



# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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Long Beach, CA 90802

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October 19, 2017

## CHAIR AND PLANNING COMMISSIONERS

City of Long Beach  
California

### RECOMMENDATION:

Determine the project is within the scope of the project previously analyzed as part of the Midtown Specific Plan Environmental Impact Report (State Clearinghouse No. 2015031034) and warrants no further environmental review pursuant to CEQA Guidelines Section 15162 and approve a Site Plan Review (SPR 17-044) for the construction of a five-story mixed-use building containing 12,388 square feet of ground floor commercial space and 95 residential units at 1900-1940 Long Beach Boulevard in the Midtown Specific Plan (SP-1) (District 6)

APPLICANT: LINC Housing Corporation  
555 E. Ocean Boulevard  
Long Beach, CA 90802  
(Application No. 1709-32)

### DISCUSSION

The proposed mixed-use development at 1900-1940 Long Beach Boulevard would develop a 0.88-acre site (net) with a five-story building containing 12,388 square feet of ground floor commercial space and 95 dwelling units (94 affordable) and 140 parking spaces. The project site is located on the City's major transit corridor, and fronts on Long Beach Boulevard between Rhea Street and 19<sup>th</sup> Street. An unnamed alley abuts the project along the east property line (Exhibit A – Vicinity Map). East of the project site across the alley is a mix of one- and two-story buildings containing two to four residential dwelling units each; to the south across 19<sup>th</sup> Street is a three- to four-story condominium development; to the west across Long Beach Boulevard is a self-storage facility; and to the north is crematorium and mortuary (Exhibit B – Site Photos).

The project site is located within the Corridor District of the Midtown Specific Plan which is intended for the development of both housing and neighborhood serving uses. The Midtown Specific Plan identifies several locations including this project site (owned by the Long Beach Community Investment Company) as a strategic site for the development of affordable housing. The General Plan Land Use designation for the project site is District Number 7-Mixed Uses (LUD 7). Improving the site with a high-quality context sensitive, mixed-use project will enhance the streetscape and create a more consistent development pattern along the corridor as intended by the Mixed Use General Plan designation. The

development of 94 affordable housing units is consistent with the City's certified Housing Element and furthers the City's attainment of its Regional Housing Needs Assessment allocation.

### Project Summary

The project as proposed includes 95 dwelling units, 94 of which will be affordable. Table 1 and 2 details the level of housing affordability that is to be provided and the unit mix proposed.

<b>Table 1 – Unity Type and Affordability Levels</b>			
<b>Unit Type</b>	<b>Number of Units</b>	<b>Affordability Level</b>	<b>Area Median Income (AMI) Restriction *</b>
1 – Bedroom	47	Extremely-Low Income	30% AMI
2 – Bedroom	23	Low-Income	60% AMI (or less)
3 – Bedroom	24	Low-Income	60% AMI (or less)
2 – Bedroom	1	Unrestricted – On-site Manager's Unit	
Total	95		

<b>Table 2 – Unit Description</b>			
<b>Plan Type</b>	<b>Number of Units</b>	<b>Bedroom/Bath</b>	<b>Size</b>
Plan 1 A - B	7	1-Bedroom / 1-Bath	570-583 sq.ft.
Plan 1 C - E	40	1-Bedroom / 1-Bath	602-638 sq.ft.
Plan 2 A	24 (including one manager's unit)	2-Bedroom / 2-Bath	875 sq.ft.
Plan 3 A - C	24	3-Bedroom / 3-Bath	1,025-1,068 sq.ft.
Total	95		

Vehicle access to the project is taken by two driveways located off the unnamed alley on the east side of the property. A seven-foot dedication will be provided for the purposes of widening the alley that will serve as the access point for the on-site parking garage for the commercial portion of the development. Parking for the project consists of two levels of parking where all but three spaces are distributed within the building at the ground floor level and basement level. There are three parking spaces located at grade off the alley. The proposed project includes a ground floor bike kitchen with storage for 48 bikes.



The ground floor will contain several commercial tenants, including a YMCA, with storefronts oriented toward the street frontage. The primary pedestrian access point to the residential units is from a lobby on Long Beach Boulevard with an additional access point through the stairway facing Rhea Street. The building footprint covers approximately 90 percent of the site area. The proposed building is 64 feet and five stories in height which is consistent with the criteria set forth in the Specific Plan for properties with a depth greater than 200 feet (as measured from the property line parallel to Long Beach Boulevard). The combined commercial and residential building area is 121,947 square feet.

The project consists of a mix of unit types, from one to three bedrooms, that range in size from 570 square feet to 1,068 square feet. The inclusion of 27 three-bedroom units will increase the City's housing stock suitable for larger families; a need established in the 2013-2014 Housing Element of the General Plan.

Although the Midtown Specific Plan specifies a minimum unit size of 600 square feet, it allows for a reduction of this minimum size standard (to not less than 450 square feet) for up to 15 percent of all units in a given development. Seven of the 95 units, or approximately seven percent, are reduced-sized units which range in size from 570-583 square feet. The reduced-sized units are all one-bedroom units which are centrally located in proximity to the stairs and elevators. The units all include full kitchens, balcony area, and built-in closet spaces. The reduced-sized units are all street facing units with sliding doors to an exterior balcony. Three of the reduced-sized units are corner/end units which offer an increased sense of privacy and less direct noise. For these reasons, the Site Plan Review Committee found the smaller units livable and desirable.

The project features two large common open space areas for residents at the podium level totaling 11,103 square feet of common open space. The Midtown Specific Plan requires that an area equal to 10 percent (or 1,238 square feet) of the commercial project area for non-residential use be developed as open space. This requirement is satisfied by the 1,247-square-foot plaza area adjacent to Rhea Street. A condition of approval requiring the installation of decorative gates is recommended to ensure that this area is secured at night and does not become an attractive nuisance. For private open space, each unit features a private balcony or deck which vary in size from 50 square feet up to 103 square feet where a minimum of 50 square feet is required. In addition, the residents of the project will have access to a 3,710-square-foot community room that features a kitchen, dining area, and office space, along with a television and game area. The site amenities include an area from which an after-school program will be operated for the benefit of its residents.

