



Legislation Details (With Text)

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Title: Recommendation to authorize City Manager to accept a developer contribution in the amount of \$475,000 in satisfaction of a condition of approval for the development of 207 East Seaside Way; and

Increase appropriations in the Tidelands Operations Fund (TF 401) in the City Manager Department (CM) by \$475,000. (District 2)

Sponsors: Development Services, City Manager

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Date	Ver.	Action By	Action	Result
8/16/2016	1	City Council	approve recommendation	Pass

Recommendation to authorize City Manager to accept a developer contribution in the amount of \$475,000 in satisfaction of a condition of approval for the development of 207 East Seaside Way; and

Increase appropriations in the Tidelands Operations Fund (TF 401) in the City Manager Department (CM) by \$475,000. (District 2)

City Council approval is requested to accept a developer contribution of \$475,000 towards the construction cost of the Seaside Way Pedestrian Bridge that is currently under construction. This contribution, and an additional \$270,000 worth of enhancements to the public promenade adjacent to the new bridge, satisfies a condition of approval for entitlement of an apartment building at 207 Seaside Way.

Development of properties south of Ocean Boulevard between the Long Beach Freeway and Alamitos Avenue are regulated by Downtown Shoreline Planned Development District (PD-6) zoning, and the Certified Local Coastal Program (LCP). These documents call for an east-west pedestrian path along the southerly border of properties with frontage on Seaside Way between Alamitos Avenue to the east and Chestnut Avenue to the west. This pedestrian path, at an Ocean Boulevard elevation, is intended to provide public access to shoreline resources and amenities and to connect the Downtown and the shoreline via key north-south connections such as The Promenade, Pine Avenue and the Terrace Theatre Plaza. The pedestrian path has been constructed over time as properties along Ocean Boulevard and Seaside Way have developed, and is partially complete between Alamitos Avenue and the Convention and Entertainment Center Plaza.

On May 21, 2015, the Planning Commission approved a Site Plan Review for a new five-story, 113-unit apartment building on a vacant undeveloped site at 207 E. Seaside Way. The project, proposed by Ensemble Investments (Developer), is a five-story building above a two-level, partially subterranean, 144-space parking structure with access from Seaside Way. The project is fully entitled. The project site is located immediately south of the historic Breakers Building (Exhibit A - Vicinity Map) on the block between Locust Avenue on the west, abutting the Salvation Army, and Collins Way on the east, abutting the Convention Center Plaza adjacent to the Long Beach Terrace Theater. During the time the apartment project was in the City's review and entitlement process, the City's Tidelands Capital Improvement Division (TCI) was preparing the preliminary design plans for a pedestrian bridge to connect the Convention Center Plaza with The Promenade South. Based on the concurrent timing of the bridge design and the City's entitlement of the apartment project, the City coordinated with the Developer to ensure that the design of both the bridge and the apartment building would be mutually complementary and that the bridge design would be enhanced by the adjacent public promenade on the apartment site.

As required by PD-6 and the LCP, the Planning Commission's approval of the apartment project included a condition of approval requiring the developer to contribute a proportional share of the cost of a pedestrian bridge adjacent to the project site, and to dedicate a 15-foot-wide public access easement and construct a promenade along the length of the property between Locust Avenue and Collins Way.

On February 16, 2016, the City Council approved a \$9.2-million contract for construction of a 605-foot-long pedestrian bridge running along East Seaside Way connecting the Promenade South to the Convention Center Plaza. Construction of this project is now underway and is being managed by TCI staff. The bridge has been designed to be more than a structure to merely convey pedestrians from one point to another and, instead, will be a gathering place that offers a respite and pause from the daily rhythms of visiting the places and amenities in this area of the City. The development of 207 E. Seaside Way provided a timely opportunity for the City to enhance this segment of the pedestrian path (Exhibit B - Pedestrian Bridge Plans and Renderings).

The pedestrian bridge project was designed under the direction of the TCI Division with funding provided by the Tidelands Operations Fund. The Developer of the 207 E. Seaside Way project is not responsible for constructing the pedestrian bridge improvements, but is contributing \$745,000 to its proportional cost of construction. This contribution includes \$475,000 in cash and \$270,000 in enhancements built into the public promenade on the project site adjacent to the bridge. These enhancements include durable articulated walkway materials and seating and lighting designed to create a unique setting for this segment of the bridge. The calculation of this contribution was limited to the cost of design and construction of the concrete structure and supports, standard guardrails and standard lighting fixtures, without including the cost of additional enhancements selected by TCI, including architectural embellishments, enhanced finishes, custom formwork or any bridge-width greater than 20 feet.

To facilitate the Developer's compliance with the required contribution, the cash contribution of \$475,000 is required to be paid before the issuance of building permits for the project. Further, staff will rely on the established condition of approval for the apartment project approval to ensure that \$270,000 in enhancements are constructed on the public promenade that runs the length of the project site parallel to the pedestrian bridge and are constructed to the satisfaction of the Director of Development Services (Exhibit C - Conditions of Approval, Case No. 1312-04).

This matter was reviewed by Assistant City Attorney Michael J. Mais on July 19, 2016 and by Budget Analysis Officer Rhutu Amin Gharib on August 1, 2016.

City Council action is requested on August 16, 2016, to allow the Developer to meet the conditions of approval for the 207 E. Seaside Way project and proceed with construction.

The proposed action provides \$475,000 for construction of the Seaside Way Pedestrian Bridge. In order to utilize these funds, an appropriation increase in the Tidelands Operations Fund (TF 401) in the City Manager Department (CM) in the amount of \$475,000 is requested.

There is no local job impact associated with this recommendation.

Approve recommendation.

AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

PATRICK H. WEST
CITY MANAGER