

# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

# H-1

333 West Ocean Blvd., 3rd Floor, Long Beach, CA 90802 (562) 570-5237

March 5, 2019

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Receive the supporting documentation into the record, conclude the public hearing, and adopt a Resolution accepting Mitigated Negative Declaration (IS/MND04-18);

Adopt a Resolution approving a General Plan Amendment (GPA17-008), amending the Land Use Designation (LUD) of five lots fronting on Locust Street in the block generally bound by Locust Street to the west, 35<sup>th</sup> Street to the north, an alley to the east, and Wardlow Road and the 405 Freeway to the south, from LUD#1 (Single Family) to LUD#8 (Major Commercial Corridor);

Declare an Ordinance amending Table 39-1 of Chapter 21.39 of the Long Beach Municipal Code (LBMC) Zoning Code Amendment, relating to the High-Rise Overlay (HR-4) District (ZCA 18-004), read the first time and laid over to the next regular meeting of the City Council for final reading;

Declare an Ordinance approving a Zone Change (ZCHG 18-002) and amending the official Zoning Map of the City of Long Beach for five lots fronting Long Beach Boulevard, from Community Commercial Automobile-Oriented (CCA) District and five lots fronting Locust Street, from Single-Family Residential (R-1-N) District to Community R-4-N (CCN) District, to be read the first time and laid over to the next regular meeting of the City Council for final reading; and,

Approve a Tentative Parcel Map (TPM18-004) to consolidate ten existing lots and the northerly 24-feet of the vacated alley into a single lot, and approve a Site Plan review (SPR18-021) to allow construction of a four-story, 102,840 square-foot office building up to 74-feet in height in the High-Rise Overlay (HR-4) District, including a three-story parking structure, within the CCN District at 3443 Long Beach Boulevard and 210 East 35<sup>th</sup> Street (previously addressed as 3435-3459 Long Beach Boulevard and 3432-3464 Locust Avenue). (District 7)

## DISCUSSION

On January 17, 2019, the Planning Commission conducted a public hearing on the Laserfiche Office project, Application No. 1804-14, as described above and considered public testimony. The Planning Commission then made a general plan conformity finding pertaining to the proposed alley vacation and forwarded a recommendation of approval on each of the requested actions to the City Council (Attachment A – Planning Commission Staff Report).

The project site is located at the southwest corner of Long Beach Boulevard and 35<sup>th</sup> Street and consists of ten existing lots separated by an unimproved alley, which runs north to south between Wardlow Road and 35<sup>th</sup> Street (Attachment B – Location Map). The five lots located east of the alley fronting on Long Beach Boulevard are zoned Community Commercial Automobile-Oriented Commercial (CCA) District and High-Rise Overlay (HR-4) District. This area of the site was previously developed with a variety of uses including oil wells, a cocktail lounge, a billboard, and contractor's office. The five lots located west of the existing alley and fronting Locust Street are zoned Single-family Residential (R-1-N) District. This area of the site was previously developed with oil wells and a single-family residence. The surrounding area is developed with a range of commercial, residential, and oil extracting uses.

The project site's existing lots, along with the portion of the alley proposed to be vacated, will be merged into a single 2.02-acre site and developed with a four-story office building and free-standing parking structure (Attachment C – Project Plans). The 102,848 square-foot office building ranges in height from 62'9" up to 74' and is situated on the eastern portion of the site within the HR-4 District that permits four story buildings. The allowed building height in this area of the HR-4 District is determined through the Site Plan Review process. The Planning Commission and the Site Plan Review Committee, found the height appropriate based on the proposed building form and relationship to the surrounding uses. The building design makes use of clean lines, generous floor to ceiling heights, ample window areas resulting in an attractive contemporary design reminiscent of mid-century architecture. The project was determined to be of benefit to the public interest by supporting the reinvestment and growth of Laserfiche, an existing business, within the City. Laserfiche owns several properties in the area including 3515-3545 Long Beach Boulevard and 3570 Locust Street.

