

FINDINGS

Site Plan Review (SPR17-068)
200–256 Long Beach Boulevard
Application No. 1708-10
March 1, 2018

Pursuant to Section 21.25.506 of the Long Beach Municipal Code, the Site Plan Review Committee or 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:

- 1. 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;**

Positive Finding: The applicant proposes to build 400 residential units, and 23,207 square feet of new ground floor and second level non-residential space (see project plans in file no. 1708-10). The proposed project would replace two existing surface parking lots with a 23-story high-rise tower on the northern portion of the site (North Tower) and a 7-story mid-rise building on the southern portion of the site (South Building). The North Tower would include 197 residential units and 10,579 square feet of non-residential uses, while the South Building would include 203 residential units and 12,628 square feet of non-residential uses. These non-residential uses will consist of retail, restaurant, creative/flex office, a bicycle-oriented space (“Velo Lounge”) and spaces currently proposed to be programmed by the California State University, Long Beach. In the central portion of the site, the existing Bertrand Smith’s Acres of Books building will be preserved by retaining many of its character-defining features and materials. The restored Acres of Books building will include 3,400 square feet of restaurant uses and 6,200 square feet of market/food hall uses. The project would add 582 parking spaces through the construction of above grade and subterranean parking lots. The project’s architecture is well-planned and has consistent themes and treatments. High-quality and thoughtful materials choices are used throughout the buildings.

The project site is located in the Downtown Plan Planned Development District (PD-30), within the Height Incentive Area, a subarea that allows high-rise development. The Height Incentive Area is characterized by mid- and high-rise residential development; high-intensity employment; and various retail, cultural, and entertainment destinations. The project, designed to conform with all applicable development standards of PD-30, and is consistent with the level and intensity of development intended for the site by the PD-30 zoning document. The project is compatible in design, character, and scale with its surroundings, which include the Long Beach Main Post Office, a number of 4- to 6-story residential buildings, a 12-story historic landmark office tower, and other tall development in the nearby Downtown vicinity. The project’s forms and massing have been

designed to be respectful of nearby buildings while making a positive contribution to the streetscape and Downtown skyline.

2. 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;

Positive Finding: The project site is located in the Downtown Plan Planned Development District (PD-30), and conforms to the special design guidelines set forth in Chapter 4 of that document. These guidelines set standards for build-to lines, street walls, pedestrian paseos, form and massing, materials and finish, and overall quality of development. The project design, as discussed above, consists of high-quality architecture and materials choices, and complies with the requirements of the design guidelines. The proposed development respects the historic Acres of Books building and integrates it into the new site design, while respecting it as a historic structure and nearby structures using appropriate scale and context. The project creates a flowing, harmonious, and friendly pedestrian environment, both around the project perimeter, and through the site using a series of courtyards and pedestrian paseos that connect each street frontage through to the rear of the site, and the adjacent City Ventures project across Alamo Court to the east. The project's buildings have clear and well-expressed design ideas, and use quality, durable materials to achieve them. The project follows the Downtown Plan's recommended materials palette by building type, and uses materials and color to create variation in building form and massing. The buildings exhibit the most detail at ground levels and make a positive contribution to the streetscape by directly addressing 3rd Street, Long Beach Boulevard, and Broadway with a quality architectural elevation on each frontage. Likewise, the design emphasizes project entrances with architectural highlights and gateway features. The finish, texture, and color of the design is compatible with the chosen materials across the several buildings on the site. The chosen massing is appropriately-scaled for a half-block project and incorporates frequent architectural breaks in each façade to avoid a monolithic appearance. The project also complies with the minimum streetwall standard on Long Beach Boulevard, where a minimum six-story streetwall along 75 percent of the site frontage is required (the linear length of the existing Acres of Books building was not included in this calculation).

The site is located within General Plan Land Use District No. 7 – Mixed Uses. LUD No. 7 intends for combinations of land uses—including high-density residential—that vitalize sites and give them more importance in the urban structure of the City, and the project is consistent with the intent of LUD No. 7.

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

Positive Finding: No significant mature trees will be removed as part of this project. No trees are found on the project site. Existing street trees that do not conform to the street tree standards of the Zoning Regulations and Downtown Plan (PD-30) will be removed and replaced. The existing street trees are not significant mature trees. Their replacements will be with hardier and better-suited street trees that provide a better public environment and greater shade canopies.

