

FINDINGS

**General Plan Amendment, Zone Change, Site Plan Review, Tentative Tract Map
1500 E. Anaheim St./1209 Walnut Ave.
Application No. 1710-56 (GPA18-001, ZCHG18-003, SPR18-028, and VTTM18-012)
July 18, 2019**

General Plan Amendment Findings

Pursuant to Government Code Section 65358, the City Council shall not approve a General Plan Amendment unless the following findings are made. These findings and analysis are presented for consideration, adoption and incorporation into the record of proceedings.

1. THE PROPOSED CHANGE WILL BENEFIT THE PUBLIC INTEREST; AND

The existing General Plan Land Use Designation for the site is split between two districts. The northern two-thirds of the site, corresponding to the CCP zoning, is in LUD #8A (Traditional Retail Strip Commercial District). The southern third of the site, corresponding to the R-2-N zoning, is in LUD #2 (Mixed Style Homes District). LUD #8A does not allow for any residential use, while LUD #2 only allows duplex-density residential development. Neither LUD is appropriate to the current development environment or existing development pattern on and near the Anaheim Street corridor with respect to this location, and both preclude development of the proposed project.

The proposed amendment changes the General Plan Land Use District (LUD) of the project site to LUD #8R (Mixed Retail-Residential Strip District). LUD #8R will allow for implementation of the CCN(HR-65/5) zoning district and in general is an appropriate LUD for a project site on a major corridor in a densely-developed area.

LUD #8R states, *“The purpose of this district is to provide a land use environment in which residential uses predominate on the frontages of certain main streets, but in which some retail uses may occupy the ground floors of the residential buildings...Residential uses permitted within this district are generally those described in LUD numbers 3A (Townhomes), 3B (Moderate density), and 4 (High density).”* In this case, the density would fall under that allowed by LUD #4, at approximately 57 du/ac.

Approval of this General Plan Amendment will benefit the public interest by allowing rezoning of the project site, thus permitting land assembly and construction of a 5-story, 88-unit affordable housing apartment building with a 22,700-sq. ft. ground-floor medical clinic and 156-stall, 3-level parking garage (see project plans and description in File No. 1710-56). This project will develop a vacant site, filling a hole in the urban fabric on Anaheim St., benefiting the pedestrian- and transit-oriented nature of the Anaheim St. corridor, and providing badly-needed affordably housing within the City.

2. THE PROPOSED CHANGE IS CONSISTENT WITH THE ZONING DESIGNATIONS.

Positive Finding: A zone change is also proposed for the project in conjunction with the General Plan Amendment. The 1.54-acre site currently is split-zoned between the CCP (Community Commercial Pedestrian-Oriented) district, which covers the northern 143 feet of the site, and the R-2-N (Two-family Residential, standard lot) district, which covers the southern 81 feet of the site (see p. 10 of zoning map). Neither of the existing zoning districts permit the development of the proposed project, a 5-story, 88-unit affordable housing apartment building with a 22,700-sq. ft. ground-floor medical clinic and 156-stall, 3-level parking garage (see project plans and description in File No. 1710-56). The proposed zoning designation is CCN (Community R-4-N Commercial) with a High-Rise Overlay allowing a maximum height of 65 feet and 5 stories, expressed as zoning symbol CCN(HR-65/5). This would allow for the development of the proposed project. The CCN district is one of four district types within the broader Community Commercial zoning districts class; the Community Commercial districts *“provide medium scale uses which may require buffering to ensure compatibility with adjacent neighborhood uses. These districts are located on major or minor arterials, located on larger lot sizes adjoining larger scale residential neighborhoods uses are buffered from smaller scale residential neighborhoods.”*

The proposed General Plan Amendment (LUD No. 8R) is consistent with the proposed zoning (CCN(HR-65/5)) for the project.

