



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

March 16, 2017

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Accept Categorical Exemption CE-16-341 and approve Vesting Tentative Tract Map No. 74416 for the subdivision of the Third + Pacific multi-family residential development at 230 W. Third Street in the Downtown Planned Development District (PD-30). (District 1)

APPLICANT: Sares-Regis Group
c/o David Powers
18825 Bardeen Avenue
Irvine, CA 92612
(Application No. 1611-17)

DISCUSSION

On October 20, 2016, the Planning Commission approved a Site Plan Review proposal (Application No. 1603-20) to construct the eight-story, 163-unit Third + Pacific project (Exhibit A – Notice of Final Action). The project, currently in building plan check, is to be built upon on a vacant, 0.89-acre parcel located at the southwest corner of W. Third Street and Pacific Avenue within the Downtown Planned Development District (PD-30) (Exhibit B – Location Map).

Though the developer's intention is initially to operate the project as apartments, Vesting Tentative Tract Map No. 74416 is requested to allow for the project's units to be individually owned in the future. No physical changes to the approved project are proposed as part of this map approval request. Approval of a vesting tentative map will provide the developer protections in the event of future ordinance, policy, or standards changes (Exhibit C – Vesting Tentative Tract Map No. 74416).

Approval of the requested Vesting Tentative Tract Map is consistent with the City of Long Beach Housing Element, specifically Policy 4.2, which calls for "a balance of rental and home ownership opportunities, including high quality apartments, townhomes, condominiums, and single-family homes to accommodate the housing needs of all socioeconomic segments of the community." Comprising just six percent of the City's housing units per a 2011 housing survey cited in the Housing Element, condominiums add to the diversity of ownership opportunities in the City and expand the housing options in the Downtown.

CHAIR AND PLANNING COMMISSIONERS

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As conditioned, all off-site improvements required by the Department of Public Works for Application 1603-20 shall remain valid and in full effect (Exhibit D – Findings & Conditions of Approval). These improvements include full curb and sidewalk replacement along Third Street and Cedar Avenue, the full width resurfacing of the Cedar Avenue roadway adjacent to the site, new street trees along the site's Pacific Avenue and Cedar Avenue frontages, and cooperation with City efforts to remove and relocate the Pacific Avenue bus stop adjacent to the site.

PUBLIC HEARING NOTICE

A total of 2,604 Public Hearing notices were distributed on February 28, 2017, in accordance with the provisions of the Zoning Regulations. No comments have been received as of the preparation of this report.

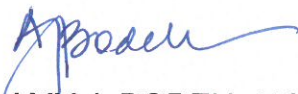
ENVIRONMENTAL REVIEW

In accordance with the guidelines for implementing the California Environmental Quality Act (CEQA), Categorical Exemption CE-16-341 was issued (Exhibit E – Categorical Exemption CE 16-341).

Respectfully submitted,



LINDA F. TATUM, AICP
PLANNING BUREAU MANAGER

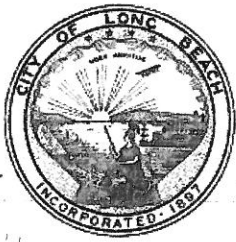


AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

AJB:LFT:CT:mh

P:\Planning\PC Staff Reports (Pending)\2017\2017-03-16\230 W. 3rd Street – Staff Report

Attachments: Exhibit A – Notice of Final Action
 Exhibit B – Location Map
 Exhibit C – Vesting Tentative Tract Map No. 74416
 Exhibit D – Findings and Conditions of Approval
 Exhibit E – Categorical Exemption CE-16-341



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • FAX (562) 570-6068

NOTICE OF FINAL ACTION

Application No.: 1603-20

Project Location: 230 W. Third Street

Applicant: Sares-Regis Group
c/o David Powers
18825 Bardeen Avenue
Irvine, CA 92612

Permit(s) Requested: Site Plan Review

Project Description: Construction of an eight-story, 163-unit multi-family residential development on a vacant 0.89-acre parcel in the Downtown Planned Development District (PD-30).

Action was taken by the: Planning Commission on:
October 20, 2016

Decision: Conditionally Approved

Action is final on: October 31, 2016

This project is NOT in the Coastal Zone.

