

January 16, 2020

CHAIR AND PLANNING COMMISSIONERS  
City of Long Beach  
California

**RECOMMENDATION:**

Accept Categorical Exemption CE-19-226 and determine the project is within the scope of the project previously analyzed as part of the Long Beach Municipal Urban Stormwater Treatment (LB-MUST) Project Initial Study/Mitigated Negative Declaration (IS/MND) (ND 03-17) (State Clearinghouse No. 2017071068) and warrants no further environmental review pursuant to CEQA Guidelines 15162;

Approve a General Plan Conformity finding (GPC19-005) to vacate existing Fairbanks Avenue and West Chester Place and dedicate West Chester Place and De Forest Avenue for public right-of-way use; and

Approve a Tentative Tract Map (TTM19-001) to consolidate 15 lots into two (2) lots separated by De Forest Avenue. Lot 1 is currently developed with a one-story industrial building with at-grade parking and Lot 2 is currently undeveloped lot and will be the location of the previously approved Long Beach Municipal Urban Stormwater Treatment (LB-MUST) Facility located at 901 De Forest Avenue in the Light Industrial (IL) Zoning District. (District 1)

APPLICANT: Roger Chung for the City of Long Beach Public Works Department.  
38 Technology Drive  
Irvine, CA 92618  
(Application No. 1912-01)

**DISCUSSION**

The proposed General Plan Conformity finding and Tentative Tract Map (Project) would facilitate the construction of the Long Beach Municipal Urban Stormwater Treatment (LB-MUST) Project at 901 De Forest Avenue (Exhibit A - Location Map). The LB-MUST Treatment Facility was approved by the Planning Commission on March 7, 2019 and included the construction of a 9,680-square-foot stormwater treatment facility on an undeveloped 1.19-acre site (Exhibit B - March 7, 2019 Planning Commission Staff Report).

The overall LB-MUST Project involves construction of a municipal urban stormwater treatment (MUST) facility and conveyance facilities to carry urban runoff to the LB-MUST facility for treatment.



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The scope of work subject to this entitlement is only related to the underlying land subdivisions for the project site.

The Project site consists of six separate parcels (Assessor Parcel Numbers: 7271-003-904, 7271-020-902, 7271-020-903, 7271-020-904, 7271-020-905, 7271-020-906) that were assembled of 15 separate lots. The area surrounding the site consists of open space, residential, and industrial land uses. The project site is bounded by the Los Angeles River and bicycle path to the west, residential uses to the east, Shoreline Drive and a bus yard to the south, and Drake Park to the north.

The majority of the Project site is vacant land with sparse ornamental/non-native vegetation, utility poles, and an advertising/billboard sign (Exhibit C – Site Photos). An existing one-story industrial building is located on the eastern portion of the Project site, across De Forest Avenue from the LB-MUST Facility location. The single-family and multi-family residential uses located east of the industrial building across De Forest Avenue are in the Drake Park/Willmore City Historic District.

The Project site is located in the Light Industrial (IL) zoning district, which allows a wide range of industries whose primary operations occur entirely within enclosed structures and which pose limited potential for environmental impacts on neighboring uses. The site is located within 2019 General Plan Land Use Open Space (OS) PlaceType. The OS PlaceType does provide for the location of utilities and/or infrastructure or that contains environmentally sensitive resources. As part of the LB-MUST Facility approval, the facility would include drought tolerant landscaping that would function as a demonstration garden for the public. The landscape area would include interpretive signage to provide a public education component for local property and business owners to learn about the stormwater treatment process.

The role of the Planning Commission is to review the project for consistency with the General Plan and Subdivision Map Act Requirements. The applicant is requesting approval of a General Plan Conformity finding to vacate existing Fairbanks Avenue and West Chester Place and dedicate West Chester Place and De Forest Avenue for public right-of-way use and approval of a Tentative Tract Map (Exhibit D - Findings and Exhibit E - Conditions of Approval).

### General Plan Conformity Findings

The General Plan Conformity finding pertains to the proposed street vacations of existing Fairbanks Avenue and West Chester Place and dedication as West Chester Place and De Forest Avenue for public right-of-way use. The vacations must be found consistent with the General Plan. The General Plan consists of 11 elements, each element carries the same authority concerning land use issues. All elements of the General Plan were considered, and staff finds the proposed vacations to be in conformance with all applicable elements. A review of the relevant General Plan elements and specific General Plan consistency findings are presented below.

#### *Land Use Element*

The Land Use Element divides the City into 21 land use districts, which provide general guidance as to the appropriate type and density of land uses. The site, including the proposed right-of-way is located within the OS Placetype in the 2019 General Plan Land Use Element. The OS PlaceType supports recreational open space, gas distinctive scenic, natural or cultural features, contributing to community character and form, and provides for utilities and/or infrastructure or that contains

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environmentally sensitive resources. The subject right-of-way proposed for vacation and re-dedication would maintain the same connectivity as existing conditions. Under present conditions vehicles travel on De Forest Avenue, which is not designated public right-of-way. In contrast, a private parking lot for the existing industrial building is located over the existing Fairbanks Avenue public right-of-way. The subject streets are classified as local streets in the General Plan Mobility Element.

### *Mobility Element*

The City's Mobility Element is aimed at transforming Long Beach into a community that offers flexible, convenient, affordable, and energy-efficient transportation options for residents and visitors alike. The portion of Fairbanks Avenue that is proposed to be vacated was determined to be not necessary for public use or convenience because it is presently developed as a parking lot and public right-of-way for through vehicle travel would be provide via the dedicated De Forest Avenue. Furthermore, Fairbanks Avenue is not currently used for access to abutting parcels. A new code compliant driveway would be provided on the West Chester Place right-of-way for access to the existing parking lot. Street vacation would therefore not prove detrimental to the movement of people and goods through the area.

