

CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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Long Beach, CA 90802

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April 17, 2014

CHAIR AND PLANNING COMMISSIONERS

City of Long Beach
California

RECOMMENDATION:

Approve a Vesting Tentative Tract Map for a previously approved Site Plan Review located at 100 Long Beach Boulevard, commonly known as City Hall East, to create air rights for future ownership parcels of 153 residential dwelling units, 3 live-work units, and 2 commercial spaces, based on the environmental review of the Downtown Plan Program Environmental Impact Report (EIR). (District 2)

APPLICANT: Jan van Dijs for 100 LBB Real Estate LLC
425 E. 4th Street, Unit A
Long Beach, CA 90802
(Case No. 1311-10)

DISCUSSION

The subject property is the former City Hall East (CHE) building at 100 Long Beach Boulevard, located on the northeast corner of Long Beach Boulevard and 1st Street in the Height Incentive Area of the Downtown Plan, PD-30 (Exhibit A – Location Map). The existing building is a 10-story office building originally built for Southern California Edison, and is under construction.

The Planning Commission reviewed the project and approved a Site Plan Review (SPR) on October 3, 2013. Since that time, the applicant has been contemplating applying for a subdivision map to create air rights for the adaptively reused building.

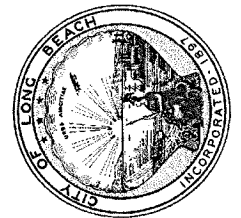
The proposal consists of a Vesting Tentative Tract Map (VTTM 72583) to create air rights for 153 residential dwelling units, 3 live-work units, and 2 commercial spaces. The subdivision would be subject to all applicable requirements of the Long Beach Municipal Code and State subdivision law, and would be effective when a Final Vesting Tentative Tract Map was recorded. Until the map is recorded and units sold, the project would remain under unified ownership.

When considering the project as a rental residential project, there was less concern with a shared parking arrangement. However, with the possibility of individual ownership, both the applicant and staff raised the issue of assigned parking for benefit of the future dwelling unit owners. During the SPR hearing, the applicant stated that their design and marketing goal was to provide one parking space per bedroom for the project overall to ensure viability.

The existing onsite parking structure is being reconfigured to provide 163 on-site parking spaces. A parking analysis (Attachment B) has been provided with the application for the VTTM to document the availability of convenient additional parking spaces for the future

Subdivision of the previously approved project will result new ownership opportunities in a high-quality adaptive reuse building that fits well within the context of the area and provides a strong presence and linkage between the Downtown core and East Village neighborhoods of Downtown. The ability to provide future ownership opportunities for individuals within this project will only strengthen the viability of the project and surrounding area in the long term. Therefore, staff recommends approval of the proposed Vesting Tentative Tract Map, subject to conditions (Exhibit C – Findings and Conditions).

Attachments: Exhibit A – Location Map
Exhibit B – VTTM 72583 and Parking Study
Exhibit C – Findings and Conditions



100 Long Beach Blvd
Application No. 1311-10
Council District 2
Zoning Code : PD-30

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VESTING TENTATIVE TRACT MAP FINDINGS

VTTM 72583

Case No. 1311-10

Date: April 8, 2014

Pursuant to Section 20.12.100 of the Long Beach Municipal Code, the Planning Commission shall approve a Tentative Map if it complies with State and Local regulations. The Tentative Map can be granted only when positive findings are made consistent with the following criteria set forth in the Subdivision regulations.

1. THAT THE PROPOSED MAP IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS;

The subject site is currently located in an area of General Plan designated as LUD #7 – Mixed Uses, which is intended for large activity centers allowing employment centers, retail, offices, high density residential, visitor serving facilities and professional services. Residential densities are provided for in the Planned Development Ordinance for each district. PD-30 does not refer to specific residential density and regulates density through floor area ratio and height. The plan complies with all development standards of PD-30 or has been approved or waived through Site Plan Review as required.

2. THAT THE DESIGN OR IMPROVEMENT OF THE PROPOSED SUBDIVISION IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS;

The design and improvement of the proposed subdivision has been determined to be consistent with the Land Use Element and General Plan for residential development and the zoning regulations (Downtown Plan, PD-30).

3. THAT THE SITE IS PHYSICALLY SUITABLE FOR THE TYPE OF DEVELOPMENT;

The site is physically suitable for this type of development, and this project was specifically anticipated in the Downtown Plan and associated Program EIR.

4. THAT THE SITE IS PHYSICALLY SUITABLE FOR THE TYPE OF DEVELOPMENT;

There are no density standards provided for in the Downtown Plan. The applicant is proposing 153 residential units, 3 live-work units, and 2 ground-floor commercial spaces. No adverse impacts are anticipated with the approval as proposed.

5. THAT THE DESIGN OF THE SUBDIVISION OR THE TYPE OF IMPROVEMENTS WILL NOT CAUSE SERIOUS PUBLIC HEALTH OR SAFETY PROBLEMS; AND

The proposed subdivision is for the purpose of creating individual ownership air rights for 153 residential units, 3 live-work units, and 2 ground-floor commercial spaces. No serious public health or safety problems are identified.