Zone Change Findings

Pursuant to Section 21.25.106 of the Long Beach Municipal Code, in all cases, the Planning Commission and the City Council shall be required to make the following findings of fact before rezoning a parcel. These findings and staff analysis are presented for consideration, adoption and incorporation into the record of proceedings:

1. THE PROPOSED CHANGE WILL NOT ADVERSELY AFFECT THE CHARACTER, LIVABILITY OR APPROPRIATE DEVELOPMENT OF THE SURROUNDING AREA; AND

Positive Finding: The 1.54-acre site currently is split-zoned between the CCP (Community Commercial Pedestrian-Oriented) district, which covers the northern 143 feet of the site, and the R-2-N (Two-family Residential, standard lot) district, which covers the southern 81 feet of the site (see p. 10 of zoning map). Neither of the existing districts permit the development of the proposed project, a 5-story, 88-unit affordable housing apartment building with a 22,700-sq. ft. ground-floor medical clinic and 156-stall, 3-level parking garage (see project plans and description in File No. 1710-56). The proposed zoning designation is CCN

(Community R-4-N Commercial) with a High-Rise Overlay allowing a maximum height of 65 feet and 5 stories, expressed as zoning symbol CCN(HR-65/5).

The existing R-2-N zoning on the southern third of the project site continues into the neighborhood to the south. However, the majority of this neighborhood is nonconforming to the standards of the R-2-N zoning district. The neighborhood consists of a variety of mixed-density residential uses ranging from small two-on-a-lot single-family dwellings, to two- and three-story apartment buildings containing more than 20 units. The neighborhood also contains several special-group-residence-type residential uses such as skilled nursing facilities and assisted living facilities. Changing the zoning on the project site from R-2-N to CCN(HR-65/5) will not adversely affect the character or livability of the neighborhood, which is already more intensely developed and nonconforming to the R-2-N standards, nor will it negatively affect the appropriate development of the surrounding area. The Zone Change will allow denser development on a major corridor, at approximately the same density as the densest nonconforming residential uses further within the neighborhood to the south.

The existing CCP zoning on the northern two-thirds of the site stretches east and west on both sides of Anaheim Street from the project site. The Zone Change from CCP to CCN will be essentially no different in terms of use regulation, except that residential uses will be allowed instead of prohibited (see Table 32-1, Permitted Uses, in Chapter 21.32 of the Zoning Regulations). Also, the addition of the High-Rise Overlay (HR-65/5) will allow development up to 5 stories and 65 feet high, instead of the existing CCP limit of 2 stories, 28 feet (the base CCN district normally allows 3 stories, 38 feet). Many buildings in the project vicinity are nonconforming to the CCP height limit of 2 stories, 28 feet, including a three-story bow-truss building one block to the east, and a seven-story self-storage building immediately west of the project site. The current development standards of the CCP district are a product of 1980s and 1990s zoning efforts and never accurately reflected the existing development pattern in this area of the City, which was largely built out in the pre-World War II era. The rezoning to CCN(HR-65/5) to allow the construction of the proposed project will not adversely affect the character or livability of this already-intensely-developed area and will not negatively impact the appropriate development of the surrounding area. On the contrary, this project represents a positive and high-quality development that will provide badly needed affordable housing and will activate and revitalize a vacant site that is currently a hole in the urban fabric, at a height and density appropriate for a major urban corridor in a densely-developed area.

The Initial Study/Mitigated Negative Declaration prepared for the development project (IS/MND-05-18, SCH #2019059114) found that there will be no significant unavoidable impacts associated with the project, and that all potentially significant impacts can be mitigated to a less than significant level. The project site is the only major potential development site in the vicinity, and there would be no negative

effects upon the appropriate development of the surrounding area, as little immediate potential for further development in the surrounding area is foreseen under the existing zoning.

