

CONDITIONS OF APPROVAL
Tentative Tract Map
901 De Forest Avenue
Application No. 1912-01 (TTM19-001, GPC19-005)
January 16, 2020

Special Conditions:

1. The following approvals are granted for this project:
 - a. General Plan Conformity finding and Tentative Tract Map approval as depicted on plans submitted to the Department of Development Services, consisting of two (2) ground lots and dedicated public right-of-way (West Chester Place and De Forest Avenue) as part of Tentative Tract Map No. 082940 measuring 4.43 acres.

Plans and Construction

2. The final Tract Map shall be recorded with the County of Los Angeles prior to the issuance of a building permit for the LB-MUST Facility Project (excluding demolition and grading permits). The final Tract Map shall note all details to the satisfaction of the Department of Development Services and the Department of Public Works.
3. The applicant shall submit the application and fees to the Department of Public Works for final review and processing of the final Tract Map.

Initial Study/ Mitigated Negative Declaration Mitigation Measures

4. The developer shall provide for compliance with all mitigation measures of the Initial Study/Mitigated Negative Declaration (IS/MND) that apply to this project. These mitigation measures are attached to these conditions of approval and by this reference made a part hereof.

Water Department Conditions

5. The applicant shall comply with all comments from the Long Beach Water Department dated on December 18, 2019.

Energy Resources Department Conditions

6. The applicant shall comply with all comments from the Long Beach Energy Resources (LBER) Department dated on December 27, 2019.
7. LBER gas facilities shall be relocated prior to the realignment of De Forest Avenue.

Public Works Conditions

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

GENERAL REQUIREMENTS

- a. The final map shall be based upon criteria established by the California Subdivision Map Act and/or Title 20 of the Long Beach Municipal Code.
- b. Prior to final map approval, the Subdivider shall obtain utility clearance letters for any public entity or public utility holding any interest in the subdivision as required by the Subdivision Map Act.
- c. All off-site and/ or public improvements and facilities required by the Department of Public Works not in place and accepted prior to final map approval, must be guaranteed by instrument of credit or bond to the satisfaction of the Director of Public Works.
- d. Prior to final map approval, the Subdivider shall submit its on-site parking management plan and project Conditions, Covenants and Restrictions (CC&R's) for review and approval of the Director of Public Works.
- e. The Subdivider and successors shall be responsible for the maintenance of the site drainage system, and for the operation and maintenance of any private sewer connection to the public sewer in the abutting public right-of-way, and for the maintenance of the sidewalk, parkway, street trees and other landscaping, including irrigation, within and along the adjacent public right-of-way. Such responsibilities shall be enumerated and specified in the project CC&R's, and a recorded copy of said document shall be provided to the Director of Public Works.
- f. No cross-lot drainage will be permitted. Existing cross-lot drainage problems shall be corrected prior to approval of the final map, or a private drainage easement recorded on the map, to the satisfaction of the Director of Public Works.
- g. Prior to the start of ANY demolition, excavation, or construction, the Subdivider shall,
 - i. Submit a construction plan for pedestrian protection, construction staging, scaffolding and excavations, and
 - ii. Submit a traffic control plan with street lane closures and routing of construction vehicles (excavation hauling, concrete and other deliveries, etc.) prepared by a registered Civil or Traffic Engineer in the State of California, with wet seal and signature, and

- iii. Submit a plan for construction area and/or site perimeter fencing with custom printed screen(s),
- iv. All for review and approval by the Department of Public Works and installed in accordance with the latest version of the Public Works Development Guideline.

Work, including hauling soils or other debris, is not allowed within the right-of-way without a valid Public Works permit. The Subdivider shall comply with all requirements outlined within the latest version of the Public Works Development Guideline and all referenced standards at the time of application submittal.

- h. The Subdivider 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, as determined during the plan check process, the right-of-way dedication way shall be provided.
- i. Public improvements shall be constructed in accordance with Public Works construction standards, and per plans reviewed and approved by the Department of Public Works. Detailed off-site improvement plans shall be prepared by a licensed Civil Engineer, stamped, signed and submitted to Public Works for review and approval. The City's Public Works Engineering Standard Plans are available online at www.longbeach.gov/pw/resources/engineering/standard-plans. This is in addition to any plan check required by the Department of Development Services.
- j. 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.

PUBLIC RIGHT-OF-WAY

- k. For the realignment of De Forest Avenue, the Subdivider shall dedicate and improve for street purposes, 44 feet along the proposed realigned route as illustrated in the submitted Tentative Tract Map, generally from north to south through the center of the proposed project site.
- l. For the redesigned West Chester Place, the Subdivider shall dedicate and improve for street purposes, 56 feet along the proposed route as illustrated in the submitted Tentative Tract Map, generally along the eastern half of the southern boundary of the proposed project site.
- m. For bus stops along the western side of the proposed realigned De Forest Avenue, the Subdivider shall dedicate and improve for street purposes, from 57.6 feet to 61.1 feet at the proposed bus stop location as illustrated in the

submitted Tentative Tract Map package.

- n. Per the submitted Tentative Tract Map, the Subdivider requests vacation of the Fairbanks Avenue right-of-way and the West Chester Place right-of-way along its northern boundary. The Subdivider may process the requested vacations on the Map or alternatively shall submit a complete vacation application, along with all required attachments, to the Department of Public Works for review and processing.
- o. For the proposed vacations to be considered, the following uses and/or easements shall be reserved within the existing right-of-way or established and confirmed to be abandoned or relocated and/ or quitclaimed or vacated.
 - i. 3-inch active gas pipeline along Fairbanks Avenue;
 - ii. 8-inch sewer main and 48-inch sewer manhole along Fairbanks Avenue;
 - iii. 15-inch storm drain pipeline and three storm drain catch basins along the northern boundary of Fairbanks Avenue;
 - iv. 42-inch Los Angeles County Sanitation District sewer line and related easement along De Forest Avenue.

