



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

November 17, 2011

CHAIR AND PLANNING COMMISSIONERSCity of Long Beach
California**RECOMMENDATION:**

Approve a Conditional Use Permit to allow an existing used car dealership at 1400-1450 Long Beach Boulevard to continue operation in compliance with performance standards codified in Long Beach Boulevard Planned Development District (PD-29).(District 6)

APPLICANT: Nader Armakan
1400-1450 Long Beach Boulevard
Long Beach, CA 90813
(Application 1103-13)

DISCUSSION

The proposed project is located on the corner of Long Beach Boulevard and 14th Street on a portion of a 49,500-square-foot lot (Exhibit A- Location Map and Plans). The full site is developed with a mix of auto uses and apartment uses. The property was originally developed as a used car dealership in 1935 and altered in 1937. In 1945, a 4,750-square-foot auto parts store and shop building was added to the used car lot, along with a 2nd story apartment. Along the alley and directly behind the existing auto sales display parking lot are apartment buildings that were built in 1918 and 1933, prior to the construction and operation of the auto sales lot, offices and garages. The site is adjacent to multifamily residential properties to the east, an auto body shop to the west, an auto parts store to the south and a transmission shop to the north.

The proposed Conditional Use Permit (CUP) application is required due to adopted changes to Long Beach Boulevard Planned Development District (PD-29) approved by the City Council on May 8, 2007. The adopted changes required all existing automobile sales businesses to obtain a CUP after a two-year amortization period (May 2007 to May 2009). In addition to the CUP, the amendment established performance standards for all automobile sales businesses (Exhibit B- PD-29 Performance Standards). The purpose of the performance standards is to ensure that automobile dealerships do not create adverse impacts on adjacent properties and surrounding neighborhoods due to insufficient on-site customer parking, traffic generation including road testing of vehicles, obstruction of traffic, visual blight, glare, noise, fumes, or drainage runoff. As a result, the performance standards included the following minimum development requirements: 1) 1,000-square-foot showroom/office; 2) security lighting; 3) Five-

foot-wide landscape buffer; 4) Sufficient vehicle queuing; 5) Limited loading and unloading hours; 6) Noise and signage control; and 7) Sufficient screening from adjacent uses.

After the two-year amortization period ended, the City Council initiated a short-term amnesty period to offer all existing automobile sales businesses amnesty from CUP and Site Plan Review fees for a period of 60 days (January 1, 2011 to March 1, 2011) due to the difficult economic times.

Within the 60-day amnesty period, a total of nine CUP applications were submitted; three were approved on June 16, 2010 and one on July 21, 2011. Five others remain incomplete. This application is one of the five applications that was determined to be incomplete due to insufficient plans. After submitting revised plans, it was determined that the plans met the performance standards adopted in PD-29, as evidenced by the following conditions of approval:

- 1) A five-foot-wide landscaping strip shall be added along both street frontages and planted with drought tolerant trees and shrubs.
- 2) All existing fence posts and chain link fences located along the street fronts shall be removed and new decorative fencing, not to exceed three feet in height shall be placed along both street frontages.
- 3) The existing metal fence utilized as a buffer between the car lot and residential apartments located at the rear of the lot shall be removed and a 10-foot-high decorative fence shall be installed, along with trees and shrubs to the satisfaction of the Director of Development Services.
- 4) The two chain link entry gates at the alley shall be removed and replaced with eight-foot-high wrought iron gates.
- 5) The used car business shall be separated from the auto repair shops by a 6-foot-high wood fence.
- 6) Two trash enclosures shall be constructed to allow for the placement of trash bins.
- 7) One curb approach along Long Beach Boulevard shall be removed to allow for adequate queuing and parking.
- 8) The auto garages that abut the alley shall be re-painted to the satisfaction of the Director of Development Services.
- 9) The entire parking lot shall be re-slurried and re-stripped. Arrows showing the path of travel shall be added on the parking lot to direct traffic and all parking spaces shall be labeled according to the user of said space. Directional signage shall also be added to the satisfaction of the Director of Development Services.
- 10) All buildings on the lot, excluding residential units, shall be repaired and repainted to the satisfaction of the Director of Development Services.
- 11) The property owner shall obtain a Lot Merger to merge three underlying lots into one lot.
- 12) All existing outdoor repair operations, including auto lifts shall be screened from the public right of way.