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

Positive Finding: Improvements to the public right-of-way adjacent to the project site will include a number of dedications and other exactions required by code and conditions of approval in order to offset the capital improvements to public infrastructure necessary to support this project. These alley dedications in Alamo Court to create a full-width alley, construction of full Americans with Disabilities Act (ADA) sidewalk, curb, and intersection improvements adjacent to the project, reconstruction of alley intersections with Broadway and 3rd Street, bus stop improvements, and new tree wells, street trees, root barriers, and irrigation systems adjacent to the project site (see 1708-10 conditions of approval). All of these public improvements are necessary and required to offset the proposed project's impacts from increased use of the public facilities and infrastructure surround that project site that will result from project construction and operation.

5. THE PROJECT CONFORMS WITH ALL REQUIREMENTS SET FORTH IN CHAPTER 21.64 (TRANSPORTATION DEMAND MANAGEMENT), WHICH REQUIREMENTS ARE SUMMARIZED IN TABLE 25 1 AS FOLLOWS:

Table 25-1
Transportation Demand Management Ordinance Requirements

TDM Requirements	New Nonresidential Development		
	25,000+ Square Feet	50,000+ Square Feet	100,000+ Square Feet
Transportation Information Area	♦	♦	♦
Preferential carpool/vanpool parking		♦	♦
Parking designed to admit vanpools		♦	♦
Bicycle parking		♦	♦
Carpool/vanpool loading zones			♦
Efficient pedestrian access			♦
Bus stop improvements			♦
Safe bike access from street to bike parking			♦
Transit review	For all residential and nonresidential projects subject to EIR		

Not Applicable: The project contains less than 25,000 square feet of new non-residential development.

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

The project will comply with green building standards for private development, as the requirements of Section 21.45.400 are now implemented in Chapter 18.47 (Green Building Standards Code) of Title 18 (Long Beach Building Standards Code) of the LBMC.

CONDITIONS OF APPROVAL
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March 1, 2018

Special Conditions:

1. The following approvals are granted for this project:
 - a. Approval of an EIR Addendum (EIRA-02-17) to the Downtown Plan Program EIR (SCH #2009071006).
 - b. Site Plan Review approval for the project as depicted on plans submitted to the Department of Development Services, consisting of:
 - 1) 400 new residential dwelling units in a 23-story tower and a 7-story mid-rise,
 - 2) 23,207 square feet of new non-residential space at the ground floor and second level,
 - 3) Restoration and reuse of a 9,600-square-foot dedicated historic landmark building (Acres of Books),
 - 4) 582 parking spaces total, with 508 located in a two-level subterranean parking structure, and 74 in a separate two-level at-grade and mezzanine parking structure.
 - c. A Height Incentive, as provided in the Downtown Plan (PD-30) through rehabilitation of a historic building (Acres of Books), to allow a total building height of approximately 261.2 feet above grade instead of the non-incentive base height limit of 240 feet.

Plans and Construction

2. Prior to the issuance of a demolition or grading permit, the developer shall complete the pending real estate transaction for the subject property with the City of Long Beach Successor Agency, unless specifically and explicitly authorized by the City of Long Beach to begin demolition or grading prior to conclusion of the real estate transaction.
3. Prior to issuance of a demolition or grading permit, the developer shall complete the vacation of the portion of Maple Way between Alamo Court and Long Beach Boulevard, and provide for the recording of said vacation with the County of Los Angeles, unless specifically and explicitly authorized by the City of Long Beach. Authorization from the City Engineer shall be required for any work to be performed in or on Maple Way until the vacation is complete and recorded.