A separate, free-standing, three-story parking structure with a subterranean level of parking is proposed on the western half of the site. The parking structure is 32'9" in height to the top of the parapet and 39' in height to the top of elevator penthouse.<sup>1</sup> The proposed parking structure accommodates a total of 343 parking spaces, where a minimum of 246 parking spaces are required. Vehicle access to the parking structure is taken exclusively from 35<sup>th</sup> Street. Grade-level landscaping will buffer the parking structure along three-sides from the right-of-way and adjacent single-family residences. Landscaping is incorporated along the base of the parking structure. Landscaping is tiered with taller trees and shrubs that will soften the appearance from the west elevation. In addition, the parking garage incorporates an area for bicycle parking accommodating up to 54 bicycles.

Table 1 identifies the existing and proposed Land Use and Zoning Designations associated with the project. These changes not only support the orderly development of land within Long Beach (Attachment D - Proposed Use District Maps), but also achieves consistency, which is required by state law.

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<sup>1</sup>Pursuant to Long Beach Municipal Code Section 21.15.1330, elevator and mechanical equipment penthouses shall not be included in the measurement of height for commercial buildings.

Table 1 - Project General Plan and Zoning Summary					
Lot		1984 General Plan Land Use Designation		Zoning District	
		Existing	<u>Proposed</u>	Existing	<u>Proposed</u>
Lots East of Existing Alley	Assessor's Parcel Number	Major Commercial Corridor (LUD # 8)	No Change	Community Automobile Oriented (CCA) and High-Rise Overlay (HR-4)	Community R-4-N (CCN) and High-Rise Overlay (HR-4)
	7141-004-19				
	7141-004-20				
	7141-004-34				
	7141-004-33				
Lots West of Existing Alley	Assessor's Parcel Number	Single Family (LUD #1)	Major Commercial Corridor (LUD #8)	Single- Family (R-1-N)	Community R-4-N (CCN)
	7141-004-27				
	7141-004-28				
	7141-004-29				
	7141-004-30				
	7141-004-31				

A Zoning Code amendment to the 20-foot setback requirement for yards abutting a street within the High-Rise Overlay (HR-4) District is proposed in conjunction with this development. The purpose of the amendment is to encourage more creative building forms and massing, while maintaining adequate landscaping and buffering adjacent to the public right-of-way. To that end, the Zoning Code amendment proposes allowing the averaging of the setback for yards abutting a street (Attachment E – Draft Zoning Code Amendment). Specifically, the maximum encroachment into the 20-foot yard setback is 10-feet. The HR-4 District composes just 221 acres, or 0.7 percent, of the City (Attachment F - High Rise Overlay Map), including the easterly portion of the subject site. The proposed amendment, as it relates to this specific development site, would allow for averaging of the street yard setback along Long Beach Boulevard and the easterly 155'8" of property frontage along 35<sup>th</sup> Street.

The proposed Zoning Code amendment is consistent with the General Plan objective of preserving neighborhoods as the permitted setback averaging is adjacent to commercial zones to the north across 35<sup>th</sup> Street and the east across Long Beach Boulevard. The proposed averaging will allow for more interesting building facades by allowing portions of a building to project into the setback, where other areas are offset, without resulting in a net decrease in the buildable area for lot.

The applicant, through a Tentative Parcel Map, is proposing to assemble the 10 existing lots and portion of vacated alley into a single 2.02-acre lot that exceeds the minimum lot size of 10,000 square feet in the CCN district, for newly created lots. Additionally, the Tentative Parcel Map identifies: (1) a three-foot right-of-way dedication along 35<sup>th</sup> Street; (2) a nine-

foot right-of-way dedication along Long Beach Boulevard; and, (3) a two-foot vacation along Locust Street. The proposed map supports the creation of a large lot for the development of a significant office building consistent with the intent of the General Plan.

Public hearing notices were published in the Long Beach Press-Telegram on February 12, 2019, and distributed on February 15, 2019, no responses were received as of the date of preparation of this report. Any written testimony received following the preparation of this report will be provided to the City Council, prior to the hearing. In addition, to the LBMC-required public hearing notices, the applicant held two community meetings regarding the project on May 12, 2018 and January 30, 2019, and a meeting with the Los Cerritos Neighborhood Association, a neighborhood group, on July 19, 2018.