"If you challenge the action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or issues raised via written correspondence delivered to the (public entity conducting the hearing) at or prior to the public hearing."

See other side for City of Long Beach and California Coastal Commission appeal procedures and time limits.

Linda F. Tatum, AICP
Planning Bureau Manager

Mark Hungerford, Planner
Phone No.: (562) 570-6439

District: 1

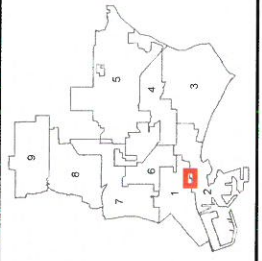
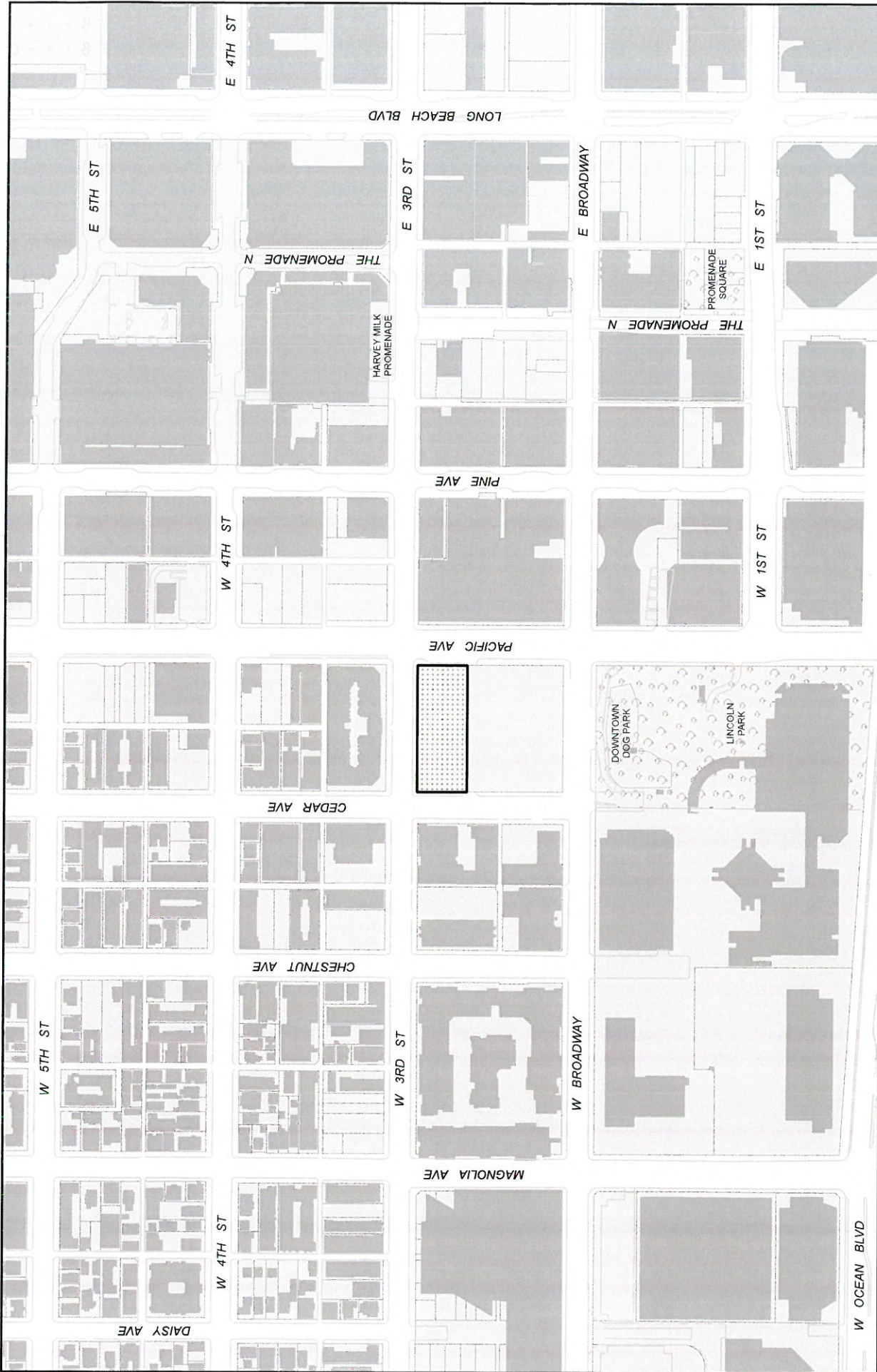


