



Legislation Details (With Text)

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<b>File created:</b>	4/28/2017	<b>In control:</b>		<b>In control:</b>	City Council
<b>On agenda:</b>	5/16/2017	<b>Final action:</b>		<b>Final action:</b>	5/16/2017

**Title:** Recommendation to receive supporting documentation into the record, conclude the public hearing; consider appeals from Jeff Miller and Melinda Cotton, Joe Weinstein, Ann Cantrell and Citizens Advocating for Responsible Planning (CARP), the Long Beach Area Peace Network and Anna Christensen, and Gordana Kajer; and

Uphold the Planning Commission's decision to adopt resolution certifying Environmental Impact Report 01-16 (State Clearinghouse No. 2013041063), approve a Mitigation Monitoring and Reporting Program, and approve Site Plan Review, Conditional Use Permit, Standards Variance, and Local Coastal Development Permit entitlements for the construction and operation of the Belmont Beach and Aquatic Center, an indoor/outdoor pool facility with an adjacent passive park, cafe, and restroom buildings (Application No. 1405-01) at 4000 East Olympic Plaza. (District 3)

**Sponsors:** Development Services

**Indexes:**

**Code sections:**

**Attachments:** 1. 051617-H-2sr&att.pdf, 2. 051617-H-2 Corresp.Coastal Commission.pdf, 3. 051617-H-2 PowerPoint.pdf, 4. 051617-H-2 Corresp (CD2).pdf, 5. 051617-H-2 Coastal Response.pdf, 6. 051617-H-2 Corresp.pdf, 7. 051617-H-2 Corresp.Lejins.pdf, 8. 051617-H-2 Corresp.Jeff Miller.pdf, 9. 051617-H-2 Corresp.Jorgensen.pdf, 10. RES-17-0051.pdf, 11. 051617-H-2 Public Handout\_Belmont Beach and Aquatics Center Petition Sheets.pdf, 12. 051617-H-2 Public Handout\_Belmont Beach and Aquatic Center Appeal Letter.pdf, 13. 051617-H-2 Public Handout\_Chatten-Brown&Carstens.pdf, 14. 051617-H-2 Public Handout\_Kajer.pdf, 15. 051617-H-2 Public Handout\_Susan.Miller.pdf, 16. 051617-H-2 Public Handout-Kajer PowerPoint.pdf, 17. 051617-H-2 Public Handout\_Weinstein.pdf

Date	Ver.	Action By	Action	Result
5/16/2017	1	City Council	approve recommendation and adopt	Pass

Recommendation to receive supporting documentation into the record, conclude the public hearing; consider appeals from Jeff Miller and Melinda Cotton, Joe Weinstein, Ann Cantrell and Citizens Advocating for Responsible Planning (CARP), the Long Beach Area Peace Network and Anna Christensen, and Gordana Kajer; and

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On March 2, 2017, the Planning Commission held a public hearing and voted unanimously to adopt a Resolution, together with findings and a Mitigation Monitoring and Reporting

Program, certifying Environmental Impact Report (EIR) 01-16 (State Clearinghouse No. 2013041063), and approve Site Plan Review, Conditional Use Permit, Standards Variance, and Local Coastal Development Permit entitlements for the Belmont Beach and Aquatic Center (Project), an indoor/outdoor pool facility with an adjacent passive park, cafe, and restroom buildings (Application No. 1405-01) at 4000 E. Olympic Plaza. The Project will function as a citywide asset, one that provides healthy, recreational services to all segments of the Long Beach community in addition to its function as a venue for aquatic competition.

During the ten-day local appeal period that followed the Planning Commission hearing, four qualifying third-party appeals were filed. The appellants - Jeff Miller and Melinda Cotton, Joe Weinstein, Ann Cantrell and CARP, the Long Beach Area Peace Network and Anna Christensen, and Gordana Kajer - cited reasons for their appeals including improper public noticing, Project inconsistency with the certified Local Coastal Program, and inadequate Project analysis in the EIR (Exhibit A - Applications for Appeal). The Project description, analysis of the Project's consistency with the City's General Plan, Zoning Ordinance, and Local Coastal Program, and description of the Project's environmental review process, as well as required findings, provide the details to support the Planning Commission's approval of the Project.

## Project Description

In November 1961, the City Council voted to place an item on the February 1962 municipal election for the use of Tidelands funds for the construction of the "Belmont Plaza Beach Center" (herein Belmont Plaza Pool). Proposition 7 was approved by voters in February 1962. The City Council ratified the election results in March 1962, paving the way for site acquisition (including the use of eminent domain), construction of the Belmont Plaza Pool, and use of the site for public purposes. The Belmont Plaza Pool opened in 1968.