In accordance with the Guidelines for Implementation of the California Environmental Quality Act (CEQA), a Mitigated Negative Declaration (MND) was prepared for the proposed project. The MND provides ten mitigation measures addressing potential air quality, biological resources, cultural resource, hazardous materials, hydrology and water quality, noise, traffic, and tribal resources impacts, which are included as conditions of approval. The draft MND determined that the project, in compliance with all recommended mitigation measures, would not result in any significant adverse environmental impacts.

The MND was distributed to public agencies and made available for public review and comment for a CEQA-required 30-day Notice of Intent review period, which started on December 17, 2018 and ended January 17, 2019. Public comments were received during the public review period from various public agencies and stakeholders. Responses to these comments were prepared and are included as part of the Final MND (Attachment G- Initial Study/Mitigated Negative Declaration 04-18). At its January 17, 2019 meeting, the Planning Commission took action to recommend approval of the project (Attachment H- Findings and Exhibit I - Conditions of Approval). Public testimony was received both in support and opposition to the project.

The Commission's recommendation includes the incorporation of a new signal to be installed by the applicant at the intersection of Long Beach Boulevard and 35<sup>th</sup> Street, which will be a benefit to both the project and community at large (Attachment I – Conditions of Approval). Although the Planning Commission's action was a recommendation and not a final approval, an appeal was filed by Lozeau Drury LLP, on behalf of the Laborer's International Union of North America, Local 300, on January 28, 2019, within the ten-day appeal period. On February 7, 2019, the appellant withdrew the appeal citing that they had come to a resolution with the applicant regarding their concerns (Attachment J – Withdraw of Appeal).

This matter was reviewed by Assistant City Attorney Michael J. Mais and by Budget Analysis Officer Julissa José-Murray on February 12, 2019.

#### TIMING CONSIDERATIONS

City Council action is requested on March 5, 2019, pursuant to Section 21.21.504 and Section 21.25.103 of the Zoning Regulations requires a public hearing for either an appeal or a Zone Change within 60 days of the appeal filing.

FISCAL IMPACT

The proposed project involves the construction of new and expanded corporate headquarters campus for Laserfiche. It is anticipated that there will be a positive impact on the local economy and job creation; however, the number of newly created jobs is unknown at this time.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



LINDA F. TATUM, FAICP  
DIRECTOR OF DEVELOPMENT SERVICES

APPROVED:

  
PATRICK H. WEST  
CITY MANAGER

LFT:CK:AO

P:\Planning\City Council Items (Pending)\Council Letters\2019\2019-03-05\Laserfiche\Laserfiche\_cc.report.V5.docx

Attachments: City Council Resolution  
City Council Ordinance (2)  
Attachment A – Planning Commission Staff Report  
Attachment B – Location Map  
Attachment C – Project Plans  
Attachment D – Proposed Land Use District Maps  
Attachment E – Draft Zoning Code Amendment  
Attachment F – High-Rise Overlay District Map  
Attachment G – Initial Study/Mitigated Negative Declaration  
Attachment H – Findings  
Attachment I – Conditions of Approval  
Attachment J –Withdrawal of Appeal

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH ADOPTING, AFTER PUBLIC  
HEARING, AMENDMENTS TO THE LAND USE ELEMENT  
OF THE GENERAL PLAN OF THE CITY OF LONG BEACH  
RELATING TO FIVE (5) LOTS FRONTING ON LOCUST  
STREET FROM LUD#1 (SINGLE FAMILY) TO LUD#8  
(MAJOR COMMERCIAL CORRIDOR) IN THE CITY OF  
LONG BEACH

The City Council of the City of Long Beach resolves as follows:

Section 1. The City Council does hereby find, determine and declare:

A. The City Council of the City of Long Beach has adopted, pursuant to  
Section 65302 of the California Government Code, a Land Use Element as part of the  
City's General Plan.

B. The City Council desires to amend the Land Use Element of the  
General Plan of the City of Long Beach as set forth in this resolution.

C. The Planning Commission held a public hearing on January 17,  
2019, on a proposed amendment to the Land Use Element of the General Plan of the  
City of Long Beach. At that hearing, the Planning Commission gave full consideration to  
all pertinent facts, information, proposals, environmental documentation and  
recommendations respecting the proposed amendment, and to the views expressed at  
the public hearing, and afforded full opportunity for public input and participation.

