

November 16, 2021

C-10

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Authorize the City Manager, or designee, to accept an easement deed from LINC-Spark APTS, LP, a California limited partnership, the owner of the property at 1900-1940 Long Beach Boulevard, for the installation of public utilities; and,

Accept State Clearinghouse No. 2015031034. (District 6)

DISCUSSION

LINC-Spark APTS, LP (LINC-Spark), the property owner at 1900-1940 Long Beach Boulevard, is constructing a new 95-unit, 121,947-square-foot mixed use building (The Spark at Midtown Project). To accommodate the development, it is necessary that an easement be granted to the City of Long Beach (City) to allow for the installation of a double-check detector valve (Attachment A). These devices provide backflow prevention to protect water supplies from contamination.

City staff conducted a review of the affected agencies and there were no objections to the proposed easement. This development project was certified and adopted by the City Council on May 24, 2016, and reviewed in compliance with California Environmental Quality Act (CEQA). In conformance with the CEQA, State Clearinghouse No. 2015031034 was issued for this development (Attachment B).

This matter was reviewed by Deputy City Attorney Erin Weesner-McKinley on September 8, 2021 and by Budget Operations and Development Officer Rhutu Amin Gharib on September 13, 2021.

TIMING CONSIDERATIONS

City Council action is requested on November 16, 2021, to accept the easement deed from LINC-Spark.

FISCAL IMPACT

An easement processing fee in the amount of \$3,313 was deposited in the General Fund Group in the Public Works Department. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

HONORABLE MAYOR AND CITY COUNCIL
November 16, 2021
Page 2

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



ERIC LOPEZ
DIRECTOR OF PUBLIC WORKS

EL:MS:BP:ll

ATTACHMENTS: A – EASEMENT SKETCH
B – PLANNING COMMISSION STAFF REPORT

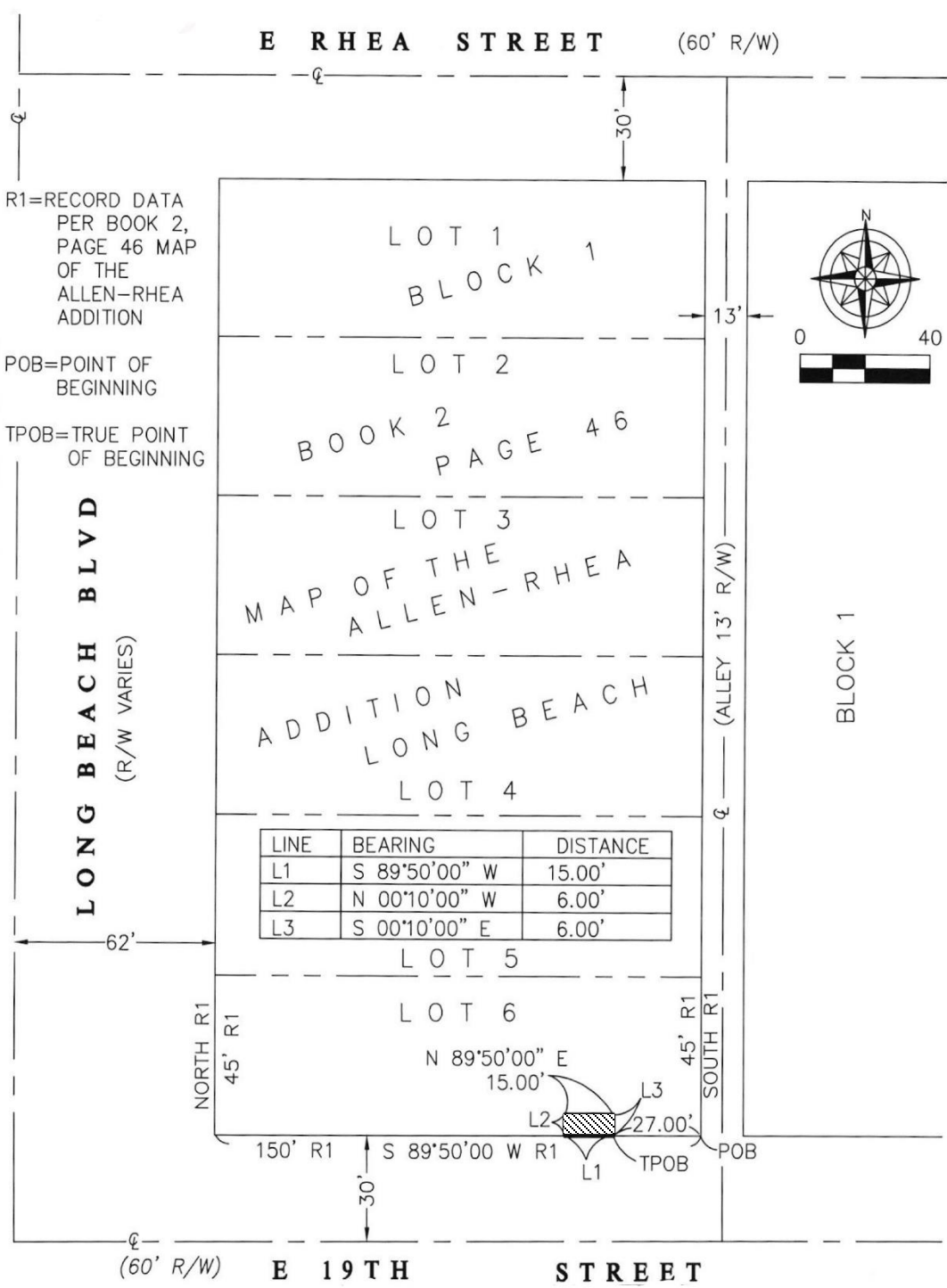
APPROVED:



THOMAS B. MODICA
CITY MANAGER

SKETCH NO. 2111 E

SKETCH SHOWING EASEMENT AREA OVER PORTIONS OF LOT 6, OF THE ALLEN RHEA ADDITION TRACT FOR INSTALLATION OF A DOUBLE-CHECK DETECTOR VALVE



 SHOWS AREA OF EASEMENT

RECORDATION DATA

CLERKS NO. _____

DESCRIPTION _____

Deeded by _____

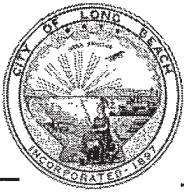
Date _____

ACCEPTED _____

RECORDED _____

DOCUMENT NO. _____

ENGINEERING BUREAU
CITY OF LONG BEACH, CALIFORNIA
ATTACHMENT A

**CITY OF LONG BEACH****H-1**

DEPARTMENT OF DEVELOPMENT SERVICES

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

May 24, 2016

HONORABLE MAYOR AND CITY COUNCIL

City of Long Beach

California

RECOMMENDATION:

Receive supporting documentation into the record, conclude the public hearing, and adopt a Resolution certifying EIR 04-15, making findings of fact, adopting a statement of overriding considerations and approving a Mitigation Monitoring and Reporting Program for the Midtown Specific Plan (State Clearinghouse No. 2015031034);

Adopt a Resolution establishing the Midtown Specific Plan, pursuant to Sections 65450-65458 of the California Government Code;

Declare an Ordinance amending the Long Beach Municipal Code by amending Division VII of Chapter 21.21, Chapter 21.25, Chapter 21.37, PD-22 (Pacific Railway Planned Development), and PD-25 (Atlantic Avenue Planned Development), and by repealing PD-29 (Long Beach Boulevard Planned Development), all relating to the Midtown Specific Plan, read the first time and laid over to the next regular meeting of the City Council for final reading; and,

Declare an Ordinance amending the Land Use District Map by amending portions of Part 9, 10, 15, and 16 of said map to reflect the establishment of the Midtown Specific Plan (SP-1), read the first time and laid over to the next regular meeting of the City Council for final reading. (Districts 1, 6)

DISCUSSION

On April 7, 2016, the Planning Commission conducted a public hearing on the Midtown Specific Plan (Specific Plan) and formally recommended the Specific Plan to the City Council (Exhibit A – Planning Commission staff report). The Planning Commission's action is the culmination of years of strategic planning to attract investment and improve the Long Beach Boulevard corridor.