The project adopts a contemporary architectural aesthetic. The north-west corner of the building steps back at an angle creating an elegant cornerstone for the entire project. This angle not only serves to break up the building massing but the step back creates a mini-plaza area that acts as an extension of the public sidewalk. At the south-west corner of Long Beach Boulevard and 19<sup>th</sup> Street the building has a strong retail base with the floors above taking on a residential feel that is compatible with existing residential development to the south. The building observes a six-foot setback along the entire length of the 19<sup>th</sup> Street frontage that creates opportunities for use as a seating area. At the north end of the building



a grand entry stairway provides a break in the building massing. This opening creates a visual and physical connection between one of the private courtyards within the building and the sidewalk and planned on-street parklet. This north elevation incorporates a green living wall that further break up the massing through the change in material and also serve to enhance the pedestrian experience.

Additionally, the project plans for the development of a public on-street parklet north of the project site on Rhea Street which both residents of the project and the community at large can use. This is one of the 11 new mini-parks within the boundaries of the Midtown Specific Plan. However, the on-street parklet is not a part of the Site Plan Review approval, as it is within the public right-of-way.

State law allows reduced parking ratios for developments that are located within one-half mile of public transit and projects that include special needs housing. Based on the State's parking requirement detailed in Table 3, the project is required to provide a total of 74 parking spaces. The project includes 115 residential parking spaces, which is more than what is required under California Government Code 65915 for affordable housing projects.

**Table 3**

<b>Use</b>		<b>Parking Required</b>	<b>Parking Provided</b>
95 Residential Units	46-affordable units	0.5 per unit <sup>A</sup> or 23 parking spaces	115 (including 29 tandem parking spaces)
	1-Managers unit	0.5 per unit <sup>A</sup> or 1 parking spaces	
	47-special needs housing	0.3 per unit <sup>A</sup> or 15 parking spaces	
12,388 square feet		2 /1,000 or 25 spaces	25
<b>Total</b>		<b>74</b>	<b>140</b>

<sup>A</sup> The applicant has requested that the following parking ratios be applied to the project pursuant to State Government Code 65915 (p)(3).

The residential parking spaces include 28 parking spaces in a tandem configuration. Tandem parking spaces will be assigned to the same dwelling unit. Tandem parking is an incentive to affordable housing projects under State law. Compact parking spaces comprise 21 percent (24 parking stalls) of the residential parking spaces where up to a maximum of 50 percent are permitted by the Long Beach Municipal Code for projects with affordable housing. The project would have sufficient parking in accordance with the size and configuration conforms to the zoning standards.



The portion of the project related to density bonus and incentives or concessions are ministerial acts. The applicant has requested that the City approve the project in accordance with the State's Density Bonus Law (Government Code Section 65915 through 65918). Density bonuses must be given for affordable housing, senior housing (whether or not affordable), donations of land for affordable housing, condominium conversions that include affordable housing, and child care facilities. In addition to density bonuses, applicants who provide the required amount of affordable housing qualify for various exceptions from zoning standards (known as "incentives and concessions" or "waivers") and for reduced parking standards. The maximum density bonus of 35 percent is achieved when a project provides either 11 percent very low-income units, 20 percent lower income units, or 40 percent moderate income units. The proposed project includes 95 units of which 94 units will be affordable; 47 units (or 49 percent) will be for very low-income households which qualifies the project to receive the maximum density bonus of 35 percent. The Midtown Specific Plan ultimately relies on the designated floor area ratio to determine the development intensity for both the commercial and residential floor area ratio. The combined commercial and residential building area is 121,947 square feet in area for a floor area ratio of 3.18, which exceeds the maximum allowed floor area of 3.0 allowed by 6,975 (6 percent). A density bonus of 6 percent of additional floor area is requested, allowing the applicant to construct 121,947 square feet of building floor area where a maximum of 114,972 square feet would otherwise have been permitted under the Midtown Specific Plan.

In accordance with California Government Code Section 65915-65918, a project may receive between one to three incentives or concessions dependent on the level of affordability the project provides. Three incentives or concessions are allowed for projects that include at least 15 percent of the total units for very low-income households. This project qualifies for three incentives since 49 percent of the total units will be for very low-income households. The applicant has requested the following concessions:

- 1) To allow up to 29 percent of the building frontage on Long Beach Boulevard to be set back more than five feet. Pursuant to Midtown Specific Plan Table 3-4 pertaining to Building Placement Standards, no more than 20 percent of the building frontage may be setback more than five feet; and
- 2) To allow a reduced setback along the north property line parallel to Rhea Street. The applicant is requesting to be allowed to provide a setback as small as eight inches from the north property line.

The basis for denial of a concession is established by the State Density Bonus Law. The concession may be denied based on: 1) making a finding that it does not result in "identifiable, and actual cost reductions to provide for affordable housing"; or 2) that any of the three findings can be made: a) it is not required for affordability; b) there is an adverse impact on health, safety, physical environment, or historic resources with no feasible mitigation; or c) that is contrary to State or Federal law. Staff does not find that there is a basis for contesting the concessions. The portion of the project related to density bonus and incentives or concessions are ministerial acts.

Entitlements

The Midtown Specific Plan requires Site Plan Review for projects involving the construction of one or more new dwelling units. The Site Plan Review is a discretionary approval. Projects consisting of 50 dwelling units or more are required to participate in the Conceptual Site Plan Review process. A Conceptual Site Plan Review for this project was completed in April of this year. In response, the applicant modified the plans including refining the design's color palette and design to create greater cohesion throughout the project, adjusting window placement to create a more harmonious design with surrounding uses, and increased unit sizes. Staff finds that the required findings can be made in support of the project and recommends the Planning Commission approve the project based on the findings (Exhibit D – Findings of Approval) and subject to the conditions of approval (Exhibit E – Conditions of Approval).

**PUBLIC HEARING NOTICE**

A total of 799 Public Hearing notices were distributed on October 4, 2017, in accordance with the provision of the Zoning Ordinance. No comments have been received as of the preparation of this report.

