

**SITE PLAN REVIEW
CONDITIONS OF APPROVAL
901 De Forest Ave
Application No. 1807-12 / SPR18-039
March 7, 2019**

Special Conditions:

1. This Site Plan Review approval is for the construction of an a 9,680-square-foot stormwater treatment facility and associated piping and landscaping on an undeveloped 1.17-acre site.
2. All work shall be carried out in accordance with the activities shown on plans received by the Department of Development Services, Planning Bureau, dated February 2019.
3. The applicant shall comply with all Mitigation Measures specified in the Mitigation Monitoring and Reporting Program of the Initial Study/Mitigated Negative Declaration prepared for the Long Beach Municipal Urban Stormwater Treatment Project and as described in staff report Exhibit F – Negative Declaration ND-03-17, to the satisfaction of the Director of Development Services.
4. A minimum of ten required parking stalls shall be permanently maintained and in useful operation within the building's parking lot. 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.
5. All required off-site street dedications and improvements shall be installed or provided for to the satisfaction of the Director of Public Works prior to issuance of a building permit.
6. Pursuant to section 21.45.400 (c), the project shall obtain LEED Silver certification, or equivalent, 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.
7. Pursuant to section 21.45.400 (i), the project shall provide:
 - i. Canopy trees shall provide shade coverage, after five (5) years of growth, of forty percent (40%) of the total area dedicated to parking stalls and associated vehicular circulation, or paving materials with a solar reflectance index of at least twenty-nine (29) shall be used on a minimum of fifty percent (50%) of paving surfaces dedicated to parking stalls and associated vehicular circulation.

- ii. Roofs shall be designed to be solar-ready by allowing for an additional eight (8) pounds per square foot of dead load and providing a conduit from the electrical panel to the roof;
 - iii. A designated area for the collection of recyclables shall be provided adjacent to the area for the collection of waste.
8. The site plan proposes construction over lot lines. The applicant shall assemble all properties prior to the issuance of building permits in accordance with Title 20 of the Municipal Code and the Subdivision Map Act.

The developer shall provide for the following to the satisfaction of the Director of Public Works:

General Requirements

- 9. 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 and the routing of construction vehicles (excavation hauling, concrete and other deliveries, etc.).
- 10. The Developer's site plan proposes construction over portions of land that are publicly controlled by various governing authorities, per City and County records. The Developer shall resolve all issues relating to land acquisition and/or rights necessary to accommodate the development and proposed right-of-way realignment.
- 11. A City of Long Beach improvement project was recently completed adjacent to the development site, and another City project is planned to include street improvements (sidewalk/parkway improvements, roadway striping and realignment, etc.) just south of the development. The Developer shall work with the City's Public Works Department to coordinate private development design with the two City projects in the vicinity of the development site.
- 12. De Forest Avenue adjacent to the project site is currently under a 2-year moratorium, with less than one year remaining. The Developer shall provide written approval from the City to implement any street improvements prior to the end of the existing moratorium, in the form of a discretionary permit for excavation.

Public Right-of-Way

13. Subject to the resolution of the land issue(s), the Developer shall be responsible for processing the necessary right-of-way items (vacation of right-of-way, dedication of right-of-way, etc.) to accommodate the proposed street improvements adjacent to the development site.
14. The existing roadway section and street names adjacent to the development site do not match City and County records, which designate that area as both De Forest Avenue and Fairbanks Avenue. The Developer shall be responsible to provide the necessary documentation and processing fee(s) to change the name of that roadway section and correct official records. Separate approval from the City of Long Beach City Council is required for street name changes. The Developer shall contact the Department of Public Works, at (562) 570-6996, to initiate proceedings.
15. The Developer shall dedicate and improve portions of the development site as needed to provide a minimum 48-foot wide public right-of-way adjacent to the development site, relocating all existing facilities as necessary to accommodate the right-of-way realignment. At minimum, the Developer shall provide for a 28-foot wide roadway section bordered by two 10-foot wide pedestrian/parkway zones. In addition, the Developer shall process a vacation of right-of-way for those portions of the development site which encroach into the public right-of-way. Based on preliminary review, the Developer may be able to process a summary vacation in-lieu of the general vacation procedure.