D. Following receipt and consideration of all appropriate environmental  
documentation, full hearings and deliberation, the City Planning Commission voted on  
January 17, 2019, to recommend approval of the amendment to the Land Use Element

1 of the City of Long Beach General Plan and further directed that said recommendation  
2 be forwarded to the City Council for its consideration.

3 E. That on March 5, 2019, the City Council conducted a duly noticed  
4 public hearing at which time full consideration was given to all pertinent facts,  
5 information, proposals, environmental documentation and recommendations respecting  
6 the proposed amendment to the Land Use Element of the General Plan, and to the views  
7 expressed at the public hearing, and afforded full opportunity for public input and  
8 participation.

9 F. Following receipt and consideration of all appropriate environmental  
10 documentation, full hearings and deliberation, the City Council did concur with the  
11 recommendations of the Planning Commission and did approve, adopt and certify the  
12 environmental documentation and the amendment to the Land Use Element of the  
13 General Plan from LUD#1 (Single Family) to LUD#8 (Major Commercial Corridor) on five  
14 lots fronting on Locust Street for those areas of the City as indicated on Exhibit "A",  
15 which is attached hereto and incorporated herein by this reference as though set forth  
16 herein in full.

17 Section 2. This resolution shall take effect immediately upon its adoption  
18 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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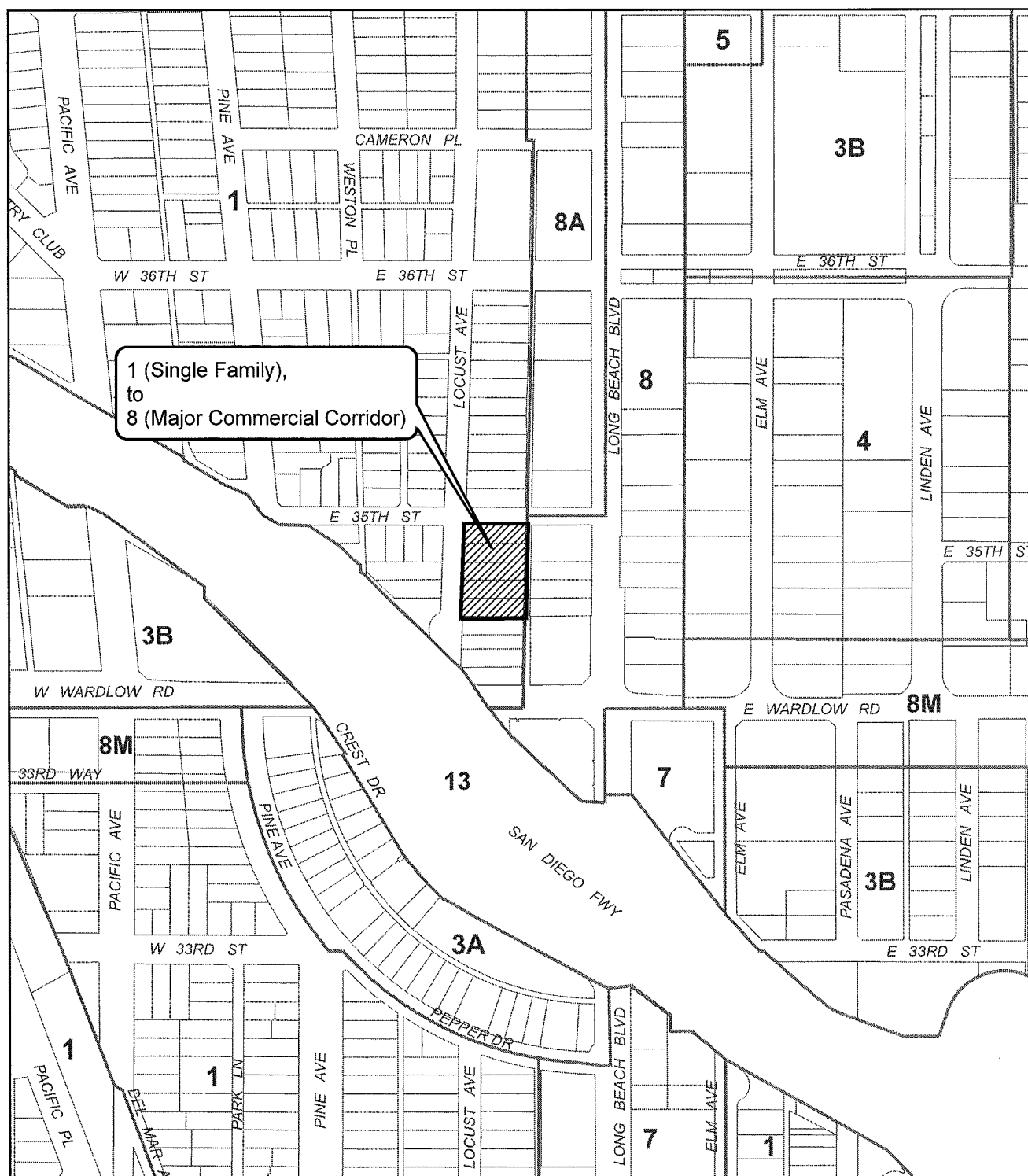
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Ayes:	Councilmembers:	_____
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Noes:	Councilmembers:	_____
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Absent:	Councilmembers:	_____
		_____
		_____
		City Clerk