**ENVIRONMENTAL REVIEW**

The proposed project is located within the Midtown Specific Plan for which a program Environmental Impact Report (State Clearinghouse No. 2015031034) was certified and adopted by the City Council in June of 2016. The project has been reviewed in compliance with the California Environmental Quality Act and qualifies for an exemption from additional environmental review pursuant to CEQA Guidelines 15162 and 15183. The proposed project is consistent with the Midtown Specific Plan "community plan" and no subsequent environmental review is warranted pursuant to CEQA Guidelines 15162 and 15183. In accordance with CEQA Guidelines Section 15162, the proposed project has been analyzed and it has been determined that the project would not result in new environmental impacts not previously identified in the Midtown Specific Plan Program EIR. The analysis is included as Exhibit F - Environmental Compliance Checklist.

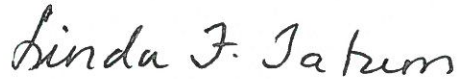


CHAIR AND PLANNING COMMISSIONERS

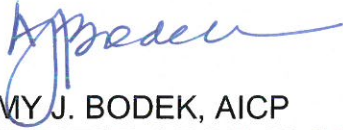
October 19, 2017

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Respectfully submitted,



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PLANNING BUREAU MANAGER



AMY J. BODEK, AICP  
DIRECTOR OF DEVELOPMENT SERVICES

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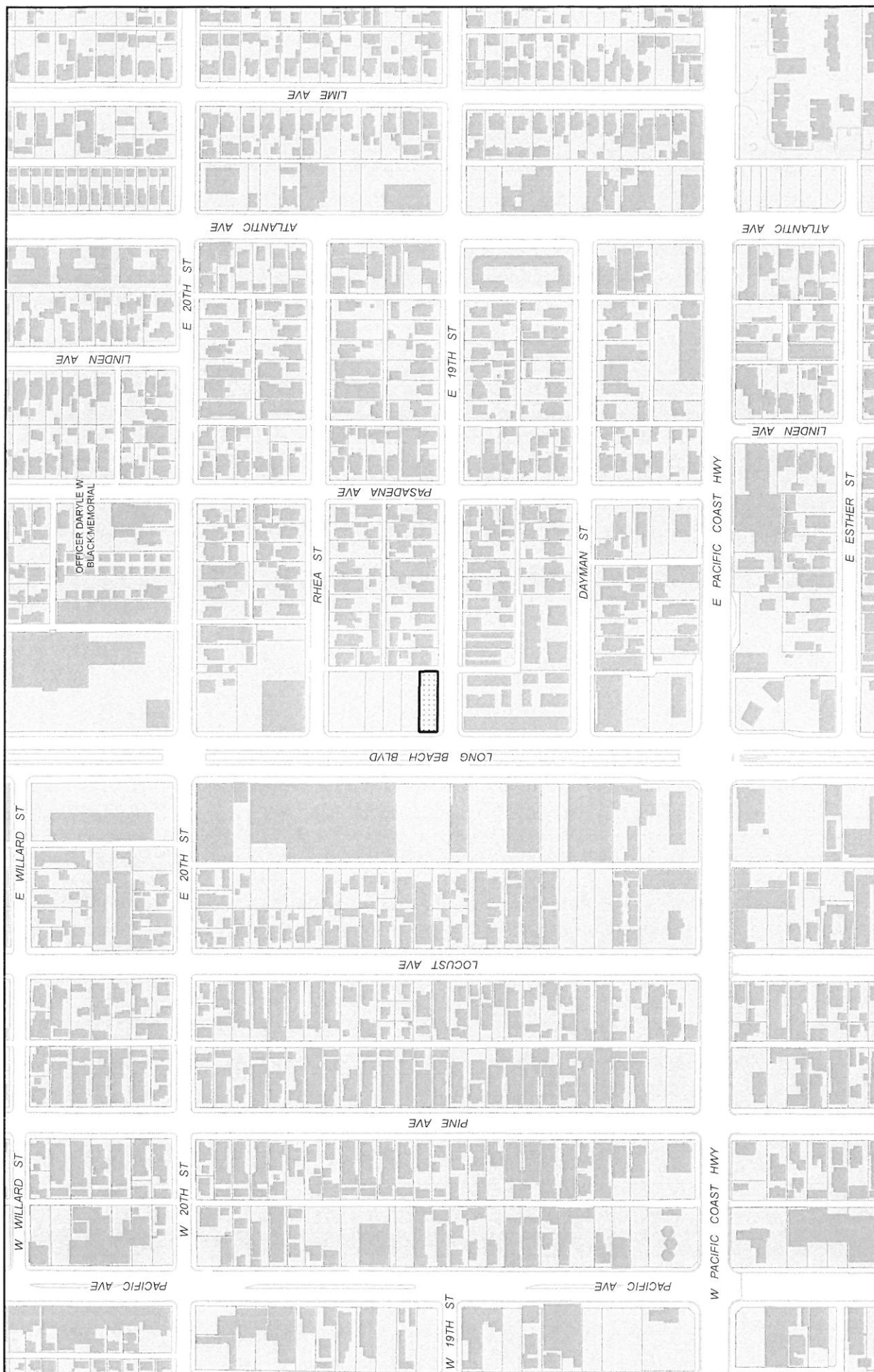
Attachments:

- Exhibit A – Location Map
- Exhibit B – Site Photos
- Exhibit C – Plans
- Exhibit D – Findings of Approval
- Exhibit E – Conditions of Approval
- Exhibit F – Environmental Compliance Checklist



## Exhibit A

**Subject Property:**  
1900 Long Beach Blvd  
Application No. 1703-03  
Council District 6  
Zoning Code : SP-1-CDR





**SITE PLAN REVIEW FINDINGS  
1900 - 1940 Long Beach Boulevard  
Application No. 1709-32 /SPR 17-044  
October 19, 2017**

Pursuant to Section 21.25.506 of the Zoning Ordinance, the Planning Commission shall not approve a Site Plan Review unless the following findings are made. These findings and staff analysis are presented for consideration, adoption, and incorporation into the record of proceedings.