6. THE DESIGN OF THE SUBDIVISION OR THE TYPE OF IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

All concerned City Departments have reviewed the Tentative Tract Map and it has been found that the design and improvements of the site will not conflict with public access easements. All required easements and utility locations will be provided for prior to the recordation of the final map.

VESTING TENTATIVE TRACT MAP FINDINGS CONDITIONS OF APPROVAL

Case No. 1311-10

Date: April 8, 2014

1. The Final Map is to be prepared in accordance with the approved Vesting Tentative Tract Map and shall be filed within thirty-six (36) months from the date of approval by the Planning Commission of the Tentative Map, unless prior to expiration of the thirty-six month period, the Planning Bureau receives a written request from the subdivider for an extension of time, which receives written approval from the Zoning Officer.
2. The Final Map shall be prepared to conform to all conditions, exceptions and requirements of Title 20 (Subdivision Ordinance) of the City of Long Beach, unless specified otherwise herein.
3. Prior to approval of the Final Map, the subdivider shall deposit sufficient funds with the City to cover the cost of processing the Final Map through the Department of Public Works. Furthermore, the subdivider shall pay the Planning Bureau processing fees for the Final Map.
4. All County property taxes and all outstanding special assessments shall be paid in full prior to approval of the Final Map.
5. All required off-site street improvements shall be financially provided for to the satisfaction of the Director of Public Works prior to approval of the Final Map or issuance of a building permit, whichever occurs first.
6. 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, Health Department stamps, shall be maintained at the job site at all times for reference purposes during construction and final inspection.
7. Approval of this development project is expressly conditioned upon payment (prior to building permit issuance or prior to Certificate of Occupancy, as specified in the 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 level standards, including, but not limited to, sewer capacity charges, Park Fees, Transportation Impact Fees and Housing Trust Fund fees, if applicable.
8. 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 and if no detrimental effects to neighboring properties are caused by said

modifications. The Zoning Administrator or Planning Commission shall review any major modifications, respectively.

9. The applicant shall update, revise and format the VTTM to the satisfaction of the Director of Public Works.
10. The applicant shall cause to be prepared C,C,&Rs for this project. A copy of the C,C,&Rs are to be provided to the Director of Development Services for approval prior to transmittal to the California Department of Real Estate or recordation with the County Recorder. The C,C,&Rs shall be executed and recorded against the title of the parcel and shall contain the following provisions, which shall also be noted on the Final Map:
 - a. The subject condominium project consists of 153 residential units, 3 live-work units, and 2 ground-floor commercial spaces;
 - b. A minimum of 165 parking spaces shall be permanently maintained as parking facilities for 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;
 - c. Off-site parking spaces beyond those provided onsite in the existing structure, subject to a parking assignment plan and as defined in the parking study prepared October 23, 2013, shall be provided to the satisfaction of the Director of Development Services.
 - d. A clear, detailed and concise written description of the common areas and facilities of the condominiums shall be provided, including all amenity areas, storage areas and other shared facilities;
 - e. The Homeowners' Association shall be responsible for the operation and maintenance of the private sewer connection to the public sewer in the 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, public right-of-way, and any costs or corrections due to building or property maintenance code enforcement actions. Such responsibilities shall be provided for in the C,C,&Rs;
 - f. The Subdivider 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 Development Services.

- g. Graffiti removal shall be the responsibility of the Homeowner's Association. Graffiti shall be removed within 24 hours of its discovery;
- 11. 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.
- 12. 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 Police Department security recommendations. For more information, contact Officer Reyes at (562) 570-5805.
- 13. The applicant shall provide the following to the satisfaction of the Long Beach Gas and Oil Department:
 - a. The address of each unit shall be displayed appropriately.
 - b. Each house line shall have a brass tag stamped with the unit address number.
 - c. The applicant shall ensure that all vertical and horizontal clearances are met (electrical, cable, vents, windows).
 - d. Meters shall not be visible or accessible from the public right-of-way.
 - e. All gas facilities shall meet the current standards of the Long Beach Gas and Oil Department.
- 14. 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.
- 15. Separate building permits shall be required for signs, fences, retaining walls, trash enclosures, flagpoles, pole-mounted yard lighting foundations, and planters, as required.
- 16. Separate electrical and plumbing permits shall be required for conversion of three (3) or more units to condominiums.
- 17. All improvements identified in the Site Plan Review (SPR 1306-19) shall be completed to the satisfaction of the Director of Development Services prior to approval of the Final Map. Building permits and verification of those repairs shall be obtained and provided to the Planning Bureau prior to Final Map approval.
- 18. Per Section 21.42.030 of the Long Beach Municipal Code, all required yards and

setback areas shall be attractively landscaped primarily with live plant material. All landscaped and paved areas shall be maintained in a neat and orderly condition with healthy landscaping free of weeds and litter. The subdivider shall replace all existing dying and dead landscaping on the subject property to the satisfaction of the Director of Development Services prior to approval of the Final Map.

19. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach.

Special Conditions:

20. None.