4. The developer shall submit an application to the Department of Development Services for a Lot Merger for all lots that make up the project site, or a Tentative Map to reorganize and subdivide the lots that make up the project site (and airspace if necessary), in accordance with the requirements of Title 20 (Subdivisions) of the Long Beach Municipal Code, and the Subdivision Map Act. Said Lot Merger or Final Map shall be recorded with the County of Los Angeles prior to the issuance of a building permit for the project (excluding demolition and grading permits).
5. Prior to issuance of a grading or demolition permit (whichever occurs first), the developer shall submit a proposed haul route/trucking route for all construction truck trips for review by the Director of Development Services and the City Engineer. The Director of Development Services and/or City Engineer may modify this proposed haul route/trucking route prior to its approval, as they deem necessary to protect the public safety and welfare, and to prevent negative impacts upon neighboring uses. Said modifications (if any) and approval shall be binding upon all hauling activities and construction truck trips by the developer.
6. Prior to the issuance of a certificate of occupancy for any building on the project site, the developer shall record a public access surface easement for a ten-foot (10') width of the east-west paseo shown on plans as "Maple Way at Broadway Block," extending from the east property line at Alamo Court to the west property line at Long Beach Boulevard, to the satisfaction of the Director of Development Services. This easement shall not be required to be publicly accessible 24 hours a day, 7 days a week; but may be closed to public access at an appropriate after-hours time each day, as determined by the property manager, subject to approval of the Director of Development Services. The security gate product(s) selected to be installed to close this easement after hours shall be subject to review and approval by the Director of Development Services prior to issuance of a permit for installation of said gates.
7. The developer shall abide by the haul route/trucking route approved by the Director of Development Services and City Engineer. Failure to do so shall cause the City to issue a stop work order and withhold issuance of further construction permits, inspections, or certificates of occupancy, until such time as the Director of Development Services and City Engineer determine the developer's hauling practices to be remedied.

8. The project shall be developed in substantial conformance with the plans presented to the Planning Commission on March 1, 2018. Each structure shall be designed and constructed as depicted on these plans, maintaining the same architectural style, quality of materials, and consistency of design. Minor changes to these approved plans, in keeping with the intent and spirit of the project approvals, may be approved at the discretion of the Director of Development Services. For any major changes, including changes to building/architectural materials, on-site improvements, site plan or layout, landscaping, or other significant items (including deviations from any of these conditions of approval), the developer shall be required to submit an application for a Modification of Approved Permit.
9. All work on or affecting the Acres of Books designated historic landmark building shall comply with the Certificate of Appropriateness and appurtenant conditions issued by the Cultural Heritage Commission for the Acres of Books building.
10. The developer shall provide a sample of all final exterior finish and architectural materials and colors selected for construction for review by the Director of Development Services, prior to issuance of a building permit for new construction. If these materials are found to be below the standards approved in concept, the developer remedy the deficiency by revising plans to include exterior finish and architectural materials and colors to the satisfaction of the Director of Development Services.
11. The architectural design of all buildings shall be harmonious and complementary, and in conformance with the design requirements and guidelines of the PD-30 Ordinance. The architectural style and materials shall not be changed between buildings or between phases of construction; except as provided by these conditions of approval.
12. The developer shall install decorative pavers, subject to review and approval by the Department of Public Works, in the full width of the alley (Alamo Court) from the easterly prolongation of the northerly edge of the project's east-west pedestrian paseo ("Maple Way at Broadway Block"), to the southerly edge of the western prolongation of the pedestrian paseo ("Maple Way at City Ventures") on the adjacent building site to the east, as shown on plans approved by the Planning Commission on March 1, 2018.
13. The developer shall record a covenant restricting a total of fourteen (14) dwelling units as affordable units, with seven (7) of the units reserved for residents in the 80% of area median income (AMI) category, and 7 of the units reserved for residents in the 120% AMI category, to the satisfaction of the Director of Development Services.
14. All groundcover and shrubs shall be drought-tolerant and low-water requirement species. The project landscaping shall comply with the Water Efficient Landscaping standards of Chapter 21.42 of the Zoning Regulations.

15. All forms of barbed wire and razor wire shall be prohibited on the site.
16. Any street lights, pedestrian lights, parking lot lights, and other exterior lights to be provided within the development or adjacent public rights-of-way shall be subject to review by the Director of Development Services prior to issuance of building and electrical permits. All lights shall be adequately shielded so as to prevent the intrusion of light and glare upon any adjacent property or structure, in compliance with the appropriate backlight/uplight/glare (BUG) rating requirements of the Illuminating Engineering Society of North America (IESNA) equivalent to the previous standard for certified full-cutoff fixtures, or meeting IESNA specifications for full-cutoff fixtures.
17. The developer shall provide for the construction of trash receptacle areas of sufficient number and size to meet all reasonably foreseeable refuse needs of the project. All trash receptacle areas shall be located and constructed in accordance with Section 21.45.167 of the Zoning Regulations and the applicable standards of the PD-30 ordinance.