**A. 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;**

The project is compatible in design, character and scale with neighboring structures and the community. The proposed project (Project) involves the construction of a five-story, mixed-use building containing 12,388 square feet of commercial space, and 95 dwelling units (94 affordable units) with a total of 140 parking spaces. The project would improve the entire block frontage on the east side of Long Beach Boulevard between Rhea Street and 19<sup>th</sup> Street. The project will create a more consistent development pattern on the corridor as its design is compatible with the existing three- to four-story residential development to the south. The project site is separated from the lower density residential development to the east by an alley. As a part of this project the alley will be widened by 7 feet for a total width of 20 feet providing additional separation from the residential units. All surrounding properties are located within the same Corridor District of the Midtown Specific Plan and may develop to higher intensity uses in the future. However, the building design is sensitive to the existing low-scale nature of the residences located to the east as the middle section of the building only rises to the podium level and has afforded an additional seven-foot setback at the southeast corner of the building. In addition, the applicant has used placement and reduced window sizes to minimize any real or perceived issues of privacy.

The Project is harmonious, consistent, and complete within itself. The development will introduce new, quality affordable housing with a range of unit sizes to a vacant site within the area of the Midtown Specific Plan.

The project adopts a contemporary architectural aesthetic. The ground floor uses include a YMCA, other commercial uses that are yet to be identified, a bike kitchen, and residential lobby. The ground floor features a finished face CMU block façade with ample storefront window openings that promote an active pedestrian-oriented streetscape. At the north end of the building the design incorporates a stairway and ramp that can also serve as amphitheater-style seating as it faces north toward the planned on-street parklet on Rhea Street.



**B. THE DESIGN CONFORMS TO ANY APPLICABLE SPECIAL DESIGN GUIDELINES ADOPTED BY THE PLANNING COMMISSION OR SPECIFIC PLAN REQUIREMENTS, SUCH AS THE DESIGN GUIDELINES FOR R-3 AND R-4 MULTI-FAMILY DEVELOPMENT, THE DOWNTOWN DESIGN GUIDELINES, PD GUIDELINES, OR THE GENERAL PLAN;**

The project site is located within the Corridor District of the Midtown Specific Plan. The project design conforms to Design Guidelines of the Specific Plan. With a maximum building height of 64 feet and five stories the development is consistent with the criteria set forth in the Specific Plan for properties with a depth greater than 200 feet (as measured from the property line parallel to Long Beach Boulevard). The project includes a total floor area of 121,947 square feet of 3.18 which exceeds the maximum floor area of 3.0 allowed for this site by 6,975 square feet or six percent. With the exception of the on-site manager unit, all units will be affordable. Pursuant to the State's Density Bonus Law (California Government Code Section 65915-65918) the project is eligible for a density bonus up to 35 percent more than the FAR allowed; however, a density bonus of just six percent is proposed.

The Midtown Specific Plan Design Guidelines emphasize the need for buildings to have a distinct architectural character with a pedestrian focus to uplift the character of the corridor and build a vital and active street life. The proposed building design achieves this purpose of the plan in a number of ways including the use of special architectural elements at the corner of the building and at entry ways. The north west corner of the building steps back at an angle creating an elegant cornerstone for the entire project. This angle not only serves to break up the building massing but the step back creates a mini plaza area that serves as an extension of the public sidewalk. At the south west corner of Long Beach Boulevard and 19<sup>th</sup> Street, the building has a strong retail base with the floors above taking on a residential feel that is compatible with existing residential development to the south. The building observes a six-foot setback or greater along the entire property frontage on 19<sup>th</sup> Street that create opportunities for use of the area for seating. At the north end of the building a grand entry stairway provides a break in the building massing. This opening also creates a visual and physical connection between one of the private courtyards within the building and the sidewalk and the planned on-street parklet. This north elevation incorporates a green living wall that further breaks up the massing through the change in material and serve to enhance the pedestrian experience.

The Project is consistent with the design guidelines in a number of other ways as well, including the provision of architectural variation between ground floor uses and upper floor uses, the incorporation of balconies, windows insets, and variations in massing, color, and finishes.



The project is located within Land Use District 7 (LUD 7) –Mixed Use District of the General Plan. This land use district is intended for, “a careful blending of different types of land uses...Clear incompatibilities are not allowed.” The Project combines ground floor commercial uses including a YMCA and a bike kitchen with dwelling units above; these are complimentary uses and conform to the General Plan. The Project design is also consistent with the General Plan Housing Element. The project incorporates a mix of unit types including 21, three-bedroom units. The General Plan identifies that the City’s housing stock has a shortage of three-bedroom units which this project will help to reduce. Additionally, the project helps the City reach the following stated policies of the Housing Element:

**Housing Element Policy 4.1: To Provide adequate sites to facilitate the housing production and affordability goals set forth in the 2014—2021 RHNA.**

The Project supports this policy because it will develop 94 new affordable rental units contributing towards the City meeting the Regional Housing Needs Assessment allocated to it for the 2014-2021 planning period. Specifically, 47 of the units are designated to rent to those in the extremely low-income category where 30 percent of the Area Median Income is earned and 47 units are designated at Low-Income, 51 percent to 80 percent of the Area Median Income for which the City was allocated 1,066 units.

**Housing Element Policy 4.2: Encourage a balance of rental and homeownership opportunities, including high-quality apartments, townhomes, condominiums, and single-family homes to accommodate the housing needs of all socioeconomic segments of the community, including large families.**

This project is consistent with this policy to provide high-quality housing to meet all socioeconomic segments of the community including large families. The project includes a mix of unit types ranging from one- to three-bedroom units. All but one of the units will be affordable. This project further supports this policy because twenty-five percent (24 units) of the units will have three bedrooms. Large families require a unit size with a minimum of three bedrooms.

**Housing Element Policy 4.5: Encourage residential development along transit corridors in the downtown and close to employment, transportation, and activity centers; and encourage infill and mixed-use in designated districts.**

This project is consistent with this policy as the project is an infill development of mixed-use building on Long Beach Boulevard, the City’s major transit corridor. The site is within 440 feet from a Long Beach Transit stop and 820 feet from a Metro Blue Line stop.