2. THE PROPOSED CHANGE IS CONSISTENT WITH THE GOALS, OBJECTIVES AND PROVISIONS OF THE GENERAL PLAN.

Positive Finding: As with the existing site zoning, the existing General Plan Land Use Designation for the site is split between two districts. The northern two-thirds of the site, corresponding to the CCP zoning, is in LUD #8A (Traditional Retail Strip Commercial District). The southern third of the site, corresponding to the R-2-N zoning, is in LUD #2 (Mixed Style Homes District). LUD #8A does not allow for any residential use, while LUD #2 only allows duplex-density residential development. Neither district is appropriate to the current development environment or existing development pattern on and near the Anaheim Street corridor with respect to this project location, and both preclude development of this project at this location. Staff has recommended amending the General Plan Land Use District map to change the designation for the project site to LUD #8R (Mixed Retail-Residential Strip District). LUD #8R will allow for implementation of the CCN(HR-65/5) zoning district and in general is an appropriate LUD for a project site on a major corridor in a densely-developed area.

LUD #8R states, *"The purpose of this district is to provide a land use environment in which residential uses predominate on the frontages of certain main streets, but in which some retail uses may occupy the ground floors of the residential buildings...Residential uses permitted within this district are generally those described in LUD numbers 3A (Townhomes), 3B (Moderate density), and 4 (High density)."* In this case, the density would fall under that allowed by LUD #4, at approximately 57 du/ac.

3. IF THE PROPOSED CHANGE IS A REZONING OF AN EXISTING MOBILE HOME PARK, THAT THE REQUIREMENTS OF SECTION 21.25.109 HAVE BEEN OR WILL BE FULLY MET.

N/A: The proposed change is not a rezoning of an existing mobile home park.

Site Plan Review Findings

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 proposed project consists a new 116,356 square-foot, mixed use building with a height of approximately 61 feet (up to maximum 65 feet) above ground level and a maximum of five stories. The building includes an 88-unit, 5-story apartment building, with 93,656 square feet of residential space on levels two through five. The ground level is comprised of 22,700 square feet that includes 18,136 square feet of medical clinic space, 1,100 square feet of commercial office space, 1,200 square feet of residential leasing office space, and 2,264 square feet of recreation and lobby space. The building also includes a 3-story, 156-stall parking structure with a partial 4th-floor outdoor terrace. The project's area totals are 116,356 square feet of building area, and 81,903 square feet of parking garage, all on a 1.54-acre site (see project plans in File No. 1710-56).

The building is designed in a modern architectural style, with a combination of smooth-troweled stucco and smooth painted cement fiber panel comprising most of the upper building elevations. Upper-level windows consist of a bronze-colored vinyl window product. At the ground floor, glazed porcelain tile and aluminum storefront window systems make up the building façade. The parking garage makes use of a different architectural vocabulary and is wrapped in a vertical metal fin and screen design, breaking up the mass and bulk of the parking structure and screening the automobiles from view. Staff has worked extensively with the applicant over 18 months and multiple completely different iterations of the building design. The current design reflects this effort and meets the City's standards for high-quality new building design.

- 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 development conforms to the development standards of the CCN(HR-65/5) zoning district, to which the project site will be rezoned. The CCN district implements the design standards for R-3 and R-4 zoning districts. These standards are found at Sections 21.31.240 and 21.31.242 and deal with privacy standards and minimum courtyard dimensions for multifamily buildings. The project is in compliance with these standards. No special design guidelines adopted by the Planning Commission, or any specific plan requirements apply to the project site.

The project conforms to the City's General Plan, with an included amendment of the General Plan Land Use District Map for the project site from LUDs No. 2 and 8A to LUD No. 8R. This General Plan Amendment is necessary since LUDs No. 2 and 8A do not permit the proposed type of development, while LUD No. 8R will be an appropriate LUD for both the proposed development, and the project site and its surrounding context. Additionally, the project will comply with the Housing Element of the General Plan, specifically Policies 4.1, 4.2, and 4.5, in helping to provide badly-needed affordable housing within the City.

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

Positive Finding: No trees or street trees exist at or adjacent to the project site. New street trees will be provided on the Anaheim St. and Walnut Ave. street frontages, as required by Chapter 21.42 (Landscaping Standards) of the Zoning Regulations.

