



Legislation Details (With Text)

**File #:** 20-0068      **Version:** 1      **Name:** DS - Belmont Pool D3  
**Type:** Resolution      **Status:** Adopted  
**File created:** 12/31/2019      **In control:** City Council  
**On agenda:** 1/21/2020      **Final action:** 1/21/2020

**Title:** Recommendation to receive supporting documentation into the record, conclude the public hearing, and consider the third-party appeals by Jeff Miller (APL19-012), Melinda Cotton (APL19-013), Susan Miller (APL19-014), and James Hines (APL19-015), and uphold the Planning Commission’s recommendation;

Adopt resolution accepting the Environmental Impact Report Addendum (EIRA-03-19) to the previously-certified Belmont Pool Revitalization Project (EIR 01-16/SCH#2013041063);

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 012120-H-20sr&att.pdf, 2. 012120-H-20 Attachment A - Appeals.pdf, 3. 012120-H-20 Attachment B - Response to Appeal.pdf, 4. 012120-H-20 Attachment C - Location Map.pdf, 5. 012120-H-20 Attachment D - Plans Revised.pdf, 6. 012120-H-20 Attachment E - Findings.pdf, 7. 012120-H-20 Attachment F - Conditions of Approval.pdf, 8. 012120-H-20 Attachment G - Public Comments.pdf, 9. 012120-H-20 Attachment H - Belmont Pool EIR 01-16.pdf, 10. 012120-H-20 Attachment I - EIR Addendum 03-19.pdf, 11. 012120-H-20 PowerPoint.pdf, 12. 012120-H-20 Appellant S.Miller PPT.pdf, 13. 012120-H-20 Appellant M.Cotton PPT.pdf, 14. 012120-H-20 Correspondence DV.pdf, 15. 012120-H-20 Correspondence.pdf, 16. RES-20-0013.pdf

Date	Ver.	Action By	Action	Result
1/21/2020	1	City Council	approve recommendation and adopt	Pass

Recommendation to receive supporting documentation into the record, conclude the public hearing, and consider the third-party appeals by Jeff Miller (APL19-012), Melinda Cotton (APL19-013), Susan Miller (APL19-014), and James Hines (APL19-015), and uphold the Planning Commission’s recommendation;

Adopt resolution accepting the Environmental Impact Report Addendum (EIRA-03-19) to the previously-certified Belmont Pool Revitalization Project (EIR 01-16/SCH#2013041063);

At its December 19, 2019 meeting, the Planning Commission held a duly-noticed public hearing on this item and forwarded it to the City Council with a recommendation that City Council approve all requested actions. The Planning Commission’s recommendation to the City Council was appealed by Jeff Miller (APL19-012), Melinda Cotton (APL19-013), and Susan Miller (APL19-014) on December 27, 2019, and by James Hines (APL19-015) on December 30, 2019 (Attachment A). Per Section 21.21.501.C of the Long Beach Municipal Code (LBMC), actions taken by the Planning Commission that are recommendations to the City Council are not subject to appeal. However, this code section has not been accepted into the Certified Local Coastal Program by the California Coastal Commission as of the date of this report and therefore does not apply within the Coastal Zone.

The appellants' statements, and staff's responses to the appeals, are attached to this report, and demonstrate that the project would not result in an adverse effect on the environment, and that the project is consistent with all required findings (Attachment B).

The project is located at the site of the former Belmont Plaza Olympic pool, a City facility that opened in 1968 and closed in 2013. Located at 4200 East Ocean Boulevard, the project site is composed of 5.8 acres of City-owned land between Termino Avenue to the west, and the beach parking lot to the east; the beach bike path to the south, and a small block of commercial buildings on the south side of Ocean Boulevard to the north. The site includes the entire Olympic Plaza right-of-way up to the south property line of the commercial properties fronting on Ocean Boulevard. The site also contains the existing pool that replaced the former Belmont Pool (Attachment C).

