



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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July 19, 2018

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Accept Categorical Exemption CE-18-109 and approve a request for a Conditional Use Permit (CUP18-009) to allow the operation of a private elementary school with three classrooms and an enrollment of 60 students in an existing commercial building located at 927 Pine Avenue in the PD-30 (Downtown Plan) District. (District 1)

APPLICANT: Lab Learning Space/Lyndee Knox
 927 Pine Avenue
 Long Beach, CA 90813
 (Application No. 1804-13)

DISCUSSION

The subject property is located on the west side of Pine Avenue between West 10th Street and West 9th Street in the PD-30 (Downtown Plan) District (Exhibit A – Location Map). The site abuts two alleys, West Nardo Way to the south and Solana Court to the west. The project site is developed with a one-story building constructed in 1930, according to City building permit records.

The project site consists of a 5,000-square-foot building with a 2,475-square-foot playground area at the rear of the site. There is no off-street parking for the project site. A building permit was approved in 1960 to convert the original commercial building into school classrooms for the Progress School, which operated from 1960 until 1996. After this school use closed, Head Start, a preschool education program, occupied the building but a business license was not issued to establish the preschool use.

In 2017, the Lab Learning Space received approval of a business license as a co-workspace/flex office space for homeschool teachers. A Code Enforcement case was opened when the City received notification that the space functioned as a school rather than the approved co-workspace/flex office space use. Under current zoning, elementary and secondary school uses require a Conditional Use Permit (CUP) in the PD-30 District.

All rights to a nonconforming use are lost if the use is abandoned for twelve (12) months or if the structure housing the use is demolished. While the building is not proposed for

demolition, there are no records of an approval of a school use at this address since closure of the Progress School (ending in 1996). Because the previously established school use was abandoned and the current use is a discretionally permitted use in PD-30, operation of a school at this site requires approval of a CUP.

Operation

The Lab Learning Space intends to operate the school as a “drop-in” homeschool facility and a support program that provides group classes, individual tutoring/coaching, and access to specialized on-line learning platforms for students in 1st through 8th Grades. Due to the building configuration, staff recommends that enrollment shall be restricted to no more than 60 children on-site at any one time, subject to official building occupancy determinations. Students attend classes on an “as desired/needed” basis to supplement their homeschooling curriculum.

The school will operate from 9:00 a.m. to 3:00 p.m., Monday through Thursday, and 9:00 a.m. to 1:00 p.m. on Friday. The school will include before-school care (8:00 a.m. to school start time) and after school care (end of school day to 4:00 p.m., Monday through Thursday, and 2:00 p.m. on Friday). Administrative staff work will occur from 9:00 a.m. to 5:00 p.m. In addition, the school offers workshops for adults (parents/caregivers) and community members in the evening once or twice a quarter. The workshops have a typical attendance of 8 to 30 adults and includes activities such as parenting support, youth art shows, and lectures.

The school will operate within three classrooms in the existing building (Exhibit B – Plans and Photographs). A fenced play area in the western (rear) portion of the site would remain as part of this school use. In 2017, the City of Long Beach Fire Department issued a Fire Protection & Life Safety Equipment Performance Certificate for the Lab Learning Space (Exhibit C - Fire Protection & Life Safety Equipment Performance Certificate). In addition to compliance with fire code requirements, the applicant will be required to demonstrate that all building code requirements, including determining the appropriate occupancy of the building and play area, are established prior to the issuance of a business license.

In considering an application for a school use, Chapter 21.52 of the Long Beach Municipal Code establishes specific conditions that must be satisfied. Private school facilities must be evaluated for: a) location on a major, secondary, or minor highway; b) conformance with the development standards of the district in which they are located including parking; c) limitations of building area in residential zones; and d) building code compliance for the conversion of commercial buildings. The complete findings and analysis of the special use conditions are provided in Exhibit D – Findings. The following provides a review of the required location, development standards and parking, building size, and building code compliance (Exhibit E – Conditions of Approval).

Location

Long Beach Municipal Code Chapter 21.52 requires that such school uses shall be located on a major, secondary, or minor highway. The project site is located on Pine Avenue, which is classified as a Key Mobility Street in the Downtown Plan (PD-30) (Figure 2-2, Connectivity Network). Transit options, such as the Metro Blue Line or Long Beach Transit/Metro Bus routes, are within walking distance of the project site. Therefore, the Downtown Plan (PD-30) classification of Pine Avenue as a Key Mobility Street is equivalent to a minor highway.