Long Beach Boulevard, once known as American Avenue, has a long history of commercial and transit-dependent development. The area was originally served by the Pacific Electric red cars from 1902 to the system's peak operation in 1927, through its ultimate decline and abandonment during the 1930s and 1940s. Long Beach Boulevard's image shifted to become a premiere destination for car purchases, services and accessories during the 1960s and 1970s. The area experienced a significant

decline in terms of activity, disinvestment and blight during the 1980s, from which it has never fully recovered. Redevelopment efforts began in the late 1980s to transform the corridor into a transit-oriented community. In 1990, the Metro Blue Line opened, returning transit service to the corridor for the first time in decades. In 1991, the City adopted PD-29 (Exhibit B – PD-29), establishing the framework for renewed investment through intensive mixed-use development along the corridor. While laudable in its goals and scope, PD-29 failed to attract the investment needed to revitalize the corridor.

In the mid-2000's, the City's focus shifted to embracing transit use and efforts began anew to focus development activity on Long Beach Boulevard. Several new affordable housing projects were built on the corridor, demonstrating the possibility of reinvestment and renewal. However, these projects required modifications to the underlying PD-29 zoning, making it evident that revisions to PD-29 would be required in order to continue to attract new investment. In May 2008, the City Council took the first step in this effort by accepting a grant from the Southern California Association of Governments (SCAG) to study land-use changes along Long Beach Boulevard between Anaheim Street and the I-405 freeway. That initial grant led to further efforts and, ultimately, the development of the Midtown Specific Plan.

The Midtown Specific Plan is proposed as the primary tool for redevelopment of "opportunity sites" along this corridor to create new transit-oriented development. Development of these opportunity sites is essential to meet the City's economic and housing production goals. Implementation of the Specific Plan through new private and public development will lead to new goods, services, and housing while improving mobility, beautifying the streets, open spaces, parks, parklets and the overall built environment.

A Specific Plan is similar to a Planned Development District (such as PD-29) in function and is specifically enabled in State planning and zoning law. Staff has prepared the Specific Plan as it provides the best mechanism to achieve the City's goals for the area. Use of a Specific Plan allows the City to provide a vision and detailed plan for a specific area, as well as to be eligible for streamlining development approvals and funding opportunities over time. It allows precise rules that are tailored for the specific location and circumstance and may vary from Citywide zoning code regulations. As part of the City Council's actions to adopt the Specific Plan, the zoning map will be revised to reflect the new Specific Plan designation, and the rules contained within the Specific Plan will be binding on all the parcels within the Specific Plan area.

The Specific Plan divides the Long Beach Boulevard corridor into four districts: transit nodes, corridors, medical district, and open space. A transit node district relates to those areas in proximity to the three Metro Blue Line stations within the Specific Plan boundaries. This district is contemplated for dense mixed-use buildings with vibrant ground floor retail uses. Density is concentrated on Long Beach Boulevard at Anaheim Street, Pacific Coast Highway and Willow Street.

Areas between these transit node districts fall within the corridor district. This district is differentiated from the transit node district by reduced intensity and the possibility of purely residential or purely commercial uses rather than mixed-use development.

The medical district includes the Long Beach Memorial Medical Center campus, as well as surrounding parcels. This district allows for intensive development of a variety of uses consistent with the concept and vision for utilizing the medical center as an anchor and spark for future development along the corridor.

The open space district includes existing open space resources at Veteran's Memorial Park, 14th Street Park and Fellowship Park. The open space district will also include future parklets and green space, as opportunities arise.