1 (Single Family) to 8 (Major Commercial Corridor)



# AMENDMENT TO A PORTION OF PART 15 OF THE LANDUSE DISTRICT MAP

GPA Case  
GPA17-008

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH AMENDING THE LONG BEACH  
MUNICIPAL CODE BY AMENDING TABLE 39-1 OF SECTION  
21.39.230, RELATING TO HIGH-RISE OVERLAY DISTRICT

The City Council of the City of Long Beach ordains as follows:

Section 1. Table 39-1 of Section 21.39.230 of the Long Beach Municipal  
Code is amended to read as follows:

Table 39-1

High-Rise Yard Requirements

Yard	Required Setback
1. Yards abutting a street <sup>(a)</sup>	20 ft.
2. Yards abutting residential district <sup>(b)</sup>	
a. If building height less than or equal to 45 ft.	Same as underlying district
b. If building height greater than 45 ft.	1/5 of the building height, but total setback not to exceed fifteen (15) percent of the lot width or depth as applicable
3. Yards abutting nonresidential district	Same as underlying district
(a) An average setback for yards abutting a street shall be allowed through the Site Plan Review process, provided no building encroaches more than ten feet (10') into the required setback. For purposes of establishing an average setback, no portion of a building setback more than thirty feet (30') may contribute to the average setback calculation.	
(b) Includes residential district across an alley.	

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Section 2. The City Clerk shall certify to the passage of this ordinance by the City Council and cause it to be posted in three conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first day after it is approved by the Mayor.

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2019, by the following vote:

Ayes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Noes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

Absent: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
City Clerk

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH AMENDING THE USE DISTRICT  
MAP OF THE CITY OF LONG BEACH AS SAID MAP HAS  
BEEN ESTABLISHED AND AMENDED BY AMENDING  
PORTIONS OF PART 15 OF SAID MAP FROM  
R-1-N (SINGLE-FAMILY RESIDENTIAL) TO CCN  
(COMMUNITY R-4-N COMMERCIAL), AND FROM CCA  
(COMMUNITY AUTOMOBILE-ORIENTED) TO CCN  
(COMMUNITY R-4-N COMMERCIAL)

The City Council of the City of Long Beach ordains as follows:

Section 1. Environmental documentation having been prepared, certified, received and considered as required by law, and the City Council hereby finding that the proposed change will not adversely affect the character, livability or appropriate development of the surrounding area and that the proposed change is consistent with the goals, objectives and provisions of the General Plan, the official Use District Map of the City of Long Beach, as established and amended, is further amended by amending portions of Part 15 from R-1-N (Single-family Residential) to CCN (Community R-4-N Commercial), and from CCA (Community Automobile-Oriented) to CCN (Community R-4-N Commercial).

Section 2. Those portions of Part 15 of said map that are amended by this ordinance are depicted on Exhibit "A" which is attached hereto and by this reference made a part of this ordinance and the official Use District Map.

Section 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 4. The City Clerk shall certify to the passage of this ordinance by the City Council and cause it to be posted in three conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first day after it is approved by the Mayor.

