



Legislation Details (With Text)

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Type: Ordinance **Status:** Adopted
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On agenda: 2/7/2023 **Final action:** 2/7/2023

Title: Recommendation to declare ordinance amending Ordinance No. C-1015 to repeal and remove five-foot-special setback along the west side of Long Beach Boulevard where it fronts the Fire Station No. 9 project at 4101 Long Beach Boulevard, read and adopted as read. (District 5)

Sponsors: Development Services

Indexes:

Code sections:

Attachments: 1. 012423-H-14sr&att, 2. 012423-H-14 Corresp. Booth, 3. 012423-H-14 Corresp. Hansen, 4. 012423-H-14PowerPoint, 5. 012423-H-14 Corresp. John, 6. 012423-H-14 Corresp.pdf, 7. 020723-ORD-24.pdf, 8. ORD-23-0005.pdf

Date	Ver.	Action By	Action	Result
2/7/2023	2	City Council	approve recommendation and adopt	Pass
1/24/2023	1	City Council	declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading	Pass

Recommendation to declare ordinance amending Ordinance No. C-1015 to repeal and remove five-foot-special setback along the west side of Long Beach Boulevard where it fronts the Fire Station No. 9 project at 4101 Long Beach Boulevard, read and adopted as read. (District 5)

On October 6, 2022, the Planning Commission held a duly noticed public hearing on this project, and recommended (5-0, with two commissioners absent) that the City Council take the above-listed actions to approve the project (Attachment A).

The applicant, City of Long Beach (City), proposes clearance of an existing 0.4-acre site and construction of a new two-story (12,780 square foot) Fire Station No. 9 with three drive-through apparatus bays located at 4101 Long Beach Boulevard. The site improvements include concrete paving, site lighting, a trash enclosure, transformer, landscaping, fencing, and gates. Project approvals include zone change, general plan amendment, site plan review, standards variances, lot merger, and the repealing and removing of a special setback fronting the project site. The proposed project would serve as a replacement to the original Fire Station No. 9, which was located at 3917 Long Beach Boulevard, approximately two blocks south of the project site. The former fire station operated until summer 2019 when it was vacated due to the presence of toxic mold in the building and determined uninhabitable by the Long Beach Fire Department (LBFD). Under existing conditions (2022), a temporary Fire Station No. 9 location at 2019 East Wardlow Road would continue to operate under its three-year lease until a new fire station can be constructed within fire service area no. 9 in

order to help meet the LBFD response time goals. The project before the City Council would not result in any approvals or changes to the former Fire Station No. 9 at 3917 Long Beach Boulevard, which remains a separate action that would require separate approval by the Planning Commission and City Council.

Project Site

The 0.4-acre project site is located at the northwest corner of Long Beach Boulevard and East Randolph Place in the Los Cerritos neighborhood (Attachment B). The project site is comprised of three parcels listed under two Assessor's Parcel Numbers (APNs) 7139-015-900 and APN 7139-015-901. An existing 15-foot-wide alley is located at the rear of the site. Local access to the project site is provided by Long Beach Boulevard and East Randolph Place.

The project site is surrounded by single-family residential uses to the west and northwest, a coffee shop and retail stores directly to the north, multi-family residential uses and office uses to the east across Long Beach Boulevard, and office uses to the south across Randolph Place.

The project site is currently developed with an approximately 5,000-square-foot single-story office building and related parking and landscaping (Attachment C). The building is currently occupied by Catalina Adventure Tours and would be demolished as part of the proposed project.

The project site carries two different Zoning and General Plan PlaceType designations. APN 7139-015-900 is zoned Community Commercial Automobile-Oriented (CCA) and has a General Plan PlaceType of Neighborhood Serving Center or Corridor Low Density (NSC-L)/3-Stories. APN 7139-015-901 is zoned Single-Family Residential, Large Lot (R-1-L) and has a General Plan PlaceType of Founding and Contemporary Neighborhood (FCN)/2-Stories.

Project Proposal

The proposed project would merge the existing parcels and rezone them to a consistent Mixed Use (MU-1) zoning designation for the construction of a new Fire Station No. 9. The proposed project also includes a General Plan Amendment to implement a consistent PlaceType (NSC-L) on the entire project site.