In establishing allowable uses within the Specific Plan, the goal is to transform the corridor into an attractive, walkable, mixed-use environment. The proposed mix of land uses is a major change from existing conditions. Uses such as gasoline stations, bus yards and drive-through restaurants will continue only as existing non-conforming establishments, and new locations of these auto-oriented uses will not be permitted. The proposed mix of uses are conducive to pedestrian activity, safety and new residential development. Automobile-oriented uses will continue to exist as non-conforming establishments for some time, and in the long run those uses will be allowed on Anaheim Street, Pacific Coast Highway, and Willow Street, immediately adjacent to the Long Beach Boulevard corridor.

The Specific Plan defines building standards for setbacks and street wall conditions to require buildings to line Long Beach Boulevard, contrasted with larger setbacks along Atlantic Avenue and interior streets. Minimum street wall requirements will help the corridor to establish a consistent rhythm of building mass and appearance over time. The Specific Plan also includes standards for open space, which are less demanding than the Citywide zoning code. This decision reflects the nature of urban, high-intensity development and the future availability of parklet and other amenity space. All projects are required to incrementally improve the public realm and connection to transit, as well as meet high-quality standards for design and materials.

The parking standards in the Specific Plan decrease the minimum parking requirements compared to the Citywide zoning code. The proposed parking standards continue to require more parking than in the Downtown Plan area, and considerably more parking than in similar light-rail adjacent areas elsewhere in California, such as Sacramento and Oakland. In staff's evaluation, the proposed parking standards provide more than sufficient parking to provide for future residents, employees, shoppers and visitors. Parking standards reflect the fact that some households will have one car, others will have two or more, and some will even be car free. Some trips will be made by car but other trips will be made by foot, bicycle, carpooling, rideshare services and public transit.

Implementation of the Specific Plan will occur over time through public and private sector investments. The improvements to the public right-of-way, such as parklets, bike lanes, new shade trees and public art will be pursued through competitive grants and as part of the City's Capital Improvement Program budget. It is hoped that this public investment will create the physical environment for private development to create new residential and retail opportunities in the area. Private development, in the form of new

buildings, will complement this public investment and complete public improvements immediately adjacent to their development.

ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act (CEQA), a Program Environmental Impact Report (Program EIR) (Exhibit C – PEIR 04-15) was prepared. An Initial Study prepared in March 2015 determined that a Program EIR would be the appropriate level of CEQA environmental review pursuant to Section 15168 of the CEQA Guidelines. Although the legally required contents of a Program EIR are the same as for a Project EIR, Program EIRs are more conceptual and may contain a more general discussion of impacts, alternatives, and mitigation measures. Use of a Program EIR allows the City, as Lead Agency under CEQA, the opportunity to consider broad policy alternatives and program-wide mitigation measures. Program EIRs are commonly used for long-range planning policy documents such as Specific Plans.

The Notice of Preparation (NOP) and Initial Study were made available for public comment during a 30-day public review and comment period that started on March 9, 2015 and ended on April 7, 2015. During this NOP comment period, the City received written comments from the South Coast Air Quality Management District (SCAQMD), the Los Angeles County Metropolitan Transportation Authority (Metro), Southern California Edison, the California Department of Transportation (Caltrans), the County Sanitation Districts of Los Angeles County, Southern California Gas, and SCAG. In addition, several written comments were submitted by the public at a scoping meeting held on March 25, 2015, at Veteran's Park. The purpose of this comment period was to allow the public and responsible agencies the opportunity to provide suggestions on the scope of analysis and environmental issues to be addressed in the EIR.

The Notice of Availability and Draft Program EIR were made available for public comment during a 45-day public review and comment period that started on January 13, 2016 and ended on February 26, 2016. During this Draft Program EIR comment period, the City received written comments from Caltrans, Metro, the Long Beach Unified School District (LBUSD), and the County Sanitation Districts of Los Angeles County. Issues raised in these comment letters addressed: potential traffic impacts to the regional transportation system; potential impacts from development occurring within 100 feet of a Metro facility and Transportation Impact Analysis requirements of the State Congestion Management Program statute; project impacts to school facilities; and, minor corrections to average daily wastewater generation and treatment quantities. All issues raised in the Draft Program EIR comment letters have been adequately addressed in the Final Program EIR, which determined that no new significant environmental impacts or issues were raised in the comment letters that would require a recirculation of the Draft Program EIR.