EXHIBIT B



150 75 0 150 300 Feet

Subject Property:
230 W 3rd St
Application No. 1611-17
Council District 1
Zoning Code : PD-30



FINDINGS
VESTING TENTATIVE TRACT MAP No. 74416
230 W. Third Street
Application No. 1611-17
March 16, 2017

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 Land Use Element of the Long Beach General Plan includes various Land Use Districts (LUDs) that provide general guidance as to the types of land uses considered appropriate to the City of Long Beach. The LUD for the subject site is LUD No.7 – Mixed Uses. LUD No.7 is intended for large activity centers allowing employment centers, retail, offices, high density residential, visitor serving facilities and professional services. It is therefore a suitable district for the site's downtown location, and a suitable district for the site's approved 163-unit residential development, as per positive findings made by the Planning Commission on October 20, 2016. Approval of Vesting Tentative Tract Map No. 74416 to allow for operation of the approved 163-unit residential development at the site as ownership (condominium) units would involve no physical construction in and of itself and will thus not conflict with the stated goals of site's LUD, the Land Use Element, or other element of the General Plan.

The specific plan governing the vacant, 0.89-acre project site located at the southwest corner of W. Third Street and Pacific Avenue is the Downtown Plan, the ordinance for the Downtown Planned Development District (PD-30). Though the Downtown Plan does not contain policy or objective statements specifically targeting condominium projects, the proposed map would be part of an approved development that is consistent with the all applicable Downtown Plan land use and development standards.

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

As described in the previous finding, Vesting Tentative Tract Map No. 74416 and the development that it would be tied to are consistent with the general and specific plans in effect for the site.

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

The vacant, relatively-flat project site is located within the Height Incentive Area of PD-30, which permits buildings to stand up to 240 feet tall without specific sustainable design features incorporated into project design, and 500 feet tall with specific sustainable design features incorporated into project design. As approved by the Planning Commission, the 163-unit residential development that is the subject of requested Vesting Tentative Tract Map No. 74416 would stand a conforming 88 feet in height. The approved development meets all Downtown Plan setback and open space requirements, and the project was found to be consistent with the Downtown Plan's stated design criteria for mid-rise buildings, including building scale and massing guidelines. The proposed map is for purposes of creating air space parcels only; no physical changes to the approved development would occur as a result of map approval. As such, the requested map would not physically alter an approved development that is suitable for its site.

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

Project density in the Downtown Plan is regulated primarily by building height, floor area ratio, and required on-site parking, not by lot size. As detailed in the previous finding, the maximum height allowed on the project site is 240 feet without incentives, and 500 feet with incentives. The maximum floor area ratio for a project in the Height Incentive Area is 8.0. Required on-site parking for a residential use at the site is 1.25 parking spaces per unit, guest parking included. The approved development that is the subject of the requested Vesting Tentative Tract Map No. 74416 will stand a conforming 88 feet in height, have conforming floor area ratio of 3.6, and contain a conforming 244 vehicle parking spaces. The proposed map is for purposes of creating air space parcels only; no physical changes to the project, or changes to project density, would occur as a result of map approval. The density of project development, therefore, remains suitable for the project site.

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

The design and configuration of the proposed Vesting Tentative Tract Map does not impact the physical nature of the approved 163-unit residential development or the land upon which the development would stand. As such, all potential public health and safety issues would be related to the approved development, which is currently in the plan check stage. Prior to conditional approval by the

Planning Commission, the residential development was reviewed by Building & Safety, Police Department, Fire Department, and Department of Public Works staff for consistency with all applicable codes and regulations. Further project details are currently being reviewed by appropriate staff in the project's plan check stage. The proposed map, and the development that it will be tied to, will therefore not cause serious public health or safety problems.

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.

The Department of Public Works has conducted a review of the proposed Vesting Tentative Tract Map and determined that subdivision of the site's approved 163-unit residential development into ownership (condominium) units will not conflict with any existing or required public access easements that operate on the site.