Use and Operation

18. Each pair of residential tandem parking spaces shall be assigned to one dwelling unit only. Use of tandem parking spaces for non-residential or guest parking shall be prohibited, except for valet parking operations.
19. The developer shall record a restrictive covenant requiring the provision of valet parking service at the site in perpetuity, to the satisfaction of the Director of Development Services.
20. The property manager shall operate the valet service in the Alamo Court alley in such a manner as to prevent the stacking of those vehicles awaiting valet service within the alley. If valet stacking in the alley becomes a problem in the judgment of the Director of Development Services, the City may order the property manager to remedy the problem as necessary, including, but not limited to, the following remedies: addition of valet staff, designation of additional valet service lanes within the project's parking areas, and provision of additional off-site valet service.
21. The developer shall obtain approvals from the Department of Public Works to install white-painted curb (passenger loading zone) and yellow-painted curb (loading zone) adjacent to the project site on Long Beach Boulevard in the lengths necessary to accommodate the reasonably-anticipated passenger loading and loading demands of the project.

22. All refuse collection shall take place at the alley (Alamo Court), with all trash receptacles being moved internally within the project site to the alley for collection. Refuse collection and the movement of trash receptacles on 3rd Street, Broadway, and Long Beach Boulevard shall be prohibited. Trash receptacles shall be collected and serviced with the frequency needed to avoid unsightly and undesirable buildup of refuse at each trash receptacle.
23. No passenger loading or loading associated with the project shall take place on Broadway or 3rd Street adjacent to the project site, but shall be limited to the loading curb zones on Long Beach Boulevard, and in Alamo Court.
24. All exterior on-site newsstands and racks (including free publications, classifieds, etc.), vending machines, donation bins, and publicly-accessible telephones shall be prohibited, and any existing ones shall be removed.

Public Works Conditions

25. The developer shall provide for 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. For all proposed projection encroachments into the public right-of-way, such as signage, balconies and awnings, construction plans shall be submitted to the Department of Public Works for approval as to compliance with California Building Code Chapter 32, to the satisfaction of the Director of Public Works.
- c. All door openings swinging into public rights-of-way shall be eliminated or set back outside of the public right-of-way, to the satisfaction of the Director of Public Works.
- d. The Developer proposes refuse and recycling receptacle locations 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, including placement for collection.

- e. The Developer proposes to improve a portion of the north-south alley (Alamo Court) with decorative pavers, to which an Installation and Maintenance Agreement is required. The Developer shall apply for an Installation and Maintenance Agreement from the City's Public Works Department for the maintenance of the pavers within the public Alamo Court prior to a building permit. All street improvements shall be constructed per Public Works Standards, per plans reviewed and approved by Public Works, and to the satisfaction of the Director of Public Works.

PUBLIC RIGHT-OF-WAY

- f. The Developer shall dedicate and improve 4 feet along Alamo Court alley, from 3rd Street to the prolongation of Acres of Books' southerly building wall line, and 2 feet, thereon to Broadway, for alley widening purposes, relocating all existing facilities as necessary to accommodate the alley widening.
- g. The Developer shall apply to the City of Long Beach for the vacation of the east-west alley (Maple Way) within the subject site. Contact the Right-of-Way Office of Public Works at (562) 570-6996 to initiate vacation proceedings. The relocation of any existing utilities is the responsibility of the Developer. All existing utilities within Maple Way are to be cut, capped, and relocated.
- h. The Developer shall provide easements to City of Long Beach for public utility facilities, public access or other public necessity within the subject site, to the satisfaction of the interested agency, City Department, and the Director of Public Works.
- i. 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.
- j. All proposed 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 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

- k. The Developer shall reconstruct the full width of Alamo Court alley adjacent to the project site with Portland cement concrete, to the satisfaction of the Director of Public Works. All obstructions, including utility poles, shall be relocated by the Developer at their expense and to the satisfaction of the Director of Public Works. The alley intersections of this alley at Broadway and 3rd Street shall be reconstructed to align with the alley widening.