The proposed right-of-way would maintain existing vehicular connectivity to all areas along De Forest Avenue and West Chester Place and also provide the required pedestrian facilities, sidewalks, curbs, driveways, street lights, and street trees to provide code-compliant public access and right-of-way amenities through the project area.

The vacation of Fairbanks Avenue and re-dedication of West Chester Place and De Forest Avenue would allow parcels to be assembled for development while maintaining pedestrian and vehicular connection along the public rights-of-way. The resulting right-of-way would be consistent with the West Chester Place right-of-way description (Local Street) outlined in the Mobility Element. The configuration of De Forest Avenue would maintain a 4-foot right-of-way width approved by the Public Works Department and City Traffic Engineer. The facilities located within the reconfigured De Forest Avenue would be consistent with features found on local streets. With regards to the street vacation, it is within the Planning Commission's jurisdiction to make the finding of conformity whereas the City Council is the decision-making body on the street vacation and dedication that is processed separately by the Public Works Department.

### Tentative Tract Map

The project includes a Tentative Tract Map, which proposes to merge six parcels (consisting of 15 lots) into two separate ground lots divided by the rededicated De Forest Avenue and West Chester Place public right-of-way (Exhibit F – Tentative Tract Map). The tentative tract map subdivides the property into two (2) ground lots that would cover the proposed development of the LB-MUST facility (Lot 2) and consolidate lots at an existing industrial building and parking area (Lot 1). The abandonment of Fairbanks Avenue would correct public right-of-way limits where they exists under a current surface parking lot serving an existing one-story industrial building (Reference Table 1).

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Table 1  
Lot Breakdown for Tentative Tract Map

Lot Number	Type of Lot	Size Proposed	Size Required	Use of Lot
1	Ground Lot	89,298 sf	15,000 sf	Existing Industrial Building and surface parking lot
2	Ground Lot	55,756 sf	15,000 sf	Proposed LB-MUST Facility

sf = square feet

LB MUST = Long Beach Municipal Urban Stormwater Treatment Facility

The purposed of a subdivision review is to ensure the orderly development is consistent with the General Plan and ensure lots are appropriate size and design for the public health, safety, and general welfare of the City.

### **PUBLIC HEARING NOTICE**

A total of 352 Public Hearing notices were distributed on December 27, 2019, in accordance with the provision of the Zoning Ordinance. No comments have been received as of the preparation of this report.

### **ENVIRONMENTAL REVIEW**

In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the project qualifies for a categorical exemption per Section 15305 (Minor Alterations to Land Use Limitations) due to the relatively flat nature of the project site (slope less than 20%) and that the subdivision would not result in changes in land use or density for the site.

An Initial Study/Mitigated Negative Declaration (IS/MND) (Exhibit G - Negative Declaration ND 03-17) was prepared for the overall LB-MUST Project. The IS/MND provided mitigation measures addressing potential impacts related to aesthetics, air quality, biological resources, cultural resources, hazards and hazardous materials, noise, population and housing, and transportation/traffic. These mitigation measures are included as conditions of approval. The IS/MND was distributed to public agencies and made available for public review and comment for a CEQA-required 30-day review period that started on July 31, 2017 and ended on August 29, 2017. Comments were received during the review period. The Long Beach City Council carried out the approval of the overall LB-MUST Project on January 23, 2018.

The Planning Commission found the proposed LB-MUST facility would be consistent with the project approved by the City Council. The project was determined to be of the same size and use as analyzed in the IS/MND, and construction and operation of the project would not result in additional impacts not identified in the environmental document (Exhibit H – App. No. 1807-12 Environmental Compliance Statement). The IS/MND determined that the project, in compliance with all recommended mitigation measures, would not result in any significant adverse environmental impacts. As conditioned, the project would be required to adhere to all mitigation measures identified

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in the IS/MND. The preparation and public availability of the IS/MND has been carried out in compliance with the provisions of CEQA and the CEQA Guidelines.

The proposed General Plan Conformity Finding and Tentative Tract Map would not change any of the mitigation measures, environmental setting, or project circumstances for the previously approved project. The scope of the project is exempt per Section 15305 - Minor Alterations to Land Use Limitations. The proposed division of land would not facilitate the construction of a project that differs from prior project approvals.

Staff therefore recommends the Planning Commission approve General Plan Conformity Finding and Tentative Tract Map that would facilitate the construction of the Long Beach Municipal Urban Stormwater Treatment (LB-MUST) Project at 901 De Forest Avenue in the Light Industrial (IL) zone.

Respectfully submitted,



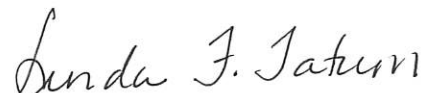
MARYANNE CRONIN  
PROJECT PLANNER



ALEXIS OROPEZA  
CURRENT PLANNING OFFICER



CHRISTOPHER KOONTZ, AICP  
PLANNING BUREAU MANAGER



LINDA F. TATUM, FAICP  
DIRECTOR OF DEVELOPMENT SERVICES

LFT:CK:AO:mc

Attachments:

- Exhibit A – Vicinity Map
- Exhibit B – March 7, 2019 Planning Commission Staff Report
- Exhibit C – Site Photos
- Exhibit D – Findings
- Exhibit E – Conditions of Approval
- Exhibit F – Tentative Tract Map
- Exhibit G – Initial Study/Mitigated Negative Declaration ND 03-17
- Exhibit H – App. No. 1807-12 Environmental Compliance Statement