The proposed project would construct a 12,780-square-foot, two-story fire station (Attachment D). The overall height of the fire station structure is proposed to be 32-feet-6 inches. The building exterior would incorporate a mixture of rain-screen systems (metallic and phenolic siding) over a masonry base consisting of metal and wood composite siding that would be separated by a metal horizontal band in some locations. The eastern elevation along Long Beach Boulevard would have a screened curtain wall window system at an acute corner of the building that would invite the public into the first level and provide natural light to the office area on the second level. The building's massing would be articulated with vertical corner elements, horizontal wood banding, and the acute corner created by the street configuration. The building's eastern façade would feature an extended roof. The fire station's front door to Long Beach Boulevard would have a red metal screen wall system. All roof-mounted equipment would be shielded by a mechanical screen. The apparatus bays facing East Randolph Place would be outfitted with an automatic four-fold door system. The fenestration would include a mixture of storefront systems and aluminum clad wood windows at the sleeping rooms.

The project would be designed to achieve Leadership in Energy and Environmental Design (LEED) Silver certification and would include solar panels on the roof, low-flow plumbing fixtures, Light-emitting diode lighting, and energy-efficient

heating and cooling systems supported by highly insulated roof and wall assemblies to reduce heating and cooling costs.

A row of existing mature trees along the western boundary of the project site would be protected in place. Any trees that would be removed from the eastern border of the project site would be relocated off site. The balance of the project's landscaping would adhere to the City's landscape design requirements and would include drought-tolerant plants and low-flow irrigation systems.

Vehicular access to a secured firefighter parking area would be provided through the alley on the northern side of the project site. This parking area would also include an exit-only driveway onto Long Beach Boulevard, with a right-turn only restriction. The parking lot would include a total of 11 parking spaces screened with decorative fencing.

Firefighting and emergency medical response vehicles, which are commonly referred to as apparatus, would enter the site via the rear alley and exit the site via a driveway off East Randolph Place. Three new traffic signals will be installed adjacent to the fire station on Long Beach Boulevard and East Randolph Place. The fire station's main public entrance, including an American with Disability Act accessible ramp, would be located on Long Beach Boulevard. A security fence and secured pedestrian gate would be located along the project site's eastern boundary adjacent to the sidewalk. The existing fence wall on the western border of the project site would remain in place.

The building's apparatus bays would be able to accommodate a Type 1 fire engine, a rescue company, and a battalion chief vehicle. The station would have additional storage capacity for a reserve Type 3 engine in the apparatus bay and a fire truck in the rear of the site. The apparatus bays would be sized to allow different combinations of response companies for potential future adaptation.

Off-site improvements would include a new driveway apron from the proposed parking lot to Long Beach Boulevard. The sidewalks along the Long Beach Boulevard and East Randolph Place frontages would be replaced and the existing street trees protected in place or relocated, as necessary. A response driveway would be installed from the fire station to East Randolph Place, with "Keep Clear" zones striped in front of the apparatus bay on East Randolph Place and in the Long Beach Boulevard/East Randolph Place intersection. As noted above, three new traffic signals would be installed at the intersection of East Randolph Place and on Long Beach Boulevard. The new traffic signals would include pedestrian crosswalks and would eliminate any parking within the intersection. The alley on the north side of the project site would be widened by 2-feet-6-inches, toward the proposed fire station and would be reconstructed with underground utilities and new pavement. The widening would be required to allow apparatus to enter the project site via the alley.

Requested Entitlements and Recommended Actions

This project requires approval of the following entitlements. Each entitlement and the Planning Commission's recommendation is outlined below and discussed further in the required Findings (Attachment E).

1. Zone Change: The Applicant requests a Zone Change to MU-1, which is a mixed-use zoning district (Attachment F). The proposed project would merge the parcels and rezone them to a consistent MU-1 zoning designation across the site.

The Zone Change request, as it is consistent with the General Plan, would achieve local planning objectives by allowing a fire station to be restored to fire service area 9 and would provide the significant community benefit of restored response times. Justification for the Zone Change is discussed in detail in the Zone Change findings. The Zone Change must be adopted by Ordinance, which requires City Council approval.

2. General Plan Amendment: The Applicant requests a General Plan Amendment to change the PlaceType for the western portion of the site from FCN to NSC-L (Attachment G), consistent with the existing General Plan designation for the majority of the site. The proposed project would then have a consistent PlaceType of NSC - for the entire site while merging the two parcels.