Note: The Developer's site plan shows a 12-foot wide concrete trail providing on-site pedestrian access along West Chester Place and the east side of De Forest Avenue, and portions of a 6-foot wide public sidewalk meandering through private property along the west side of De Forest Avenue. The proposed configuration is subject to review and approval by the Director of Public Works, but maintaining two 10-foot wide parkway/walkway zones on either side is favorable should future street modifications occur.

16. The Developer's site plan shows on-site parking and sidewalk paving adjacent to the development site along the west side of De Forest Avenue. The Developer shall dedicate right-of-way as needed for the proposed parking and sidewalk to lie entirely within the public right-of-way, to the satisfaction of the Director of Public Works.
17. The Developer's site plan shows a new sidewalk along the west side of De Forest Avenue, potentially closing off vehicular access to Fairbanks Avenue south of the development site. If the Developer intends to close this portion of public right-of-way, the Developer shall be responsible to provide the necessary documentation and processing fee(s) to process a street closure for that section of Fairbanks Avenue. Separate approval from the City of Long Beach City

Council is required for street and alley closures. The Developer shall contact the Department of Public Works, at (562) 570-6996, to initiate proceedings.

18. The Developer's site plan proposes construction within the vicinity of existing easements, underground/overhead utility lines and gas lines. The Developer shall be responsible for resolving all matters of easement and/or utility line encroachment to the satisfaction of the interested agency, City Department, and the Director of Public Works.
19. 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. At this stage in the entitlement process the plans are conceptual in nature, and plan check is required for in-depth review of ADA compliancy. As determined during the plan check process, the Developer shall dedicate additional right-of-way necessary to satisfy unfulfilled ADA requirements.

Off-Site Improvements

20. Subject to a successful realignment of the public right-of-way, the Developer shall be responsible for the physical improvements necessary to modify West Chester Place and De Forest Avenue adjacent to the project site. Modifications shall include, but may not be limited to, the following: new sidewalk pavement, curb, curb gutter, curb ramps, landscaping, roadway pavement, traffic striping and signage. All improvements, including roadway alignments, bicycle and pedestrian facilities, shall be coordinated with the Shoemaker Bridge Replacement Project and the Drake-Chavez Greenbelt Project.
21. The Developer shall remove unused driveways and curb cuts, and replace with full-height curb, curb gutter and sidewalk pavement to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete.
22. The Developer shall construct new sidewalk pavement, curb and curb gutter along West Chester Place and De Forest Avenue adjacent to the project site, where no sidewalk pavement currently exists, to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete.
23. The Developer shall reconstruct the existing sidewalk pavement, curb and curb gutter along West Chester Place adjacent to and in the vicinity of the project site, to provide access to the proposed pedestrian trail and treatment center, to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete.

Note: There are breaks in the existing sidewalk pavement east of the project site, on both sides of West Chester Place, which may impede pedestrian access to the proposed development. The Developer shall reconstruct these landscaped areas in the vicinity of the project site.

24. The Developer shall improve the two parkway/walkway zones adjacent to the project site along West Chester Place and De Forest Avenue, fronting this project with new grass or drought-tolerant accent shrubbery and permeable groundcover, such as decomposed granite, as described in Section 21.42.050 of the Long Beach Municipal Code.
25. The Developer shall install Custom Printed Flex Mesh screen(s) along the perimeter of the development site, such as FenceScreen.com Series 311, or equivalent, fence screening, and provide for the printed graphic to the satisfaction of the Director of Public Works. The graphics shall depict positive images of the City or other artistic concepts. Prior to submitting the graphic design for printing, the Developer shall consult with the Department of Public Works to review and approve.
26. 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.
27. 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 issuance of a building permit.
28. The Developer shall relocate or resolve all issues relating to the existing storm drain systems within the vicinity of the proposed buildings; and/or provide for the construction of new storm drain lines outside the footprint of the buildings. Any connections to the County storm drain system shall be made per the requirement of the County of Los Angeles Department of Public Works, or the agency(s) with interest. An excavation permit issued by the Department of Public Works is required for all excavation work in the public right-of-way. Contact Construction Services, at (562) 570-2035, to request additional information about excavation permit requirements. Proposed storm drain lines and/or systems must be reviewed, approved, and accepted for operations by the interested agency(s)

through plan review. The Developer shall provide said plans to the Director of Public Works to review and approve.