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

The 0.88-acre (net) project site is comprised of five parcels that are currently fenced off as a single site and vacant except for a temporary art installation on the south side of the site. The juvenile palm trees growing along the east property line abutting the alley will all be moved. However, all palm trees within the parkway along Long Beach Boulevard and 19<sup>th</sup> Street will remain. The project will provide additional street trees that will enhance the street frontage. There are no existing parkway trees along the site's north street frontage along Rhea Street.

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

The developers are required to comply with all public improvement requirements including parkway improvements and property dedications found by the Department of Public Works to apply to this project. The Project design has incorporated a City-required seven-foot dedication along the alley creating a standard-width alley of 20 feet. The increase in on-site development intensity and the potential pedestrian and transit traffic generated by the Project necessitates these public improvements.

**E. THE PROJECT CONFORMS TO ALL REQUIREMENTS SET FORTH IN CHAPTER 21.64 (TRANSPORTATION DEMAND MANAGEMENT); AND**

The Project contains less than 25,000 square feet of new, non-residential development and thus is exempt from Transportation Demand Management requirements. However, there is ample opportunity from this location for residents, patrons, employees, workers, and visitors to utilize transit; the Project site is within 400 feet from a Long Beach Transit stop and 820 feet from a Metro Blue Line stop. In addition, per the Mobility Element of the General Plan, a Class III Bikeway/Sharrows Lane is planned for Long Beach Boulevard. Additionally, the Project has incorporated a ground floor bicycle kitchen with storage for up to 48 bicycles into its design.

**F. THE APPROVAL IS CONSISTENT WITH THE GREEN BUILDING STANDARDS FOR PUBLIC AND PRIVATE DEVELOPMENT, AS LISTED IN SECTION 21.45.400.**

The Project is a new mixed-use development containing over 50,000 square feet of gross floor area and is thus subject to meeting the intent of Leadership in Energy and Environmental Design (LEED) at the certified level. The section's other green building requirements – one bicycle parking stall for



every five residential units, solar-ready rooftops, and designated recyclable materials collection areas in all project trash collection area – will also be met. Furthermore, the project will be designed to meet Title 24.

## **SITE PLAN REVIEW CONDITIONS OF APPROVAL**

**1900-1944 Long Beach Boulevard  
Application No. 1709-32/SPR 14-044  
October 19, 2017**

1. This Site Plan Review approval is for the construction of a new five-story, mixed use building containing 12,388 square feet of ground floor commercial space and 95 dwelling units (94 affordable) with 140 parking spaces including 2 loading spaces.
2. A density bonus of six percent above the maximum floor area ratio of 3.0 is requested for a total net floor area of 121,947 square feet. The owner/operator of the approved mixed-use project shall maintain the following number of affordable housing units in this building for 55 years from the date of issuance of the Certificate of Occupancy:
  - a. Very Low Income – 47 units
  - b. Low Income – 47 units
3. A minimum of 140 parking stalls shall be permanently maintained and in useful operation within the building's parking garage. The number of Electric Vehicle (EV) charging stations and spaces shall meet California Green Building Standards Code Chapter 5 Section 5.106.5.3 requirements.
4. All work shall be carried out in accordance with the activities shown on plans received by the Department of Development Services, Planning Bureau, dated July 25, 2017, except as follows:
  - a. Windows shall be inset between three- to six-inches.
  - b. A decorative gate system that is cohesive with the proposed vehicle entry gates shall be installed at the stairway at the north side of the building. The gates shall be closed between 6 a.m. to 10 p.m. daily.
  - c. Decorate open work system that is cohesive with the proposed vehicle entry gates shall be installed within the openings to the parking area.
  - d. Lighting shall be provided along the east building elevation of the alley. Light shields shall be required to prevent spillage onto adjacent properties.
  - e. The applicant shall post urban etiquette signs subject to the satisfaction of the Director of Development Services indicating that child pickup and drop-off is prohibited from the parking stalls off the alley.
5. The applicant shall comply with the Mitigation Measures specified in the Mitigation Monitoring and Reporting Program (MMRP) of the Midtown Specific Plan Program EIR (Conditions of Approval Attachment A) and as described in the Exhibit F entitled, "Midtown Specific Plan Compliance Checklist" to the Planning Commission Staff Report dated October 19, 2017.



6. This permit and all development rights hereunder shall terminate two years from the effective date of this permit unless construction is commenced or a time extension is granted, based on a written request submitted to and approved by the Zoning Administrator prior to the expiration of the two-year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
7. 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:**

8. Tandem parking is allowed for 58 parking stalls in the basement parking level in accordance with Section 21.41.233 of the Zoning Ordinance, provided that:
  - a. Not more than 2 spaces are involved in each tandem arrangement,
  - b. Both spaces in each tandem arrangement shall be assigned to the same dwelling unit, and
  - c. Handicap and guest parking shall not be in tandem.
9. A minimum of 51 bicycle parking spaces shall be provided for and maintained on site. The bicycle kitchen shall have restricted access exclusive to tenants and building support staff. The type, spacing and placement of bicycle racks shall follow the guidelines of the Bicycle Master Plan to the satisfaction of the Director of Development Services.
10. The applicant shall provide two enclosed lockers and three open spaces near main entrances with good visibility subject to the satisfaction of the Director of Development Services.
11. One or several central satellite television/data receiver dish(es) shall be located on the roof of the building or in another utility area so that a separate satellite receiver dish is not needed for each residential and commercial unit.
12. All required off-site street improvements shall be installed or provided to the satisfaction of the Director of Public Works prior to issuance of a building permit.
13. The applicant shall obtain approval of a lot merger or lot line adjustment to combine the five existing lots prior to plan check submittal.
14. The applicant shall submit an application for a Master Sign Program prior to issuance of a building permit for construction.