The General Plan Amendment would ensure consistent development standards across the site in conformance with the Land Use Element (LUE). Justification for the General Plan Amendment is discussed in detail in the findings. The General Plan Amendment must be adopted by Resolution, which requires City Council approval. This particular General Plan Amendment is minor in nature because the 2019 adoption of the LUE did not contemplate the exact consolidation of lots now necessary for this public safety facility.

3. Site Plan Review: Site Plan Review is required for all new construction projects on City land with building floor

area of 500 square feet or greater. The Site Plan Review entitlement considers general design objectives and guidelines and consistency with the General Plan and zoning. City staff supports the Site Plan Review requests, as all of these applicable objectives and requirements are met by the proposed project design. These are discussed in detail in the Site Plan Review findings. Off-site improvements are required in conjunction with this approval and include an alley dedication, traffic signals, and street, sidewalk, and parkway improvements. These and other required improvements are detailed in the Conditions of Approval (Attachment H).

4. Standards Variances: The proposed project requires two standards variances associated with the curb cut for the fire apparatus bay on Randolph Place. The fire station building has otherwise been designed in conformance with the development standards for the MU-1 Zoning District related to the use, setbacks, height, and floor area ratio. The requested standards variances relate to the provision of 1) an oversized curb cut and 2) a curb cut location within 30 feet of the nearest intersection.

The proposed fire station use has unique operational needs necessitated by apparatus and the nature of emergency response not contemplated in the standard maximum curb cut requirements outlined in Section 21.41.251 of the Long Beach Municipal Code (LBMC). Each of the three apparatus bays require independent access to the street and unique turning radii for emergency response. As part of the site design, the Fire Department analyzed multiple access alternatives with the proposed configuration as the only feasible alternative. As such, the nature of the proposed use and the need for independent access from all three apparatus bays warrants a variance from this requirement.

Furthermore, the site configuration is unique, as Long Beach Boulevard angles to the north west in this portion of the city. The pull through configuration is required for apparatus access and therefore, Randolph Place is the only frontage available for exiting onto the public right-of-way. As such, the building placement in accordance with MU-1 setbacks orients the fire station toward the Long Beach Boulevard primary frontage, thus restricting the placement of the driveway along the Randolph Place frontage. To mitigate this condition, the project includes traffic signals that can be controlled by fire personnel upon the fire apparatus leaving the station, therefore, reducing potential conflict with vehicles, pedestrians, and bicyclists at the intersection of Long Beach Boulevard and Randolph Place. While the intent of Section 21.41.251 is to provide spacing between driveways and intersections for safety purposes, the incorporation of traffic signals would ensure the proposed curb cut placement does not represent a safety hazard at this intersection.

The apparatus bays are essential for operation of the fire station. With incorporation of the traffic signals, the required findings can be made to support the proposed curb cut width and location.

Staff supports the Standards Variance requests, as they are limited to the configuration of the curb cut that is integral to the use of the site as a fire station. The LBFD has accessed the site with the proposed fire apparatus and determined that the proposed turning radii is the minimum allowable for the safe and efficient use of the site. The pull through orientation has been determined to be the least intrusive to roadway traffic and noise associated with backing into the apparatus bays. Assuring public safety as well as fairness in the application of zoning rules to unique lots is the purpose of the Standards Variance and its use in this case is appropriate.

5. Lot Merger: The applicant requests approval of a lot merger to combine the three underlying parcels into a single 16,829-square-foot lot (Attachment I). The lot merger will comply with the 3,000-square-foot minimum lot size of the MU-1 Zoning District. This will allow the site to be constructed on a consolidated lot consistent with the setback standards established in the LBMC.
6. Special Setback: In 1930, the City established special setbacks along Long Beach Boulevard by Ordinance separate from the zoning code for the purpose of tailoring yard setbacks to the development pattern of an area as well as widening streets (Attachment J). The special setback Ordinances preceded the Subdivision Map Act, the current Zoning Code and other tools to control the right-of-way that are now used. The special setback requirement accommodated future street widening before more effective mechanisms of street dedication and setbacks by zone came into full practice. As these new tools came into existence and practice, the City did not reevaluate the individual special setback ordinances and provisions of the Zoning Code.