- l. The Long Beach Boulevard and 3rd Street sidewalks adjacent to this parcel shall be reconstructed to City standards. Improvements shall include the intersection of Alamo Court with 3rd Street, including the curb return on the east side of the alley. Sidewalk improvements shall be constructed with Portland cement concrete to the satisfaction of the Director of Public Works.
- m. 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.
- n. 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 work prior to submitting alley improvement plans to the Department of Public Works.
- o. The Developer shall reconstruct cracked, deteriorated, or uplifted/depressed sections of sidewalk pavement, curb and curb gutter along the project site frontages on Broadway, Long Beach Boulevard, and 3rd Street, to the satisfaction of the Director of Public Works. The Developer shall construct all off-site improvements needed to provide full ADA accessibility compliance within the adjacent public right-of-way. Sidewalk improvements shall be constructed with Portland cement concrete to the satisfaction of the Director of Public Works. All sidewalk removal limits shall consist of entire panel replacements (from joint line to joint line).
- p. 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.
- q. The Developer shall provide for new street trees with root barriers along Long Beach Boulevard and 3rd Street adjacent to the project site, per Section 21.42.050 of the Long Beach Municipal Code. Any missing or damaged trees on Broadway shall also be replaced by the Developer. 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 in the public right-of-way. 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 provide for the relocation of the underground conduit, currently within the northwest corner of the project site, to be outside of the proposed building footprint, to the satisfaction of the Director of Public Works. The Developer shall contact the utility company, agency, or City Department of interest, to schedule the relocation work.

- s. The Developer shall install FenceScreen.com Custom Printed Flex Mesh screen(s), Series 311, or equivalent, fence screening for all construction fencing 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.
- t. 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.
- u. 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.
- v. The Developer shall provide for the resetting to grade of existing manholes, pull boxes, meters, and other existing facilities in conjunction with the required off-site improvements, to the satisfaction of the Director of Public Works.
- w. 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.
- x. The Developer shall submit a grading 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.
- y. All work within the public right-of-way shall 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. 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 and the Notice of Final Action shall be printed verbatim on all plans submitted for plan review to the Department of Public Works.
- bb. Prior to approving an engineering plan, all projects greater than 1 acre in size shall demonstrate coverage under the State Construction General NPDES Permit. To meet this requirement, the applicant shall submit a copy of the letter from the State Water Resource Control Board acknowledging receipt of the Notice of Intent (NOI) and a certification from the developer or engineer that a Storm Water Pollution Prevention Plan (SWPPP) has been prepared. Should you have any questions regarding the State Construction General NPDES Permit or wish to obtain an application, please call the State Regional Board Office at (213) 576-6600 or visit their website for complete instructions at www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml. Left-click on the Construction General Permit Order 2009-0009-DWQ link.

TRAFFIC & TRANSPORTATION BUREAU

- cc. If deemed necessary by the Director of Development Services, a traffic impact analysis shall be prepared for this project, under the supervision and approval of a registered Traffic Engineer in the State of California (Engineer's stamp required). Any conditions generated by the analysis shall be made a part of these conditions.
- dd. 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.
- ee. There is a high volume Long Beach Transit bus stop on Long Beach Boulevard adjacent to the development site. The Developer is encouraged to incorporate enhancements to improve the bus stop into this project. Amenities such as an improved shelter and architectural seating for bus patrons should be integrated into the project. Sidewalk with enhanced paving should be provided for the bus stop per Long Beach Transit standards. The Developer shall collaborate with Long Beach Transit and the City's Public Works Department to take advantage of this opportunity.
- ff. The Developer shall contact Long Beach Transit prior to the commencement of work to coordinate design and construction issues and to ensure that construction does not interfere with transit bus operations at the existing bus stop on Long Beach Boulevard. Contact Shirley Hsiao, Manager of Service Development Planning, at (562) 591-8753.
- 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 require a variance; contact the Traffic & 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. The Developer shall contact the Traffic & Transportation Bureau, at (562) 570-6331, to modify any existing curb marking zones adjacent to the project 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.).

Downtown Plan PEIR and EIR Addendum Mitigation Measures

- 26. The developer shall provide for compliance all mitigation measures of the Downtown Plan Program EIR (PEIR) that apply to this project. These mitigation measures are attached to these conditions of approval and by this reference made a part hereof.