- 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 include street and sidewalk dedications on Anaheim St. and Walnut Ave., dedication and easement to widen the alley immediately west of the project site to provide access to the project's parking garage, construction of full ADA sidewalk, curb, and intersection improvements adjacent to the project, traffic signal upgrades to all signalized intersections directly affected by the project, new or upgraded pedestrian

crosswalks, and new tree wells, street trees, root barriers, and irrigation systems adjacent to the project site (see conditions of approval in File No. 1710-56, and Public Works Department Technical Advisory Committee comments dated January 18, 2018).

Additionally, other infrastructure upgrades and improvements are required as part of the mitigation measures identified in the Mitigated Negative Declaration prepared for this project (see IS/MND-05-18, SCH #2019059114). The most significant of these is the requirement that the applicant pay an in-lieu fee to the City for construction of a center median on Anaheim St. from Walnut Ave. to Gundry Ave. The purpose of the center median will be to restrict left-turning movements into and out of the alley adjacent to the site. The Traffic Impact Analysis prepared for the project found that without the left turn restrictions, a dangerous condition will exist caused by the long delay times drivers will experience in trying to make a left turn in or out of the alley. This long delay will encourage drivers to make high-risk moves that could lead to serious traffic accidents, thus, the median to restrict left turn movements is necessary. All of these public improvements are required to offset the proposed project's traffic impacts and general 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			♦

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Bus stop improvements			♦
Safe bike access from street to bike parking			♦
Transit review	For all residential and nonresidential projects subject to EIR		

Positive Finding: The proposed development contains less than 25,000 sq. ft. of non-residential space, and is not subject to an EIR; therefore, these requirements do not apply. However, the project has been developed with the intention of reducing automobile travel, both by residents and customers or patients of the proposed medical clinic. See project plans and description in File No. 1710-56 for more information.

Vesting Tentative Tract Map Findings

Pursuant to Section 20.12.100 of the Long Beach Municipal Code, a Tentative Map approval can be granted only when positive findings are made consistent with the following criteria set forth in the Subdivision Ordinance. These findings and staff analysis are presented for consideration, adoption and incorporation into the record of proceedings.

THE PLANNING COMMISSION SHALL APPROVE A TENTATIVE MAP IF THE MAP COMPLIES WITH STATE AND LOCAL REGULATIONS AND IF ALL OF THE FOLLOWING FINDINGS ARE MADE:

1. THAT THE PROPOSED MAP IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS;

Positive Finding: According to the General Plan's Consistency Tests (see pp. 265–268, 1990 General Plan Land Use Element), *a proposed subdivision is “consistent” when the proposed use and density of development are within the guidelines set forth herein for that property.* The proposed map is consistent with the uses and development types allowed by the proposed designation of General Plan Land Use District No. 8R, Mixed Retail-Residential Strip District (the General Plan Land Use District for the site will be amended from LUD Nos. 2 and 8A to No. 8R as part of this project approval). LUD No. 8R allows for primarily residential development, with commercial uses either mixed into the proposed residential (as with this project), or standalone. The residential intensity allowed by LUD #8R is the same as that permitted in LUD No. 4, High density residential. The subdivision will divide a 1.54-acre (67,200-sq. ft.) site into one ground lot and four airspace lots to accommodate the project (see project plans and Vesting Tentative Parcel Map No. 82260 in File No. 1710-56). No specific plan applies to the subject site.

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

Positive Finding: According to the General Plan's Consistency Tests (see pp. 265–268, 1990 General Plan Land Use Element) states, *generally, if the proposed case conforms to one or more of the [Land Use District] maps contained here, and to the types of uses and density limits prescribed in the appropriate sections of this plan, then the proposal is “consistent.”* The design and improvement of the proposed subdivision consists of a new 116,356 square-foot, mixed use building with a height of approximately 61 feet (up to maximum 65 feet) above ground level and a maximum of five stories. The building includes an 88-unit, 5-story apartment building, with 93,656 square feet of residential space on levels two through five. The ground level is comprised of 22,700 square feet that includes 18,136 square feet of medical clinic space, 1,100 square feet of commercial office space, 1,200 square feet of residential leasing office space, and 2,264 square feet of recreation and lobby space. The building also includes a 3-story, 156-stall parking structure with a partial 4th-floor outdoor terrace. The project's area totals are 116,356 square feet of building area, and 81,903 square feet of parking garage, all on a 1.54-acre site (see project plans in File No. 1710-56).

