

VESTING TENTATIVE TRACT MAP NO. 81346
FINDINGS OF FACT
200 W. OCEAN BOULEVARD
Case No. TTM 17-004

Pursuant to Section 20.12.100 of the Long Beach Municipal Code, the Planning Commission shall approve a Tentative Map if the Map complies with State and Local regulations. The Tentative Map can be granted only when positive findings are made, consistent with the following criteria set forth in the subdivision regulations. These findings and staff analysis are presented for consideration, adoption, and incorporation into the record of findings.

A. THAT THE PROPOSED MAP IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS:

The General Plan states:

‘A proposed subdivision is consistent when the proposed use and density of development are within the guidelines set forth herein for that property. Subdivisions of airspace for condominium conversion of the already-erected building shall not be consistent if the density of development exceeds that which is permitted by the land use element, unless the Planning Commission makes a findings that the proposed conversion is in the best interest of the involved neighborhood and as the City as a whole.’

The General Plan Land Use Designation for the subject site is Land Use Designation No. 7—Mixed Use District. This designation allows for the blending of different types of land uses that can serve to save time and energy in transportation and communications, simplify and shorten transactions of goods and services, vitalize a site and give it more importance in the urban structure of the City. The combination of land uses intended for the district include office, retail, visitor serving facilities, and higher density residences.

The conversion of 106 units to condominiums, contributes positively to the stability and quality of a neighborhood in part through the resulting increase in home ownership. The Conditions of Approval require the execution and recordation of Covenants, Conditions, and Restrictions (CC&R's) in order to collect dues and provide for the long-term maintenance of all common areas of the site and structures, including building exteriors and all landscaped areas, including Victory Park adjacent to Ocean Boulevard.

The Housing Element of the General Plan states that one of the City's goals is to provide increased opportunities for home ownership. The element also addresses the importance of home ownership over absentee ownership, as absentee ownership may result in a decline in both home maintenance and concern for neighborhood character. Approval of the Tentative Tract Map will allow the individual sale of 106 condominium units on a single lot.

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

This section of the General Plan states that the purpose of LUD #7 is to allow a mixture of housing types, including higher density residential development on the subject site to remain. The subject property and development meets or will meet through the Conditions of Approval all of the requirements for an adaptive reuse residential development within the land use designation.

C. THAT THE SITE IS PHYSICALLY SUITABLE FOR THE TYPE OF DEVELOPMENT:

The subject site is fully developed with an existing office building and subterranean parking that has been evaluated in accordance with the City's Adaptive Reuse standards and proposed to be converted into a building with residential units. Furthermore, the addition of four (4) units (converted retail space) and the modification of the floor area to have one (1) additional unit on levels 2 through 9 is an appropriate type of multi-family development at this location given the surrounding development patterns, the intent of the Zoning Regulations and the General Plan, as described in Section A of these Findings.

D. THAT THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT:

Originally constructed as an office building with adjacent, on-site parking, the building was utilized by General Telephone (GTE) and subsequently Verizon up until approximately 2013. In 2015, the office use was abandoned and the structure was evaluated in accordance with the City's Adaptive Reuse Ordinance. Since the subject property is not located within a designated Parking Impact Area, the project was ultimately approved with 94 dwelling units and 129 parking spaces.

Although the City's Zoning Code generally requires two (2) spaces per dwelling unit, those 94 dwelling units were evaluated as part of the City's Adaptive Reuse Ordinance and do not require any additional on-site parking, per Section 21.45.500.F of the City's Municipal Code. However, the additional twelve units, four (4) units through the conversion of retail space to residential units and eight (8) units through the modification of floor plans on levels 2 through 9, are new and not part of the Adaptive Reuse review process. These units shall meet the minimum required parking per the City's Municipal Code. Based upon the bedroom count of the additional twelve (12) units, the developer shall provide a minimum of eighteen (18) required stalls and three (3) guest stalls for a total of twenty-one (21) additional parking stalls.

Provided that the Developer provides the minimum required number of parking stalls for the additional twelve (12) units, staff is of the opinion that the site is suitable for the increased density of the project.

E. THAT THE DESIGN OF THE SUBDIVISION OR THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIAL AND AVOIDABLE INJURY TO FISH AND WILDLIFE OR THEIR HABITAT.

No fish or wildlife habitat exists on the site as it is fully developed with an existing 9-story high-rise office building that, through the City's Adaptive Reuse process, is being converted into residential for-sale units. Additional floor area was approved for the eight (8) penthouse units atop the existing structure which increased the overall height of the building to 166 feet. However, pursuant to the Downtown Shoreline Planned Development District (PD-6) not only the additional penthouse floor area but the major renovation of the building subjects it to Bird-Safe Building Standards, including but not limited to implementing glazing treatments and specifically sized vertical and horizontal elevation/window treatments.

F. THAT THE DESIGN OF THE SUBDIVISION OR THE TYPE OF IMPROVEMENT IS NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH OR SAFETY PROBLEMS.

No Impacts detrimental to the general welfare of the public are foreseen from the approval of the tentative tract map to allow for the converted and new units to be sold individually as condominiums. The proposed subdivision is conditioned to require the recordation of covenants, conditions, and restrictions ensuring the shared access to common areas, amenities, parking and responsibilities pertaining to day to day and long-term maintenance.

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

All concerned City Departments have reviewed the Tentative Tract Map. The Applicant will be required to provide all necessary public access easements as required in the conditions of approval for the project. Therefore, no conflict with respect to easements will result from the condominium conversion.

CONDOMINIUM CONVERSION FINDINGS—Consistency with General Plan

Pursuant to Section 20.32.170 of the Long Beach Municipal Code the conversion of all projects for which building permits were issued after August 4, 1978, shall be consistent with the General Plan. The Planning Commission or City Council, on appeal, may waive consistency with the General Plan if it finds that adequate provisions are made for the long-term maintenance of the building.

Adequate provisions have been made for the long-term maintenance of the building.

The State of California, Department of Real Estate requires a monthly association fee to provide for the day-to-day and long-term maintenance of all common areas of

the building and property. This fee is calculated using a formula which includes the age, condition of the building, and anticipated reserve (savings) needs.

Additionally, there is a condition of approval that requires the Applicant to provide language in the Covenants, Conditions, and Restrictions (CC&R's) stating that the individual unit owners shall be jointly liable and responsible for any costs or corrections due to building or property maintenance code enforcement actions, including property maintenance of Victory Park.

Although the project is consistent with the City's General Plan, based upon the analysis above and that a mechanism is required to be in place for long-term maintenance, a positive finding can be made; hence staff is recommending approval of the proposed project to for-sale condominium units.