written testimony at the se, you may not appeal the decision. is on the appeal process.			
Name: Meissa M Wyss Organization Owner of aunit of Phacus Address: 25 15 Th P1 603 City/ZIP: Long Beach Ca 70802 Phone: 562 143 7 22 7 Signature: William W Wyss Date: Way 10 2013  • A separate appeal form is required for each appell the same address, or those representing an organ • Appeals must be filed within 10 days after the decision was rendered; otherwing where the decision was rendered; otherwing see reverse of this form for the statutory provision	ant party, except for appellants from ization. ision is made (LBMC 21.21.502). esenting oral or written testimony at the se, you may not appeal the decision. is on the appeal process.  If Use Only)  If by Third Party  Filing Date:			



## CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th. Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

PLANNING BUREAU

### APPLICATION FOR APPEAL

An appeal is hereby made to Your Honorable Body from the decision of the					
	lministrator				
Planning Commission on the 2 day of May , 20 13					
☐ Cultural H	eritage Commission	day of			
Site Plan I	Review Committee				
		<b>\</b>			
Project Addre	Project Address: 2010 East Ocarn Blud, Long Beach				
Reasons for Appeal: See attachment.					
	College Co	ON A PARAMETER			
e gradie Van Van Van Van Van Van Van Van Van Van	11.377.11.3				
Your appellan	t herein respectfully requests that Yo	ur Honorable Body reject the			
	Approve / Deny this application				
	Appellant 1	Appellant 2			
Name:	Railel Torres				
Organization	UNITE HERE LOCAL !!				
Address:	464 S. Lucas Ave, Sk. 201				
City/ZIP:	tong & Los Angeles, CA 900				
Signature:	213-481-8530, Ext-275				
Date:	Sehel Gun 5-13-13				
		llant party, except for appellants from			
the same address, or those representing an organization.					
• Appeals must be filed within 10 days after the decision is made (LBMC 21.21.502).					
<ul> <li>You must have established aggrieved status by presenting oral or written testimony at the</li> </ul>					
hearing where the decision was rendered; otherwise, you may not appeal the decision.					
<ul> <li>See reverse</li> </ul>	of this form for the statutory provision	ns on the appeal process.			
(Below This Line for Staff Use Only)					
☐ Appeal by Applicant, of Appeal by Third Party					
Received by: $\sqrt{W}$ App. No.: 1262-10 Filing Date: 5/13/13					
Fee: 50 Fee Paid Project (receipt) No.: 29229805					
ree					

#### Reasons for Appeal:

We oppose this approval because it is fundamentally-different from the approved Site Plan rather than being a mere "modification". It is a demolition and complete new build of a 72-room boutique hotel with restaurant where an inexpensive motel now sits instead. This raises major new concerns regarding the impacts of soil runoff, greenhouse gases, and water supply assessment. This new hotel will include new food and beverage operations, which means increased vehicle traffic, plus more smoke and waste generally and much more water use, and outdoor nighttime noise from the outdoor lounge area – none of which a motel involves. These concerns were not addressed in the staff report.

Upon review of the new Site Plan, the project is described as a "boutique" hotel, not like the current motel on site. The current motel provides lower-cost overnight accommodations, which is in conformance with the Coastal Act's requirements to emphasize lower-cost facilities. This type of boutique hotel is contrary to such requirements. Planning staff responded that this issue is not part of the Local Coastal Development Permit (LCDP) process, but this is not the case. The LCDP must be in conformance with the Coastal Act. Article II, Section 30213 of the Coastal Act regarding public access states the following:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

See also Pub. Res. Code 30116 ("sensitive coastal resource areas" include "f) Areas that provide existing coastal housing or recreational opportunities for low- and moderate-income persons.").

The City of Long Beach, a coastal city, is quickly becoming too expensive for working families to enjoy. Therefore, it is our recommendation that the City Council deny approval of the requested actions and direct staff to prepare more information regarding these matters.

Thank you for your consideration.