The Project functions as the replacement facility for the Belmont Plaza Pool, which consisted of a 60-foot-tall natatorium housing a 14,010-square-foot pool for swimming and diving, a 5,665-square-foot restaurant and banquet hall, and ancillary locker room and office areas. The grounds of the former facility also included two outdoor pools and 45,160 square feet of passive parkland. The natatorium was closed to the public in January 2013, after studies found major seismic and structural deficiencies that were deemed an imminent threat to public safety. For purposes of providing aquatic services until a replacement facility could be built, a temporary outdoor pool was constructed in the beach parking lot adjacent to the facility in December 2013. In February 2015, the Belmont Plaza Pool natatorium was demolished. The area of the former pool has been temporarily backfilled, compacted, and at the request of the California Coastal Commission, covered with a minimal sand "blanket" to temporarily blend with the adjacent beach. The two outdoor pools and the passive park are still currently open to the public. As part of the Project, the two original outdoor pools and the temporary outdoor pool would be demolished. Their removal would be phased so that there is continual access to pools for swim programming until the new facility is constructed and operational. Upon demolition, the area of the temporary outdoor pool would be resurfaced, restriped, and reincorporated into the beach parking lot for additional parking for the new

facility.

The Project involves the construction of a 125,500-square-foot pool complex consisting of indoor and outdoor aquatic facilities, 55,745 square feet of passive park and landscape area, freestanding cafe, and restroom buildings on a 5.8-acre Project site that is split-zoned between the Belmont Pier Planned Development District (PD-2) and the Park (P) zoning district (Exhibit B - Location Map). The PD-2 zoning encompasses the northern portion of the site, which abuts Olympic Plaza and the Belmont Veteran's Memorial Pier parking lot, and the P zoning encompasses the southern portion of the site, which abuts the beach. The active recreational nature of the Project is consistent with uses permitted in each zoning district. The site is split similarly between two General Plan Land Use Districts. The northern portion of the site is designated as Mixed-Uses (Land Use Designation No.7), and the southern portion of the site is designated as Open Space and Parks (Land Use Designation No. 11). Both Land Use Districts identify public recreation uses and facilities as intended uses. Also, the proposed PlaceType for the site in the proposed updated Land Use Element is "Waterfront," which would allow for recreational uses like the Project.

The Project would consist of three main areas: the pool facility, a landscaped passive park area, and outdoor cafe and public restroom buildings (Exhibit C - Project Plans). The pool facility, the primary component of the Project, would cover the majority of the site. The passive park area is primarily located on the western and northern portions of the site, between the pool facility and the Pier Parking Lot (west) and the pool facility and Ocean Boulevard commercial uses (north); passive open space is also located near the proposed cafe and restroom buildings located east of the pool facility, adjacent to the beach and the beach parking lot.

The most prominent feature of the Project is the natatorium, which stands 71 feet above a 7-foot plinth, a feature necessary for anticipated sea level rise and wave uprush scenarios. As such, the total height of the natatorium above the existing grade would be 78 feet at its apex. The natatorium contains 18,610 square feet of pool surface area spread over five pools, and bleacher seating for up to 1,250 spectators. The structure is comprised of a web of structural steel, infilled with ethylene tetrafluoroethylene (ETFE) plastic, creating a curved shell over the indoor pool and spectator seating areas. ETFE is a low-maintenance, largely self-cleansing plastic with properties similar to Teflon. Deposits of sand, dirt, dust, and bird droppings would remain unattached to the plastic's low-friction surface and be removed naturally through rain and wind processes. The use of ETFE as a roofing material would allow diffused sunlight to enter the facility, reducing energy costs. The roof structure would not form a complete bubble; its eastern end would be cut off, forming a facade and marking the separation of indoor and outdoor pool areas. The outdoor pool area is open to the sky and surrounded by a transparent plexiglass barrier ranging in height from 8 to 15 feet for access control, sound attenuation, and aesthetics. The outdoor pool component consists of two separate pools with a combined water surface area of approximately 17,840 square feet. Though no permanent spectator seating is provided for the outdoor pools, the outdoor pool area has been designed to accommodate temporary seating for up to 3,000 spectators.