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2019, by the following vote:

Ayes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Noes: Councilmembers: \_\_\_\_\_

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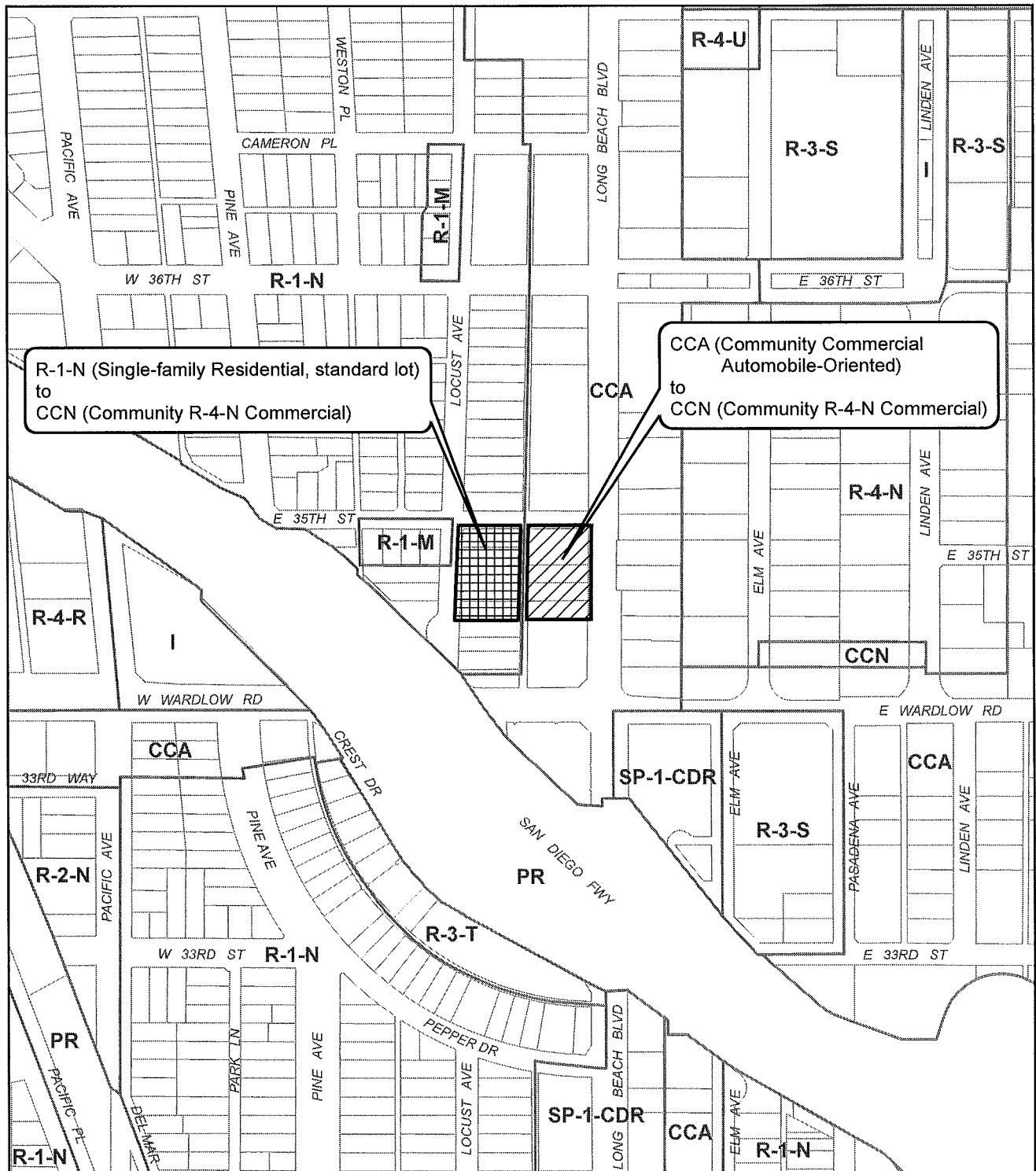
Absent: Councilmembers: \_\_\_\_\_

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\_\_\_\_\_  
City Clerk

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor



Area to be modified from R-1-N to CCN



Area to be modified from CCA to CCN



# AMENDMENT TO A PORTION OF PART 15 OF THE USE DISTRICT MAP

Rezoning Case