Development Standards and Parking

The existing building features an entry and storefront windows along the east elevation on Pine Avenue. No changes are proposed to the exterior of the building. The portion of Pine Avenue adjacent to the project site is designated for Pedestrian-Oriented Uses: Secondary Streets. On Secondary-designated Streets, the ground-floor street fronts shall contain active uses. Private elementary schools are allowed uses on Main or Secondary-designated streets. The storefront along Pine Avenue is the main point of entry for the Lab Learning Center. As conditioned, the applicant would be required to repair or replace the existing fence at the perimeter of the play area at the rear of the site, including eliminating gates swinging over the public right-of-way and the tattered fence screen. The windows and entrance on the existing front façade, combined with the all-day drop-in operational style, will promote pedestrian activity along Pine Avenue consistent with the goals of the Downtown Plan (PD-30).

The existing building is non-conforming with regard to the amount of off-street parking provided; there are no on-site parking spaces on the property. Based on the current parking requirement for elementary schools, two parking spaces are required per classroom, plus two loading and unloading spaces and auditorium or stadium calculated separately. The approved plans for the Progress School (1960) included eight classrooms two restrooms, and an office, requiring 16 parking spaces and two loading and unloading spaces. The proposed Lab Learning Space would include three classrooms, two restrooms, an office, a lobby, a breakroom, and a storage room requiring six parking spaces and two loading and unloading spaces. Therefore, the proposed school use would require fewer spaces than the previous school use and would be within the nonconforming parking rights established for the previous school use, and no new off-site parking is required.

While the project site is non-conforming with regards to on-site parking, the drop-off and pick-up patterns are not comparable to a typical school setting. Because the school is structured on a "drop-in" schedule, the arrival and departure times are staggered throughout the day. The applicant/operator has documented typical drop-off and pick-up times for the school to demonstrate that existing patterns would not result in a detrimental effect on the parking or traffic flow conditions along Pine Avenue.

There is one 30-minute parking site along Pine Avenue directly in front of the project site and multiple existing 30-minute parking spaces along the west side of Pine Avenue south of the project site. Parents/caregivers would be encouraged to use these short-term parking spaces for drop-off and pick-up. In addition, as conditioned, the applicant/operator would be required to inform parents/caregivers and post signage that all alleys are to be kept clear of parked vehicles. The conditions of approval serve to ensure that the school does not impact the on-street availability of parking.

To accommodate staff demand for parking, the applicant/operator has proposed to provide transit incentives to encourage staff to utilize transit modes that would reduce the demand for all-day, on-site parking. These transit incentives include a \$50 monthly transit stipend to all employees for the purchase of public transportation. As conditioned, the operator of the school shall provide evidence of offering of transit stipends to staff prior to issuance or renewal of a business license.

Building Size

In accordance with Chapter 21.52 of the Long Beach Municipal Code, in a residential zone, the site shall be limited to forty thousand (40,000) square feet in size. The existing building is 5,000 square feet in size. The proposed project is not in a residential zone, and this finding would not apply to the proposed project.

Building Code Compliance

Long Beach Municipal Code Chapter 21.52 requires a special code compliance inspection for an application seeking to convert an existing commercial building into a school. Because the building was converted to school classrooms in 1960, this application is not seeking a change of use for the building. The City of Long Beach Fire Department has issued a Fire Protection & Life Safety Equipment Performance Certificate for the Lab Learning Space. While the special code compliance inspection was not required, the applicant is required to meet all requirements for building codes, including determining the appropriate occupancy of the building and play area.

PUBLIC HEARING NOTICE

A total of 1,462 Public Hearing Notices were distributed on June 29, 2018, in accordance with the provision of the Zoning Ordinance. No comments have been received as of the preparation of this report.

ENVIRONMENTAL REVIEW

In accordance with the guidelines for implementing the California Environmental Quality Act (CEQA), Categorical Exemption CE-18-109 was issued (Exhibit F – Categorical Exemption). The project is exempt per Section 15301 - Existing Facilities, as the project

involves establishing a use within the existing building, which requires minor alterations to an existing structure, as conditioned.

Planning staff finds that the proposed CUP for the operation of a private elementary school, with the incorporation of the recommended conditions of approval, will not cause any substantial adverse effects on neighboring land uses or the community. The proposed project is consistent with the General Plan, Zoning Regulations, and all special development standards for private elementary and secondary schools as appropriate, and detailed in the required Findings. Staff, therefore, recommends that the Planning Commission accept Categorical Exemption CE-18-109 and approve the Conditional Use Permit (CUP) (Application No. 1804-13) for the operation of a private elementary school at 927 Pine Avenue.

Respectfully submitted,



CHRISTOPHER KOONTZ, AICP
PLANNING BUREAU MANAGER



LINDA F. TATUM, FAICP
DIRECTOR OF DEVELOPMENT SERVICES

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Attachments:

- Exhibit A – Location Map
- Exhibit B – Plans and Photographs
- Exhibit C – Fire Protection & Life Safety Equipment Performance Certificate
- Exhibit D – Findings
- Exhibit E – Conditions of Approval
- Exhibit F – Categorical Exemption CE-18-109