CONDITIONS OF APPROVAL
VESTING TENTATIVE TRACT MAP No. 74416

230 W. Third Street
Application No. 1611-17
March 16, 2017

1. Approved under this permit is Vesting Tentative Tract Map No. 74416 for the subdivision of the approved Third + Pacific project, a 163-unit multi-family residential development at the subject site, into ownership (condominium) units.
2. This approval 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).
3. 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.
4. The applicant shall comply with all applicable Mitigation Measures adopted in the Mitigation Monitoring and Reporting Program from both the Downtown Plan Final Program Environmental Impact Report and the Civic Center Project Supplemental Environmental Impact Report. Additionally, all applicable Civic Center project conditions of approval under Application No. 1504-04, and conditions of approval from the Third + Pacific project, as approved under Application No. 1603-20, shall remain in full force and effect for the site.
5. The applicant shall execute and record Covenants, Conditions, and Restrictions (CC&R's) against the title of the property. A copy of the CC&R's shall be submitted for the review and approval of the Director of Development Services prior to approval of the Final Map by the City of Long Beach. A recorded copy of said document shall be provided to the Director of Public Works. The CC&R's shall include the following provisions:
 - The multi-family residential building consists of 163 residential units and 244 parking spaces for residents and their guests.
 - The Homeowner's Association shall be responsible for the maintenance of the common areas and facilities and any abutting public right-of-way landscaping.
 - 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.

6. The Department of Public Works submits the following requirements for this proposed subdivision project:
- a. The final map shall be based upon criteria established by the California Subdivision Map Act and/or Title 20 of the Long Beach Municipal Code.
 - b. Prior to final map approval, the Subdivider shall obtain utility clearance letters for any public entity or public utility holding any interest in the subdivision as required by the Subdivision Map Act.
 - c. All required facilities required by the Department of Public Works not in place and accepted prior to final map approval must be guaranteed by instrument of credit or bond to the satisfaction of the Director of Public Works.
 - d. The subdivider 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 City Engineer. If a dedication of additional right-of-way is necessary to satisfy ADA requirements during plan checking process, the right-of-way dedication shall be provided.
 - e. The subdivider shall provide for the quitclaim of utility easements within the development site to the satisfaction of the Director of Public Works.
 - f. The conditions stated herein relates to the requirements for the proposed subdivision map. All off-site improvement conditions on this development from Application No. 1603-20 shall remain valid and in full effect.
 - g. 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

Standard Conditions:

- 7. The Director of Development Services is authorized to approve minor modifications to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change or alter the approved project. Any major modifications shall be reviewed by the Zoning Administrator, Site Plan Review Committee, or Planning Commission, respectively.
- 8. 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.
- 9. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.

10. As a condition of any City approval, the applicant shall defend, indemnify, and hold harmless City and its agents, officers, and employees from any claim, action, or proceeding against City or its agents, officers, and employees to attack, set aside, void, or annul the approval of City 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.



NOTICE of EXEMPTION from CEQA

EXHIBIT E

CITY OF LONG BEACH | DEPARTMENT OF DEVELOPMENT SERVICES
333 W. OCEAN BLVD., 5TH FLOOR, LONG BEACH, CA 90802
(562) 570-6194 FAX: (562) 570-6068
lbs.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., Room 1201
Norwalk, CA 90650

Project Title: CE- 16-341

Project Location/Address: 230 W. THIRD STREET

Project Activity/Description: VESTING TENTATIVE TRACT MAP TO BE ADDED
TO APPROVED THIRD + PACIFIC PROJECT.

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

Applicant Name: David Powers

Mailing Address: 18825 Bardeen Ave., Irvine, CA 92612

Phone Number: (949) 809-2503

Applicant Signature: *David Powers*

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 1611-17 Planner's Initials: MA

Required Permits: VESTING TENTATIVE TRACT MAP

THE ABOVE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM CEQA IN ACCORDANCE WITH
STATE GUIDELINES SECTION 15301(C)

Statement of support for this finding: SUBDIVISION OF PREVIOUSLY APPROVED
MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH NO
EXPANSION TO THAT USE.

Contact Person: John Pinnell

Contact Phone: (949) 809-2507

Signature: *John Pinnell*

Date: 11/7/16