Ordinance C-1015 established a special setback for parcels fronting Long Beach Boulevard (formerly

American Avenue), from Greenleaf Drive to 36th Street (Attachment K). This special setback requires varied special setbacks along both sides of Long Beach Boulevard. At the project site, the special setback is 5-feet, which spans the west side of Long Beach Boulevard from the alley north of the site to Roosevelt Road. The Public Works Department has reviewed the existing right-of-way and determined additional widening is not required in accordance with the Mobility Element. In addition, the special setback is in conflict with the intended setback requirements of the MU-1 Zoning District along the primary frontage. These special setback provisions are no longer necessary or useful, therefore staff recommends that Ordinance C-105 be amended to repeal and remove the special set-back fronting the project site.

Over the long term, the Development Services Department in consultation with the Public Works Department will need to take a more comprehensive review and approach to remove special setbacks and to reconcile conflicting Zoning Code provisions. This more comprehensive work is contemplated to occur in Calendar-Year 2024.

Public Hearing Notice

A notice of public hearing was mailed on January 10, 2023, in accordance with the requirements of Chapter 21.21 of the LBMC. A notice of public hearing was also published in the Long Beach Press-Telegram on January 10, 2023, also in accordance with the requirements of Chapter 21.21. One verbal public comment was received during the Planning Commission hearing on October 6, 2022, and no additional comments have been received since that hearing.

Environmental Review

In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, an Environmental Impact Report (EIR-04-21) was prepared for the Fire Station No. 9 at 4101 Long Beach Boulevard Project (SCH# 2022020416) pursuant to Public Resources Code Section 21100 and 21100.1, and CEQA Guidelines Section 15161 (Attachment L). A Notice of Preparation (NOP) for this EIR was distributed to public agencies and made available for public review and comment for a NOP review period that started on February 18, 2022 and ended on March 29, 2022. The City received five written comments during this NOP review period. On March 9, 2022, a Scoping Meeting was held during this review period to further solicit public comment on the scope and content of the EIR.

The Draft EIR was distributed to public agencies and made available for public review and comment for a 45-day EIR review period that started on July 15, 2022 and ended on August 29, 2022. The City received four written comments on the Draft EIR during this review period. These comments and the City's responses to these comments are provided in the Final EIR. The Final EIR also includes edits and clarifications to the Draft EIR text based on public comments, expert advice, and the Mitigation Monitoring and Reporting Program (MMRP) (Attachment M). Text edits provided in the Final EIR did not substantially alter the Draft EIR environmental analysis or change the conclusions of the Draft EIR regarding potential project environmental impacts. The Final EIR determined that the project, in compliance with all recommended mitigation measures, would not result in any significant adverse environmental impacts.

The project will be subject to the MMRP prepared for the EIR, which establishes mitigation measures that apply to the project (Attachment N). These mitigation measures pertain to air quality, cultural resources, noise, and tribal cultural resources.

The preparation and public availability of this EIR has been carried out in compliance with the provisions of CEQA and the CEQA Guidelines. The Planning Commission recommended that the City Council certify EIR-04-21.

This matter was reviewed by Deputy City Attorney Erin Weesner-McKinley on January 5, 2023 and Revenue Management Officer Geraldine Alejo on December 21, 2022.

The Development Services Department is required to transmit the Planning Commission's recommendation to the City Council within 60 days of positive action by the Planning Commission, per Section 21.25.103 of the Zoning Regulations. The Planning Commission made a positive recommendation on this project's requested actions on October 6, 2022. However, the City Council meeting on January 24, 2023 was the first available date for a public hearing. Timely consideration by the City Council is required to assure the timely construction of public safety improvements necessary to maintain response times and service to the community.

This recommendation provides the necessary City environmental and planning approvals to initiate the proposed Fire Station No. 9 Project, and does not commit the City to expend any funds for the proposed project's construction. Future City Council action will be required to appropriate funds for the construction of the project. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with City Council priorities. There is no fiscal or local job impact associated with this recommendation.

Approve recommendation.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING ORDINANCE NO. C-1015 TO REPEAL AND REMOVE FIVE-FOOT-SPECIAL SETBACK ALONG THE WEST SIDE OF LONG BEACH BOULEVARD WHERE IT FRONTS THE FIRE STATION NO. 9 PROJECT AT 4101 LONG BEACH BOULEVARD

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APPROVED:

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