## **Project History and Entitlements**

On March 2, 2017, the Planning Commission held a public hearing on Application No. 1405-01 for the construction of a new Belmont Beach and Aquatics Center (BBAC). This design featured a large indoor natatorium for the main pool, with several outdoor pools and accompanying features. The Planning Commission recommended that the City Council approve the entitlements for this project. The Planning Commission recommendation was appealed to the City Council. On May 16, 2017, the City Council denied the appeals, approving the project's local entitlements. Several parties appealed the City Council's approvals to the California Coastal Commission (CCC). On August 9, 2018, the required Coastal Development Permit application was submitted to the CCC, and a Notice of Incomplete Application was issued by the CCC on September 7, 2018. The Department of Public Works, which functions as the project manager for the City, has revised the design to address the CCC's concerns.

The modified design presented at the Planning Commission meeting on December 19, 2019 responds to the requirements of the CCC and stakeholder input and desires, while also reducing scope and associated costs. Additionally, the CCC has changed procedural requirements for the project's Coastal Development Permit and Local Coastal Program Amendment. The redesigned BBAC project was considered by the Planning Commission on December 19, 2019, and requires City Council approval. The project will then be resubmitted to the CCC for consideration of a Coastal Development Permit and a Local Coastal Program Amendment.

## **Project Design**

The revised BBAC project consists of a raised outdoor plinth containing an Olympic-sized main pool, a diving well, a teaching pool, a spa, a recreational pool, and a spray garden (Attachment D). A 1,555 seat bleacher structure will face the main pool and will be covered by a shade awning reaching up to 50 feet above grade, with architectural and support elements rising to 60 feet, which is the same height as the former pool building. The outdoor aquatic

resources will be served by approximately 15,500 square feet of support buildings, including locker rooms, staff rooms, changing rooms, a pool/guard office, department offices, and building maintenance spaces. The existing temporary pool, on the eastern portion of the site, will be incorporated as a permanent feature of the BBAC project and will be served by approximately 2,000 square feet of support building space. The project site also contains approximately 400 square feet of outbuildings for beach access, restrooms, and a trash enclosure area for the complex. Access to the facility on the raised plinth will be through a main entrance off of Olympic Plaza, with a six-foot-tall transparent windscreen surrounding the perimeter of the plinth. Parking for the redesigned facility will be provided by the two existing pay lots adjacent to the site, the Pier parking lot and the Granada Beach parking lot. These lots contain a total of approximately 1,050 parking stalls. The Ocean Boulevard entrance to the Granada Beach parking lot will be reconfigured to provide a safe and suitably-sized primary drop-off and loading area for automobiles and buses.

## Review of Revised Design

The major changes from the previous design of the project approved by the City Council on May 16, 2017 are summarized below:

- **Creation of an Outdoor Facility:** The project has been changed from an indoor natatorium to a fully outdoor facility.
- **Existing Pool to Remain:** Public Works has determined that maintaining the existing temporary pool in its current location, and adding permanent restrooms, showers, and check-in areas, will best serve the needs of the City, the community, and the aquatics stakeholders.
- **Concessions:** The previously-proposed stand-alone beach café has been removed and replaced by a small concession area within the pool complex, near the recreational pool and family open space.
- **Dive Well:** The diving well has been reconfigured to meet Olympic specifications.
- **Increased Open Space:** The modified design provides approximately 141,000 square feet of open space, of which approximately 92,000 square feet is green space. This is a significant increase in green space from the previous facility, which had approximately 136,000 square feet of open space, of which approximately 47,000 square feet was green space.
- **Increased Spectator Seating:** The modified design increases permanent spectator seating from 1,250 to 1,555.
- **25-meter vs 25-yard pool:** In 2014, it was determined that one 25-meter wide pool and one 25-yard wide pool would be provided. However, the Public Works project management team has studied widening the 25-yard wide pool to 25 meters, in response to stakeholder requests. The Environmental Impact Report (EIR) Addendum has analyzed the potential impacts of the larger 25-meter-wide pool, which may provide added flexibility for programming.
- **Support Building:** The support building, including the lockers and shower areas, has been reduced and is now a single level.

These changes have been made in response to public input, City Council direction, and

requests from CCC staff. In addition, to reduce potential traffic-related impacts, events with more than 450 spectators would be required to provide a Traffic Management Plan to the City Traffic Engineer, which would include active traffic management strategies such as offsite parking procurement and shuttle services. The project site is also served by Long Beach Transit and the Class I off-street bicycle path that spans from the Los Angeles River on the City's western end to 54<sup>th</sup> Place on the Alamitos Bay Peninsula. The project incorporates new bicycle parking north of the pool facility entrance and adjacent to the cafe building.