29. The Developer shall submit a geotechnical report prepared by a licensed Geotechnical Engineer in the State of California to determine the pavement design structural section of De Forest Avenue. The Developer shall submit the report to the City's Department of Public Works for review, prior to the Civil Engineering design.
30. The Developer shall install new street lights adjacent to the project site with necessary lighting calculations, which shall be submitted to the Director of Public Works for review and approval prior to issuance of a building permit. The Developer shall construct or provide for LED cobra-head luminaires, light standards and feed points adjacent to the proposed development, to the satisfaction of the Director of Public Works.
31. Public improvements shall be constructed in accordance with Public Works construction standards, and per plans reviewed and approved by the Department of Public Works. The City's Public Works Engineering Standard Plans are available online at www.longbeach.gov/pw/resources/engineering/standard-plans. Prior to issuance of a building permit, detailed off-site improvement plans shall be prepared by a licensed Civil Engineer, stamped, signed and submitted to Public Works for review and approval.
32. 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 and Transportation

33. New continental style crosswalks in the vicinity of the project shall be added by the Developer, to the satisfaction 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.
34. 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 Transportation Mobility Bureau, at (562) 570-6331, to request additional information regarding driveway construction requirements.
35. The Developer shall install red curb markings and/or signage restricting parking along West Chester Place and De Forest Avenue, to the satisfaction of the City Traffic Engineer. The Developer shall contact the Transportation Mobility Bureau,

at (562) 570-6331, to modify any existing curb marking zones adjacent to the project site.

36. 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.
37. 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.
38. The Developer shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
39. 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.).
40. The Developer shall be responsible to implement the most recent Bicycle Master Plan of the City at its frontage blocks, or contribute a fair share fee to the City for future implementation, to the satisfaction of the City Traffic Engineer. The Developer shall coordinate bicycle facilities with the Shoemaker Bridge Replacement Project.
41. The Developer shall be responsible for the installation of any proposed or required Bike Share Station, to the satisfaction of the City Traffic Engineer. The Developer shall contact the Transportation Mobility Bureau, at (562) 570-6384, to request additional information regarding Bike Share requirements.

Standard Conditions – Plans, Permits, and Construction:

42. 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.
43. The applicant shall comply with all comments from the Long Beach Police, Energy Resources, Public Works, and Water Departments, and Building Bureau.

44. 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.
45. 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.
46. 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.
47. 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.
48. 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.
49. 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.
50. 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.
51. 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.
52. 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.
53. Separate building permits are required for fences, retaining walls, flagpoles, and pole-mounted yard lighting foundations.

54. 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.
55. 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.
56. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau must be secured.
57. 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.
58. 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.
59. 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.
60. 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.
61. 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.
62. All outdoor fountains or water features shall utilize water recycling or re-circulation systems. The plans submitted for review shall specifically identify such systems.

63. Energy conserving equipment, lighting, and construction features shall be utilized in this project.
64. 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.
65. 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.
66. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):
 - i. Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;
 - ii. Saturday: 9:00 a.m. - 6:00 p.m.; and
 - iii. Sundays: not allowed
67. This permit and all development rights hereunder shall terminate two year 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.
68. 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).
69. 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.
70. 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).

71. 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.
72. 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.
73. No publicly accessible telephones shall be maintained on the exterior of the premises. Any existing publicly accessible telephones shall be removed.
74. 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.
75. The property owner shall prevent loitering in all parking and landscaping areas serving the use during and after hours of operation. The operator must 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.
76. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
77. Any graffiti found on site must be removed within 24 hours of its appearance.
78. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
79. All trash and refuse containers shall be fully screened from public view to the satisfaction of the Director of Development Services.
80. 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.