Staff is recommending that the Planning Commission approve the Conditional Use Permit request with the incorporation of conditions of approval requiring upgrades to the property that

PUBLIC HEARING NOTICE

ENVIRONMENTAL REVIEW

Respectfully submitted,

Spader

AJB:DB:sv

Attachments:

- Exhibit A – Location Map and Plans**
- Exhibit B – PD-29 Performance Standards**
- Exhibit C – Findings and Conditions of Approval**
- Exhibit D – Categorical Exemption**

**CONDITIONAL USE PERMIT
CONDITIONS OF APPROVAL**

1400 Long Beach Boulevard

App. No. 1103-13

November 17, 2011

1. The use permitted on the subject site, in addition to the other uses permitted in the PD-29 zoning district, shall be a used car dealership with auto repair.
2. This permit and all development rights hereunder shall terminate one year from the effective date of this permit 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.
3. 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 from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date).

Special Conditions:

4. All dilapidated fences located within the parking lot shall be removed and all existing fences located along Long Beach Boulevard and 14th Street frontages shall be replaced with new decorative fencing, not to exceed three feet.
5. The existing metal fence utilized as a buffer between the used-car lot and residential apartments located at the rear of the lot shall be removed and a 10-foot-high wood fence installed, along with trees and shrubs to the satisfaction of the Director of Development Services.
6. The entire parking lot shall be re-slurried and re-striped. Arrows showing the path of travel shall be added in/on the parking lot to direct traffic, and all parking spaces labeled according to the user of said space. Directional signage shall also be added to the satisfaction of the Director of Development Services.
7. All buildings on the lot, excluding residential units, shall be repaired and repainted to the satisfaction of the Director of Development Services.
8. The property owner shall obtain a Lot Merger to merge three underlying lots into one lot, within 90 days from the date on the Notice of Final Action.
9. A parking and landscaping plan shall be submitted and approved, prior to installation/placement of landscaping, paving, and striping. The plan shall include

new decorative fencing, parking lot striping and re-slurring, and at least two designated spaces for customers/guests.

10. The two chain link entry gates located along the alley shall be removed and replaced with eight-foot-high wrought iron gates.
11. The used car business shall be separated from the auto repair shops on both sides by incorporating a six-foot-high wood fence to the satisfaction of the Director of Development Services.
12. A trash enclosure large enough to accommodate four trash bins for all existing uses shall be constructed at a central location on the lot.
13. All existing parking lot lighting shall be repaired/repainted to the satisfaction of the Director of Development Services.
14. One curb approach along Long Beach Blvd shall be removed, to allow for adequate queuing and parking.
15. The auto garages that abut the alley shall be re-painted to the satisfaction of the Director of Development Services.
16. A minimum five-foot (5') landscape buffer shall be provided along Long Beach Boulevard and 14th Street, all vehicle display areas and adjacent to residential properties. Applicable setback requirements shall be expanded to require a minimum five-foot (5') landscape buffer to any adjacent residential district.
17. No streamers, balloons and/or flags shall be placed on the property for advertisement.
18. Test-driving shall not occur on residential streets or alleys. Test-driving shall only occur on streets designated as major and minor arterial streets. The dealership shall inform all personnel of this requirement to ensure compliance.
19. All noise-generating equipment shall be located within a building and shall be muffled with sound absorbing materials to minimize noise impacts on adjacent properties. The use of an outdoor speaker system is prohibited.
20. All repair work shall occur within a fully enclosed building. All existing outdoor repair operations, including auto lifts shall be screened from the public right of way with covered canopies to the satisfaction of the Director of Development Services.
21. All loading and unloading shall occur on private property and is limited to the hours of 7 a.m. to 7 p.m. Monday through Saturday, excluding holidays.