To address concerns regarding sound from the public address system and spectators, conditions of approval have been incorporated to ensure the City's daytime exterior noise level standards are not exceeded. Since the project is not expected to be used after 10:00 p.m., no nighttime operational noise would occur, in compliance with the City's noise ordinance (LBMC Chapter 8.80).

## Response to City Council and CCC Concerns

Upon approval on May 16, 2017, City Council directed the Public Works Department, which is managing the project, to address specific community and CCC concerns. The following is a summary of the efforts made to address the various concerns:

- **Increased Recreational Components:** To ensure that this is not exclusively a competitive facility, the modified design incorporates water features specific for play including a vortex pool, a zip line, cascading waterfalls, splash pads, fountains, and an open family gathering space.
- **Increased Connection to Disadvantaged Communities:** To ensure that this is a facility enjoyed by the entire Long Beach community, Public Works staff coordinated a City department task force comprised of representatives from various departments, including, Parks, Recreation and Marine, Long Beach Transit, and Health and Human Services, to identify enhanced programs and amenities that will increase and maximize Citywide and underserved areas' access to the facility. The Coastal Development Permit (CDP) application details the current pool usage, the expanded capacity, identification of the underserved areas, after school and weekend programs, summer swim programs, family fun activities, partnership programs, 50 and over programs, water exercise programs, aquatics day camp, along with several transportation options. These measures ensure that programming, marketing, and access is provided for the entire community.
- **Sea Level Rise:** Sea level rise has been reassessed through models using the most recent sea level rise projections, and all project structures have been relocated northward out of the predicted sea level rise-impacted zones.
- **Height:** Concerns related to height have been addressed by removing the high-roof enclosed building from the project design, which significantly reduces the overall height of the facility. While the previously-approved height variance was factually supported and consistent with the Local Coastal Plan (LCP), CCC staff expressed concerns with the use of a variance for the redesigned project. Therefore, the LCP is being amended to include new zoning and development standards for the facility's building envelope and parameters instead.
- **Parking:** An analysis of available parking was conducted to determine if the proposed

parking is adequate to serve the facility and the community. The parking requirements for the modified project is 614 spaces. The required parking for the prior demolished pool, using the same criteria, would have been 834 spaces. Accordingly, the proposed project requires 220 fewer spaces. At the closure of the previous facility, there were 1,116 spaces available in City parking lots and on adjacent right-of-way. Since the closure of the previous facility, the temporary pool was constructed, the Ocean Boulevard complete streets project was implemented, and the Granada/Belmont parking lot was resurfaced. These efforts, in conjunction with the modified project, will add a net 36 parking spaces to the area, for a total of 1,152 spaces.

## Entitlements and Recommendation

The redesigned BBAC requires six entitlements at the local level, in addition to the EIR Addendum required for the project's California Environmental Quality Act (CEQA) compliance. These entitlements are discussed individually below:

- **General Plan Amendment:** By amending PD-2, which is an implementing ordinance of the Local Coastal Program, the City is amending the LCP Element of the General Plan, beginning at page III-c-1 of the LCP, where PD-2 is recited verbatim. This General Plan Amendment is listed first for statutory reasons. The General Plan Amendment is appropriate for the project and the neighborhood, and is in conformance with the General Plan and the certified Local Coastal Program.
- **Zoning Code Amendment:** The Belmont Pier Planned Development District (PD-2) will be amended to create a new subarea (Subarea 5) encompassing the entire project site, which is currently split-zoned between PD-2 and the P (Park) zoning district. Additionally, the project has unique zoning and development standards needs, which are not accommodated by either the existing PD-2 or the P zoning district. Accordingly, the development standards of PD-2 are being amended to accommodate this unique public facilities project. These include project-specific setbacks, a height limit of 60 feet to match the previous facility, and a revision to parking standards to allow the needed parking to be provided in public parking lots and the right-of-way. The Zoning Code Amendment will not adversely affect the character, livability, or appropriate development of the surrounding area, and the proposed change is consistent with the goals, objectives and provisions of the General Plan.
- **Zone Change:** A Zone Change is necessary to apply the above Zoning Code Amendment to the zoning map, since the area of PD-2 will be expanded and will replace the P (Park) zoning on a portion of the project site. The Zone Change will not adversely affect the character, livability, or appropriate development of the surrounding area, and the proposed change is consistent with the goals, objectives and provisions of the General Plan.
- **Local Coastal Program Amendment:** Amending PD-2, which is an implementing ordinance of the certified Local Coastal Program, necessitates an LCP Amendment. The project furthers the goals of the LCP and the Coastal Act. The project will not be able to move forward until the California Coastal Commission approves the LCP Amendment, which will be pursued with the CCC following City Council approval of the project's other entitlements. CCC staff has agreed to consider the pending project approval and the proposed LCP Amendment together at a future hearing date.