15. Stucco used on the exterior walls of the approved building shall consist of the smooth sand float finish type to the satisfaction of the Zoning Administrator and the Housing Services Bureau.
16. The landscaping plan submitted for plan check purposes shall list the common names of each tree, shrub, and plant in addition to their scientific names.
17. The Department of Development Services and the Long Beach Police Department shall have the authority to review the site for security problems, and said departments shall have the power to require additional security measures including, but not limited to, security guards, fencing, and additional security lighting if problems develop at the site.
18. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
19. Pursuant to Long Beach Municipal Code section 21.45.400 (c), the project shall meet the intent of LEED at the Certified level to the satisfaction of the Director of Development Services. Prior to issuance of any project-related building permits, the applicant shall submit proof of registration with USGBC and a password allowing staff access to said registration, or provide proof by a third party as meeting the intent of LEED at the level required by Chapter 21.45.400.
20. Noise levels emanating from the project's common open space areas shall not exceed applicable noise standards specified in Long Beach Municipal Code.
21. Pursuant to Long Beach Municipal Code Section 8.80.150 – Exterior Noise Limits. Use of the podium level courtyard area areas shall be restricted to the hours of 6:00 a.m. – 10:00 p.m.
22. The applicant shall hire a qualified project archaeologist or archaeological monitor approved by the City in advance of any ground-disturbing activities shall be present during excavation into native sediments and shall have the authority to halt excavation for inspection and protection of cultural resources. The archaeological monitor shall be empowered to halt or redirect ground-disturbing activities to allow the find to be evaluated. If the archaeological monitor determines the find to be significant, the project applicant and the City shall be notified and an appropriate treatment plan for the resources shall be prepared. The treatment plan shall include notification of a Native American representative and shall consider whether the resource should be preserved in place or removed to an appropriate repository as identified by the City.
23. The project archaeologist shall prepare a final report of the find for review and approval by the City and shall include a description of the resources unearthed, if any, treatment of the resources, and evaluation of the resources with respect to the California Register of Historic Resources and the National Register of Historic Places. The report shall be filed with the California Historic Resources



Information System South Central Coastal Information Center. If the resources are found to be significant, a separate report including the results of the recovery and evaluation process shall be prepared.

24. A qualified project archaeologist or archaeological monitor approved by the City in advance of any ground-disturbing activities shall be present during excavation into native sediments and shall have the authority to halt excavation for inspection and protection of cultural resources. The archaeological monitor shall be empowered to halt or redirect ground-disturbing activities to allow the find to be evaluated. If the archaeological monitor determines the find to be significant, the project applicant and the City shall be notified and an appropriate treatment plan for the resources shall be prepared. The treatment plan shall include notification of a Native American representative and shall consider whether the resource should be preserved in place or removed to an appropriate repository as identified by the City.
25. If human remains are encountered during excavation and grading activities, State Health and Safety Code Section requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the corner is to notify the Native American Heritage Commission (NAHC) within 24 hours. The NAHC will then identify the person(s) thought to be the Most Likely Descendent, who will help determine what course of action should be taken in dealing with the remains. Preservation in place and project design alternatives shall be considered as possible courses of action by the project applicant, the City, and the Most Likely Descendent.

**Standard Conditions:**

26. 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.
27. This approval is required to comply with the 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. 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 time of closing escrow.

29. The applicant shall provide the following to the satisfaction of the Director of Public Works:

**GENERAL REQUIREMENTS**

- a. Prior to the start of any on-site/off-site construction, the Developer shall submit a construction plan for pedestrian protection, construction area perimeter fencing with custom-printed screen(s), street lane closures, construction staging, shoring excavations and the routing of construction vehicles (excavation hauling, concrete and other deliveries, etc.).
- b. The Developer proposes potential encroachments into public rights-of-way consisting of doors and/or gates. All door openings swinging into public rights-of-way shall be eliminated or set back to the satisfaction of the Director of Public Works. Construction plans shall be submitted to the Department of Public Works for all encroachments over the public right-of-way, to be reviewed for approval as to compliance with California Building Code Chapter 32, to the satisfaction of the Director of Public Works.
- c. The Developer proposes a refuse and recycling receptacle location adjacent to the improved alley. All refuse and recycling receptacles shall be subject to the standards and requirement of Long Beach Municipal Code Chapter 8.60.
- d. Upon street closure approval and project completion, the Developer shall offer the new park property to the City of Long Beach Parks, Recreation & Marine Department, and provide necessary documentation for processing.

**PUBLIC RIGHT-OF-WAY**

- e. The Developer shall dedicate and improve 7 feet for alley widening purposes and improve the full length and width of the alley right-of-way, from East 19<sup>th</sup> Street to East Rhea Street, undergrounding existing facilities to accommodate the alley widening for through traffic.
- f. The proposed street closure and use of the abutting portion of East Rhea Street as a park shall require separate approval. Approval from the City of Long Beach City Council is required prior to closing a portion of public right-of-way to vehicular traffic. All street closures shall be subject to the standards and requirement of California Vehicle Code Section 21101, City of Long Beach Resolution Nos. C-25728, adopting rules and regulations to closing of a highway, and C-25791, amending such rules and regulations.



- g. The northerly property adjacent to the project site, the mortuary, has two points of access onto East Rhea Street to which the proposed park cannot block access. Subject to approval, the park property shall start west of the mortuary's westernmost driveway limits.
- h. 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.
- i. All outdoor dining areas within the public rights-of-way shall be subject to the standards and requirement of Long Beach Municipal Code Chapter 14.14 and parklet standards. Approval from the City of Long Beach City Council is required prior to private use of the public rights-of-way. The Developer shall contact the Department of Public Works at (562) 570-7954 to request a Public Walkways Occupancy Permit application.

#### **ENGINEERING BUREAU**

- j. The Developer shall reconstruct the entire alley length and width, from East 19<sup>th</sup> Street to East Rhea Street, with Portland cement concrete, to the satisfaction of the Director of Public Works. All utility poles along the proposed alley widening shall be relocated underground by the Developer at project expense, and to the satisfaction of the Director of Public Works.
- k. The Developer shall provide for or install on-site alley lighting to the improved alley adjacent to the project site, to the satisfaction of the Director of Public Works.
- l. The Developer shall reconstruct the alley intersections at East 19th Street and East Rhea Street to align with the new alley widening. Alley improvements shall be constructed with Portland cement concrete to the satisfaction of the Director of Public Works.
- m. The Developer shall check with the Long Beach Water Department at (562) 570-2300 and the Gas and Oil Department at (562) 570-2030 for scheduled main replacement work prior to submitting alley improvement plans to the Department of Public Works.
- n. The Developer shall reconstruct the sidewalk, curb and gutter along East 19th Street and Long Beach Boulevard adjacent to the project site, resulting in 12-foot and 12.5-foot wide public sidewalks, respectively. Sidewalk improvements shall be constructed with Portland cement concrete to the satisfaction of the Director of Public Works.