22. The use of outdoor speakers is prohibited and all noise-generating equipment shall be located within a building and shall be muffled with sound absorbing materials to minimize noise impacts on adjacent properties.
23. The existing office buildings on the lot shall be repainted to the satisfaction of the Director of Development Services. The paint colors used shall blend appropriately with the existing buildings on the lot

Standard Conditions:

24. 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 Director of Development Services.
25. If, for any reason, there is a violation of any of the conditions of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.
26. In the event of transfer of ownership of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions that are a part thereof. These specific requirements must be recorded with all title conveyance documents at the time of closing escrow.
27. This approval is required to comply with these conditions of approval as long as the use is on the subject site. As such, the site shall allow periodic re-inspections, at the discretion of city officials, to verify compliance. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by City Council (Sec. 21.25.412, 21.25.212).
28. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Department of Development Services. These conditions must be printed on the site plan or a subsequent reference page.
29. The plans submitted for plan review must explicitly call out and describe all materials, textures, accents, colors, window, door, planter, and paving details that were approved by the Site Plan Review Committee and/or the Planning Commission. No substantial changes shall be made without prior written approval of the Site Plan Review Committee and/or the Planning Commission.
30. The Director of Development Services is authorized to make minor modifications to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project. Any major modifications shall be reviewed by the Zoning Administrator or Planning Commission, respectively.

31. Any off-site improvements found to be damaged as a result of construction activities related to this project shall be replaced to the satisfaction of the Director of Public Works.
32. A permit from the Department of Public Works shall be required for any work to be performed in or over the public right-of-way.
33. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, fences and the perimeter of the site (including all public parkways).
34. Any graffiti found on site must be removed within 24 hours of its appearance.
35. Energy conserving equipment, lighting, and construction features shall be utilized in this project.
36. The applicant shall file a separate plan check submittal to the Long Beach Fire Department for review and approval prior to the issuance of a building permit.
37. Prior to the issuance of a building permit, the applicant shall submit landscaping and lighting drawings for the review and approval of the Police Department for their determination of compliance with Police Department security recommendations. For more information, contact Sgt. David Marander at (562) 570-5767.
38. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau must be secured.
39. Separate building permits are required for fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
40. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):
 - a. Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;
 - b. Saturday: 9:00 a.m. - 6:00 p.m.; and
 - c. Sundays: not allowed
41. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.

42. The applicant shall defend, indemnify, and hold harmless the City of Long Beach and its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, and employees to attack, set aside, void, or annul the approval of the City of Long Beach concerning the processing of the proposal/entitlement or any action relating to, or arising out of, such approval. At the discretion of the City and with the approval of the City Attorney, a deposit of funds by the applicant may be required in an amount sufficient to cover the anticipated litigation costs.



CITY OF LONG BEACH NOTICE OF EXEMPTION

DEPARTMENT OF DEVELOPMENT SERVICES
333 W. OCEAN BLVD., 5TH FLOOR, LONG BEACH, CA 90802
(562) 570-6194 FAX: (562) 570-6068
lbds.longbeach.gov

TO: ☐ Office of Planning & Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: Department of Development Services
333 W. Ocean Blvd, 5th Floor
Long Beach, CA 90802

☒ L.A. County Clerk
Environmental Fillings
12400 E. Imperial Hwy. 2nd Floor, Room 2001
Norwalk, CA 90650

Categorical Exemption CE- 11-022

Project Location/Address: 1400 Long Beach Blvd.

Project/Activity Description: CLER TO LEGALIZE AUTO DEALERSHIP
WITH AUTO REPAIR.

Public Agency Approving Project: City of Long Beach, Los Angeles County, California

Applicant Name: Nader Armanian

Mailing Address: 1400 Long Beach Blvd., LB 90813

Phone Number: 562-218-5425 Applicant Signature: [Signature]

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 1103-13 Planner's Initials SV

Required Permits: CONDITIONAL USE PERMIT

THE ABOVE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM CEQA IN ACCORDANCE WITH
STATE GUIDELINES SECTION 15301 EXISTING FACILITIES

Statement of support for this finding: Legalization of existing land use
with no change in intensity of use.

Contact Person: Craig Chantant Contact Phone: 562-570-6369

Signature: [Signature] Date: 11/1/11