The types and density of the proposed improvements of the subdivision will be consistent with the uses and development types allowed by the proposed designation of General Plan Land Use District No. 8R, Mixed Retail-Residential Strip District (the General Plan Land Use District for the site will be amended from LUD Nos. 2 and 8A to No. 8R as part of this project approval). LUD No. 8R allows for primarily residential development, with commercial uses either mixed into the proposed residential (as with this project), or standalone. The residential intensity allowed by LUD #8R is the same as that permitted in LUD No. 4, High density residential. No specific plan applies to the subject site.

3. THAT THE SITE IS PHYSICALLY SUITABLE FOR THE TYPE OF DEVELOPMENT;

Positive Finding: The site is physically suitable for the type of development proposed, which consists of a new five-story apartment building, ground-floor medical clinic, and three-level parking garage (see description in Finding #1). The site is physically suitable for the scale and massing of the proposed development, which is located on a major corridor in a densely-developed area. This area is an appropriate area for a primarily-residential project and is similarly an appropriate area for a medical clinic. The lot size and configuration are more than adequate and exceeds the minimum lot standards for the proposed CCN zoning district (a Zone Change from CCP and R-2-N to CCN(HR-65/5) is required for the project).

4. THAT THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT;

Positive Finding: The site is physically suitable for the proposed density of development, which consists of 88 apartment units at approximately 57 du/ac. This is within the density allowed by General Plan LUD #8R, which is the proposed LUD for the project site. The large, 1.54-acre (67,200-sq. ft.) site can adequately accommodate the proposed 5-story apartment building, 22,700-sq. ft. of non-residential ground floor space, and the 3-level parking garage. The lot size and configuration are more than adequate and exceeds the minimum lot standards for the proposed CCN zoning district (a Zone Change from CCP and R-2-N to CCN(HR-65/5) is required for the project).

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

Positive Finding: A Mitigated Negative Declaration was prepared for this project (see IS/MND-05-18, SCH #2019059114). This MND found no significant unavoidable impacts that would result from this project. The MND found no impacts to fish and wildlife or their habitat. There are no streams, ponds, or riparian habitat present on the site and no impacts to fish. No trees or other nesting habitat is found on the site for birds.

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

Positive Finding: The design of the subdivision is not likely to cause serious public health or safety problems. The subdivision will take place on an existing 1.54-acre parcel of land; see Finding #1 for project description. The residential and medical clinic nature of the proposed uses will not cause any serious public health or safety problems.

The applicant will be required pay an in-lieu fee to the City for construction of a center median on Anaheim St. from Walnut Ave. to Gundry Ave. The purpose of the center median will be to restrict left-turning movements into and out of the alley adjacent to the site. The Traffic Impact Analysis prepared for the project found that without the left turn restrictions, a dangerous condition will exist caused by the long delay times drivers will experience in trying to make a left turn in or out of the alley. This long delay will encourage drivers to make high-risk moves that could lead to serious traffic accidents, thus, the median to restrict left turn movements is necessary. (See the Traffic Impact Analysis in IS/MND-05-18, SCH #2019059114).

Regarding safety issues, the Long Beach Police and Fire Departments have reviewed the proposal, and their comments and design requirements have been incorporated into the project, to ensure the site will have adequate access points and routes for emergency vehicles. No serious public safety impacts or problems will result from the proposed project.

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

Positive Finding: No easements acquired by the public at large exist on this site for access through or use of the property within the proposed subdivision. The site has no through access, nor will it have through access once the project is built. The applicant will be required to dedicate 2.5 feet of property to widen the existing 15-foot-wide alley immediately west of the site, and the applicant will be required to provide an additional 2.5-foot easement to bring the functional alley width to 20 feet (see conditions of approval in File No. 1710 56, and Public Works Department Technical Advisory Committee comments dated January 18, 2018).