Standard Conditions – Plans, Permits, and Construction:

- 27. Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval, to the satisfaction of the Director of Development Services.
- 28. All conditions of approval shall be printed verbatim on all plans submitted for plan review to the Department of Development Services. These conditions shall be printed on the site plan or a subsequent reference page.
- 29. The plans submitted for plan review shall 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.

30. Prior to the issuance of a building permit, the applicant shall 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.
31. 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.
32. All rooftop mechanical equipment shall be fully screened from public view. Said screening shall 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 shall be submitted for approval by the Director of Development Services prior to the issuance of a building permit.
33. Upon plan approval and prior to issuance of a building permit, the applicant shall submit a reduced-size set of final construction plans for the project file.
34. 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.
35. Any off-site improvements found to be damaged as a result of construction activities related to this project shall be replaced to the satisfaction of the Director of Public Works.
36. Separate building permits are required for fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
37. 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.
38. 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.
39. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau shall be secured.

40. Site development, including landscaping, shall conform to the approved plans on file with the Department of Development Services. At least one set of approved plans containing Planning, Building, Fire, and, if applicable, Redevelopment and Health Department stamps shall be maintained at the job site, at all times for reference purposes during construction and final inspection.
41. For projects consisting of new buildings, parking lots, or landscaped area, the applicant shall submit complete landscape and irrigation plans for the approval of the Director of Development Services prior to the issuance of a building permit. The landscaping plan shall include drought tolerant street trees to be installed consistent with the specifications of the Street Tree Division of the Department of Public Works. Approved root guards shall be provided for all street trees. Turf shall be limited to less than 50 percent of the total landscaped area. The turf shall not be composed of bluegrass, fescue, rye, or other grasses with high water needs. 50 percent or more of the planted area (as measured in square feet of landscape) shall be comprised of drought-tolerant plants, to the satisfaction of the Director of Development Services.
42. For new construction, all landscaped areas shall comply with the State of California's model landscape ordinance. Landscaped areas shall be planted 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.
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. Permeable pavement shall be utilized where feasible, to the satisfaction of the Director of Development Services. Public right-of-way improvements shall be exempt from this requirement. If the feasibility of using permeable pavement is uncertain, it shall be the developer's responsibility to demonstrate that a given application of permeable pavement is not feasible, to the satisfaction of the Director of Development Services.
45. All outdoor fountains or water features shall utilize water recycling or re-circulation systems. The plans submitted for review shall specifically identify such systems.
46. Energy conserving equipment, lighting, and construction features shall be utilized in this project.

47. Low-flow fixtures shall be used for all lavatory faucets, kitchen faucets, showerheads, toilets, and urinals. Toilets may be either low-flow or dual flush. Maximum flow rates for each fixture type shall be as follows: lavatory faucet – 2.75 GPM, kitchen faucet – 2.20 GPM, showerhead – 2.00 GPM, toilet – 1.3 GPF, dual flush toilet – 0.8/1.6 GPF, urinal – 1.0 GPF. Plans submitted for review shall specifically identify such fixtures and flow rates.
48. 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

Standard Conditions – General:

49. 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 and approved request submitted prior to the expiration of the two-year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
50. 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 shall 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).
51. 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.
52. This approval is required to comply with these conditions of approval as long as the use is on the subject site. As such, the site shall allow periodic re-inspections, at the discretion of city officials, to verify compliance. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by City Council (Sec. 21.25.412, 21.25.212).
53. 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 shall be recorded with all title conveyance documents at time of closing escrow.

54. 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.
55. No publicly accessible telephones shall be maintained on the exterior of the premises. Any existing publicly accessible telephones shall be removed.
56. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants.
57. The operator of the approved use shall prevent loitering in all parking and landscaping areas serving the use during and after hours of operation. The operator shall clean the parking and landscaping areas of trash and debris on a daily basis. Failure to do so shall be grounds for permit revocation. If loitering problems develop, the Director of Development Services may require additional preventative measures such as but not limited to, additional lighting or private security guards.
58. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
59. Any graffiti found on site shall be removed within 24 hours of its appearance.
60. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
61. All trash and refuse containers shall be fully screened from public view to the satisfaction of the Director of Development Services.
62. 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.