While mitigation measures have been proposed to reduce the level of environmental impacts, the Final Program EIR identified certain impacts that would remain significant, unavoidable, and adverse even after all feasible mitigation measures have been incorporated into the project. These environmental impacts involve short-term construction-related air quality, long-term operational-related air quality, construction-

related air quality impacts to sensitive receptors, inconsistency with the South Coast Air Basin Air Quality Management Plan (AQMP) assumptions on increases in criteria air pollutant emissions, greenhouse gas emissions, and construction related noise impacts. Due to these significant unavoidable adverse impacts, certification of this Program EIR would require approval of a Statement of Overriding Considerations that determines the project economic, legal, social, and/or technological benefits would outweigh the unavoidable adverse environmental impacts and the adverse impacts may be considered acceptable.

The Final Program EIR evaluated four alternatives to the proposed project that could feasibly meet most of the project objectives while avoiding or substantially lessening significant project impacts. The alternatives considered were the No Project/No Development Alternative, No Project/Existing Zoning Alternative, Reduced Intensity/Density Alternative, and Residential Focus Alternative. Based on the analysis provided in the Draft Program EIR, the Residential Focus Alternative was identified as the environmentally superior alternative, with several environmental issues at reduced impact levels compared with the proposed project, including construction and operational related air quality, greenhouse gas emissions, and construction noise. However, the Residential Focus Alternative would not meet two of the proposed project's guiding principles: Guiding Principle No. 3 - Providing a Sustainable Future, and Guiding Principle No. 5 - Working With and For the Community.

Certification of the Program EIR and adoption of the Midtown Specific Plan is recommended in order to refocus investment on Long Beach Boulevard and attract new development to serve commercial and residential stakeholders. Additional Findings to support the Zone Change are also attached (Exhibit D – Zone Change Findings).

In accordance with the noticing requirements of the Long Beach Municipal Code, public hearing notices were published and public hearing posters were posted within the required time frame.

This matter was reviewed by Assistant City Attorney Michael J. Mais on May 10, 2016 and by Budget Management Officer Victoria Bell on May 2, 2016.

TIMING CONSIDERATIONS

The Long Beach Municipal Code requires a hearing on this item by the City Council within 60 days of the Planning Commission hearing, which took place on April 7, 2016.

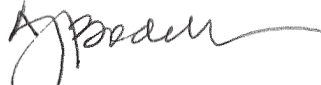
FISCAL IMPACT

The goal of the Midtown Specific Plan is to attract new investment, jobs and housing to the corridor. The exact timing or quantification of these impacts is dependent on future actions by private property owners. Any costs associated with processing future development applications would be offset by permit fees and surcharges.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

AJB:LT:ck

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APPROVED:



PATRICK H. WEST
CITY MANAGER

Attachments: Exhibit A – Planning Commission April 7, 2016 Staff Report
Exhibit B – Existing PD-29
Exhibit C – Draft and Final EIR 04-15 (SCH# 2015031034)
Exhibit D – Zone Change Findings

City Council Resolutions

- 1) Resolution certifying EIR 04-15, making findings of fact, adopting a statement of overriding considerations and approving a Mitigation Monitoring and Reporting Program for the Midtown Specific Plan (State Clearinghouse No. 2015031034)
- 2) Resolution establishing the Midtown Specific Plan, pursuant to Sections 65450-65458 of the California Government Code

City Council Ordinances

- 1) Ordinance amending the Long Beach Municipal Code by amending division VII of Chapter 21.21, Chapter 21.25, Chapter 21.37, PD-22 (Pacific Railway Planned Development), and PD-25 (Atlantic Avenue Planned Development), and by repealing PD-29, all relating to the Midtown Specific Plan
- 2) Ordinance amending the Land Use District Map by amending portions of Part 9, 10, 15, and 16 of said map to reflect the establishment of the Midtown Specific Plan (SP-1)