· **Modification to Site Plan Review:** Modification to Site Plan Review is the main entitlement for the physical development of the BBAC project, consisting of review and approval of the site plan, programming, building design and architecture, and compliance with the General Plan and zoning standards. This entitlement modifies the Site Plan Review approved under Application No. 1405-01. The design is harmonious, consistent, and complete within itself and compatible in design, character and scale, with neighboring structures and the community in which it is located.

· **Local Coastal Development Permit:** For the portion of the project area that is within the City's Appealable Area Coastal Zone jurisdiction, a Local Coastal Development Permit is required to find that all entitlements and the proposed development conforms to the certified LCP, and that the proposed development conforms to the public access and recreation policies of Chapter 3 of the Coastal Act. For the portion of the project that is in the CCC's original permit jurisdiction, a CDP from the CCC will be required following City approval.

The Planning Commission and Planning staff have recommended that the City Council approve all of the above entitlements, subject to conditions of approval. The analyses and conditions of approval are presented in further detail in the findings for the project entitlements (Attachment E and Attachment F).

This matter was reviewed by Assistant City Attorney Michael J. Mais on January 6, 2020 and by Budget Management Officer Rhutu Amin Gharib on December 30, 2019.

## **Public Hearing Notice**

A total of 1,844 notices of public hearing were distributed on Tuesday, January 7, 2020, in accordance with the requirements of Chapter 21.21 of the LBMC. Public comments were received for this project's Planning Commission hearing (Attachment G). Additionally, any comments received following the preparation and publication of this report and its notice of public hearing will be forwarded to the City Council as they are received.

## **ENVIRONMENTAL REVIEW**

In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, an Environmental Impact Report (the Belmont Pool Revitalization Project EIR (BPRP EIR), EIR 01-16, State Clearinghouse No. 2013041063) was prepared and certified for the prior version of the project (Attachment H). An EIR Addendum (Attachment I) was prepared for the redesign of the BBAC project. The purpose of the EIR Addendum is to evaluate the potential differences in environmental impacts due to changes in the project and determine whether any new or greater impacts would occur (CEQA Guidelines Sections 15162 and 15164). While the redesigned project contains a larger site area than previously analyzed, there are no new or increased environmental impacts from those analyzed in the previously-certified EIR. The revised project remains subject to the original Mitigation Monitoring and Reporting Program (MMRP) from the BPRP EIR, which established 18 mitigation measures pertaining to Aesthetics, Biology, Cultural Resources, Geology and Soils, Hazards and Hazardous Resources, Hydrology and Water Quality, Noise, and Transportation

and Traffic.

Per Section 21.21.504 of the LBMC, a public hearing on an appeal to the City Council should be held within 60 days of the receipt by the City Clerk from the Department of Development Services of the appeal filed with the Department. The appeals were received on December 27, 2019 and December 30, 2019. Additionally, Section 21.25.103 of the LBMC requires that, for Zone Changes and Zoning Code Amendments, within 60 days following positive Planning Commission action, the Commission's recommendation should be transmitted by the Department of Development Services to the City Clerk for presentation to the City Council. The Planning Commission acted on December 19, 2019; accordingly, these items must be presented to the City Council no later than February 17, 2020.

This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. While this recommendation provides the necessary City environmental and planning approvals to construct the proposed project, the recommendation does not commit the City to expend any funds for the proposed project's construction. As a result, this recommendation does not have a fiscal or local job impact.

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APPROVED:

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