- o. The Developer shall remove unused driveways and curb cuts, 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 demolish the existing sidewalk and curb ramp located at the intersection of East 19th Street and Long Beach Boulevard, adjacent to the project site, and construct a new ADA compliant curb ramp to the satisfaction of the Director of Public Works.
- q. The Developer shall provide for two new street trees with root barriers along East 19th Street adjacent to the project site, near the southeasterly corner of the property. The Developer and/or successors shall water and maintain all street trees, landscaping and sprinkler systems required in connection with this project. 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 any irrigation system work on East 19th Street and Long Beach Boulevard. The Street Tree Division will assist with the size, type and manner in which the street trees are to be installed. At a minimum, parkway trees shall provide shade coverage, after five years of growth, of 50 percent of the total area dedicated for public right-of-way.
- r. The Developer shall submit a grading and drainage plan with hydrology and hydraulic calculations showing building elevations and drainage pattern and slopes, for review and approval by the Director of Planning and Building Services and the Director of Public Works, prior to the release of any building permit.
- s. To the satisfaction of the Director of Public Works, the Developer shall submit for approval a shoring plan, for any temporary or permanent tiebacks/soil nails that are required to extend beneath the public rights-of-way adjacent to the project site. Tiebacks/soil nails shall be per the standards and requirement of Long Beach Municipal Code Chapter 14.08.
- t. The Developer shall install FenceScreen.com Custom Printed Flex Mesh screen(s), Series 311, or equivalent, fence screening along the perimeter of the development site, and provide for the printed graphic, to the satisfaction of the Director of Public Works. The Developer shall consult with Public Works prior to submitting the graphic design for printing.
- u. The Developer shall be responsible for the maintenance, repair and replacement of off-site improvements abutting the project boundary during construction of the on-site improvements, until final inspection of the on-site improvements by the City. All off-site improvements adjacent to the development site, and/or along the truck delivery route 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.

- v. The Developer shall provide for the resetting to grade of existing manholes, pull boxes, and meters in conjunction with the required off-site improvements, to the satisfaction of the Director of Public Works.
- w. Subject to approval of the proposed street closure, the Developer shall provide for the relocation of the street light and pull box, near the southeast corner of East Rhea Street and Long Beach Boulevard, to the satisfaction of the Director of Public Works. The Developer shall contact City Light and Power to schedule the relocation work prior to submitting on-site grading plans.
- x. The Developer shall provide for the relocation of the underground conduit for rail line purposes, currently within the southwest corner of the project site, to be outside of the building footprint, to the satisfaction of the Director of Public Works. The Developer shall contact Metropolitan Transportation Authority to schedule the relocation work prior to submitting on-site grading plans.
- y. All work within the public right-of-way must 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 work. The Contractor shall have on file with the City Engineer a Certificate of General Liability insurance, and endorsement evidencing minimum City of Long Beach limits of required general liability insurance.
- z. Public improvements shall be constructed in accordance with plans reviewed and approved by Public Works. The City's Public Works Engineering Standard Plans are available online at [www.longbeach.gov/pw/resources/engineering/standard-plans](http://www.longbeach.gov/pw/resources/engineering/standard-plans). Detailed off-site improvement plans shall be prepared by a licensed Civil Engineer, stamped, signed and submitted to the Department of Public Works for approval.
- aa. All conditions of approval, including cover letter signed by the Planning Officer and Case Planner, must be printed verbatim on all plans submitted for plan review to the Department of Public Works.

#### **TRAFFIC & TRANSPORTATION BUREAU**

- bb. The Developer shall designate two stalls within the exterior parking area on the northerly east side of the property as commercial loading only, and provide appropriate signage. All signage shall be installed to the satisfaction of the City Traffic Engineer.

- cc. Subject to approval of the proposed street closure, the Developer shall install "R11-4" (Road Closed to Thru Traffic) signs at the intersection of East Rhea Street and Pasadena Avenue, visible to westbound traffic onto East Rhea Street. All signs shall be installed to the satisfaction of the City Traffic Engineer.
- dd. The Developer shall be responsible to improve certain traffic signal related equipment to current CA MUTCD and/or City of Long Beach Standards. The traffic signal related equipment shall be within signalized intersections that are directly impacted by the Developer's project. If not existing, the Traffic Signal related equipment shall include, but may not be limited to the following:
  - a. All 8" Traffic Signal indications shall be updated to 12" LED units.
  - b. Vehicular detection shall be installed on all approaches to the signalized intersection. This may include presence, mid or advance detection per City direction. Options will include standard Type E loops or video detection.
  - c. All pedestrian indications shall be upgraded to LED Countdown Modules within all pedestrian crossings.
  - d. All pedestrian push buttons shall be upgraded to the most current City Standard.
  - e. All signalized intersections will require the installation of Emergency Vehicle Pre-Emption (EVPE) equipment. The equipment and installation must be completed per the most current City Standard.
  - f. Because of the fact that so many City of Long Beach traffic signals operate and share coordinated signal timing plans, the developer shall install a GPS Module at all traffic signals that are directly impacted by their project. The GPS Modules create accurate time-based communications between nearby traffic signals.
  - g. The developer may be asked to update the traffic signal controller located in the traffic signal cabinet. At the discretion of the City Traffic Engineer, it may be decided that the existing traffic signal controller does not have the capability to handle the complexities of new traffic patterns that are directly related to the Developer's project. In such cases, the developer will be asked to install a new traffic signal controller based on the most current City Standard.
- ee. New crosswalks in the vicinity of the project shall be added by the Developer at the discretion of the City Traffic Engineer. The Developer shall be responsible to upgrade all existing crosswalks, and install all new marked crosswalks, to the newest City standards.
- ff. At the discretion of the City Traffic Engineer, the Developer shall be responsible to implement the most recent Bicycle Master Plan of the City at its frontage blocks.