The Subdivider shall be responsible for resolving all matters of easement(s) and/or utilities encroachment to the satisfaction of the interested agency or entity and the Director of Public Works.

OFF-SITE IMPROVEMENTS

- p. The Subdivider shall improve the proposed 44-foot wide De Forest Avenue dedication right-of-way with a fully paved 28-foot road width from curb face to curb face, and a 10-foot wide walkway (consisting of a 6-foot wide concrete sidewalk, curb and curb gutter and 4-foot wide irrigated and planted parkway) on the west side and a 6-foot wide concrete sidewalk, curb and curb gutter on the east side, all per the latest City standards and to the satisfaction of the Director of Public Works. The Subdivider shall improve the right-of-way around the proposed bus stop locations similarly, except that it shall widen the right-of-way along the western side to allow for the bus stop improvements. Improvement plans for this work shall be prepared and submitted for review and approval by the Department of Public Works.
- q. The Subdivider shall improve the redesigned 56-foot wide West Chester Place dedication right-of-way with a fully paved 40-foot road width from curb face to curb face, and a 10-foot wide walkway on the south side and a 6-foot wide Portland cement concrete sidewalk, curb and curb gutter on the north side, all per the latest City standards and to the satisfaction of the Director of Public Works. Improvement plans for this work shall be prepared and submitted for review and approval by the Department of Public Works.

- r. The Subdivider shall resurface, install road signs and re-stripe the pavement of all newly improved roads, per the latest City standards and to the satisfaction of the Director of Public Works. Improvement plans for this work shall be prepared and submitted for review and approval by the City Traffic Engineer and the Director of Public Works.
- s. The Subdivider shall provide for new tree wells, street trees with root barriers, ground cover and irrigation systems for parkways along the proposed De Forest Avenue, adjacent to and near the project site, per Section 21.42.050 of the Long Beach Municipal Code. Street trees requiring removal shall be relocated or replaced to the satisfaction of the Director of Public Works. The Subdivider and/or successors shall water and maintain all street trees, landscaping and sprinkler systems required in connection with this project. The Subdivider 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. 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% of the total area dedicated for public right of way.
- t. The Subdivider shall install new street lights along De Forest Avenue with necessary lighting calculations for the proposed street lighting system based on the latest edition of the Illuminating Engineering Society (IES) standards, which shall be submitted to the Director of Public Works for review and approval prior to approval of the final map. The Subdivider shall construct or provide for high pressure sodium luminaires/LED cobra-head luminaires, light standards and feed point(s) along De Forest Avenue, to the satisfaction of the Director of Public Works and prior to final map approval.
- u. The Subdivider proposes improvements that may impact existing underground/above ground utilities adjacent to the project site, specifically power poles and overhead utility lines adjacent to and along the eastern property line where a linear parking area is proposed. The Subdivider is responsible for all design, applicable utility approval, permitting, relocation work, and commissioning as required by the interested agency and shall work with each utility directly.
- v. The Subdivider 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 found damaged as a result of construction activities shall be reconstructed or replaced.
- w. The Subdivider 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 Subdivider shall consult with the Department of Public Works to review and approve.

- x. The Subdivider shall submit a precise 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.
- y. Prior to approving an engineering plan, all projects greater than 1 acre in size must demonstrate coverage under the State Construction General NPDES Permit. To meet this requirement, the Subdivider must 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 Subdivider 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 AND TRANSPORTATION

- z. This development requires a Traffic Impact Analysis (TIA) be prepared by a registered Traffic Engineer in the State of California (Engineer's stamp required). A scoping letter shall be submitted to Public Works prior to proceeding with the TIA. Any conditions generated by the TIA shall be made a part of these conditions.
- aa. The Subdivider shall protect or replace all traffic signage, striping, and curb markings within the public right-of-way adjacent to the project site. The Subdivider shall submit a signing and striping plan that shows, but is not limited to, no on-street parking restrictions on both sides of De Forest Avenue and crosswalk markings and signage for the pedestrian/bicycle crossing.
- bb. All traffic control device installations shall be installed in accordance with the current edition of the CA MUTCD.
- cc. The Subdivider 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 Subdivider shall coordinate bicycle facilities with the Shoemaker Bridge Replacement Project.
- dd. The Subdivider shall be responsible for the installation of any proposed or

required Bike Share Hub, 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:

9. 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.
10. 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.
11. 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.
12. 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.
13. 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.
14. 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.
15. 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.
16. 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.

17. 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.
18. Separate building permits are required for fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
19. 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.
20. 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.
21. 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.
22. 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.
23. 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.
24. 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.
25. 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.

26. 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.
27. All outdoor fountains or water features shall utilize water recycling or re-circulation systems. The plans submitted for review shall specifically identify such systems.
28. Energy conserving equipment, lighting, and construction features shall be utilized in this project.
29. 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.
30. 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:

31. 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.

32. 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).
33. 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.
34. 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).
35. 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.
36. 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.
37. No publicly accessible telephones shall be maintained on the exterior of the premises. Any existing publicly accessible telephones shall be removed.
38. 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.
39. 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.

40. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
41. Any graffiti found on site shall be removed within 24 hours of its appearance.
42. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
43. All trash and refuse containers shall be fully screened from public view to the satisfaction of the Director of Development Services.
44. 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.