- gg. 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 greater than 28 feet are not permitted; contact the Traffic and Transportation Bureau at (562) 570-6331 to request additional information regarding driveway construction requirements.
- hh. 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 signs shall be reinstalled to the satisfaction of the City Traffic Engineer.
- ii. 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.
- jj. The Developer shall repaint all traffic markings obliterated or defaced by construction activities, to the satisfaction of the City Traffic Engineer.
- kk. At the discretion of the City Traffic Engineer, the Developer may designate a portion of its frontage blocks near the northwest corner of the property as a loading zone. The Developer shall contact the Traffic & Transportation Bureau, at (562) 570-6331, to modify any existing curb marking zones adjacent to the site.
- ll. All traffic control device installations, including pavement markings within the private parking lot, shall be installed in accordance with the provisions of the Manual on Uniform Traffic Control Devices (MUTCD), 2012 or current edition (i.e. white parking stalls, stop signs, entry treatment signage, handicapped signage, etc.).
- mm. The Developer shall contact the Traffic & Transportation Bureau, at (562) 570-6331, to modify the existing curb marking zones, adjacent to the site.

**Standard Conditions – Plans, Permits, and Construction:**

- 30. The applicant shall comply with all comments from the Long Beach Police, Gas & Oil, Public Works, Water and Fire Departments and Building Bureau.
- 31. For commercial food service facilities, low-flow pre-rinse sprayers with average flow rates of no more than 2.0 GPM shall be used. Flow rates shall be specified on plans.
- 32. Prior to the issuance of a building permit, the applicant must submit complete landscape and irrigation plans for the approval of the Director of Development Services

33. All landscaped areas shall comply with the State of California's Model Landscape Ordinance. Landscaped areas shall be planted primarily with drought tolerant plant materials and shall be provided with water conserving automatic irrigation systems designed to provide complete and adequate coverage to sustain and promote healthy plant life. The irrigation system shall not cause water to spray or flow across a public sidewalk.
34. 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.
35. 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 or the Planning Commission. No substantial changes shall be made without prior written approval of the Site Plan Review Committee or the Planning Commission.
36. Prior to the issuance of a building permit, the applicant must depict all utility apparatus, such as, but not limited to, backflow devices and Edison transformers, on both the site plan and the landscape plan. These devices shall not be located in any front, side, or rear yard area that is adjacent to a public street. Furthermore, these devices shall be screened by landscaping or another screening method approved by the Director of Development Services.
37. 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.
38. All rooftop mechanical equipment shall be fully screened from public view and views from taller, adjacent rooftops. Said screening must be architecturally compatible with the building in terms of theme, materials, colors and textures. If the screening is not specifically designed into the building, a rooftop mechanical equipment screening plan must be submitted for approval by the Director of Development Services prior to the issuance of a building permit.
39. Upon plan approval and prior to issuance of a building permit, the applicant shall submit an 11"x17" size set of final construction plans for the project file.
40. 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.
41. 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.
42. 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.



43. All landscaping irrigation systems shall use high efficiency sprinkler nozzles. The models used and flow rates shall be specified on the landscaping plan. For residential-type or small-scale sprinkler systems, sprinkler head flow rates shall not exceed 1.00 GPM and shall be of the rotating type. Where feasible, drip irrigation shall be used instead. If an in-ground irrigation system is to be installed, such system shall be controlled by an automatic self-adjusting weather-based irrigation controller
44. All outdoor fountains or water features shall utilize water recycling or re-circulation systems. The plans submitted for review shall specifically identify such systems.
45. The applicant shall demonstrate how the living wall elements on the north elevation of the building will be watered and how drainage of the area will be addressed prior to issuance of a landscape permit.
46. The landscape on the living wall shall be maintained in good condition at all times. Any modification to the planting material is subject to the approval of the Director of Development Services.
47. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
48. Any graffiti found on site must be removed within 24 hours of its appearance.
49. Prior to the issuance of a building permit, the applicant must depict all utility apparatus, such as, but not limited to, backflow devices and Edison transformers, on both the site plan and the landscape plan. These devices shall not be located in any front, side, or rear yard area that is adjacent to a public street. Furthermore, this equipment shall be properly screened by landscaping or any other screening method approved by the Director of Development Services.
50. All rooftop mechanical equipment shall be fully screened from public view. Said screening must be architecturally compatible with the building in terms of theme, materials, colors and textures. If the screening is not specifically designed into the building, a rooftop mechanical equipment plan must be submitted showing screening and must be approved by the Director of Development Services prior to the issuance of a building permit.
51. 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 and

Transportation Impact Fees.

52. 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
53. Grading and construction activities shall conform to Rule 403 of the South Coast Air Quality Management District and shall include the following:
  - a. Use water trucks and hoses to wet exposed and graded areas at least twice daily with complete coverage on all active areas and periodic wash-downs of public streets in the vicinity of all entrances and exits to the project site. Increase frequency of watering to three or more times per day whenever winds exceed 15 miles per hour, and cease grading activities during period of winds greater than 30 miles per hour.
  - b. Water all material being excavated and stockpiled.
  - c. Water all grading and cover materials being transported.
  - d. Properly maintain all grading and construction equipment propulsion systems to avoid excess emissions.
  - e. Schedule truck trips to avoid peak hours (7-9 a.m. and 4-6 p.m., weekdays).
  - f. Discontinue construction during Stage 2 smog alerts (ozone greater than or equal to 0.35 ppm.)
54. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
55. All trash and refuse containers shall be fully screened from public view to the satisfaction of the Director of Development Services.
56. As a condition of any City approval, the applicant shall defend, indemnify, and hold harmless the City and its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, and employees to attack, set aside, void, or annul the approval of the 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 any anticipated litigation costs and staff time required as a result of litigation activity.