The proposed natatorium would exceed the 25- and 30-foot height restrictions of the PD- 2 and Park zones, respectively. The former Belmont Pool facility was also in excess of these height restrictions. The structure's domed nature results in only a single point of maximum height; the majority of the remaining portions of the structure are lower in height than the former facility. The curved elliptical shape of the proposed natatorium, in conjunction with the high degree of transparency provided by its ETFE roofing material, features a reduced sense of scale and mass when compared to the former pool facility. Additionally, the curvature of the roof allows for the elimination of building corners, resulting in increased views of the coastline from vantage points north of the site when compared to those offered by the former facility. The natatorium's innovative architectural design brings value to the site, addresses community concerns over access to viewsheds, and contributes to the development character of the City's coastal environment.

Passive park and open space areas surround the pool facility on its north, west, and east sides. These areas include approximately 127,085 square feet of open space, approximately 55,745 square feet of which would be landscaped. The design of the open space and landscape areas creates a unique public space that's universally accessible with defined paths of travel and capable of accommodating the large crowds anticipated during aquatic events. Proposed landscaping contains a mixture of native and non-native drought-tolerant species that have been selected for their climate resiliency and contribution to the overall project aesthetic.

The freestanding cafe and restroom buildings measure 1,500 square feet and 600 square feet, respectively. The cafe building, located east of the pool facility and south of the beach parking lot in the area of the site zoned P, will be leased by the City to a private operator and offer food and beverages to pool facility visitors, beachgoers, and users of the bicycle and pedestrian paths. The cafe use requires a Conditional Use Permit in the P zone. Its visitor-serving nature and site location complement the adjacent pool facility and will contribute to the overall success of the Project. The restroom facility is located at the southern end of the beach parking lot, immediately north of the cafe. Use of the restroom facility would be offered to the general public.

Parking for the Project is provided in the two existing pay lots adjacent to the site. The Pier Parking Lot, located west of the site and accessed from Termino Avenue, and the Beach Parking Lot, located east of the site and accessed from Bennett Avenue, contain a combined total of approximately 1,050 parking stalls. The Ocean Boulevard entrance to the Beach Parking Lot would be reconfigured to provide a safe and suitably-sized dropoff and loading area for automobiles and buses. To mitigate potential traffic-related impacts, events with more than 450 spectators will be required to provide an Event Traffic Management Plan, which would include active traffic management strategies such as offsite parking procurement and shuttle services to these locations. The 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 54th Place on the Alamitos Bay Peninsula. The Project includes new bicycle parking locations north of the pool facility entrance and adjacent to the cafe building to encourage various modes of travel to the facility.

## Local Coastal Program Consistency

The Project site is located entirely within the Coastal Zone. The northern portion of the Project site is located in the City permit jurisdiction (appealable to the Coastal Commission) and the southern portion of the site is located in the Coastal Commission permit jurisdiction. Development at the project site requires compliance with the California Coastal Act (Coastal Act) and the City's Local Coastal Program.

Chapter 3 of the Coastal Act, Coastal Resources Planning and Management Policies, contains the standards used by the California Coastal Commission in the review of Coastal Development Permits. The Project is consistent with Chapter 3 Coastal Act policies. The oceanfront Project site is suitable for a public recreation facility, as evidenced by the 45-year lifespan of the former pool facility that occupied the site. The new facility represents a larger, more modern incarnation of the use that would remain open to the public and offer aquatic programming that would serve the same populations, in larger numbers, as the former facility. The Project nearly doubles the former facility's pool surface area, which will allow recreational and competitive aquatic activities to occur simultaneously and eliminate the need to close the facility for public use, as transpired during the 90+ competitive events per year hosted by the former facility. The facility will be fully compliant with current ADA accessibility requirements, thereby increasing public access and improving public safety, and existing public access to the coastline will be maintained and enhanced through incorporation of on-site landscaped walking paths and circulation areas north, east, and west of the facility. Linkages to the beach bicycle and pedestrian paths located south of the site will be provided from the aforementioned walking paths and circulation areas. Furthermore, the increased spectator seating potential of the new facility, and the nature of competitive events it will host, will elevate the facility to a regional public amenity, thereby increasing the potential for new visitors to our coastal areas. Local access to the site will be improved through the provision of on-site bicycle amenities and hardscape improvements that would better connect the site to existing rights-of-way.

The Local Coastal Program contains policies that generally mirror those of the California Coastal Act and specific policies for various planning areas of the City's coastal zone. The Project site is located within Area C - Belmont Heights Neighborhoods of the Local Coastal Program, an area containing a mixture of residential housing types, a node of commercial uses south of Ocean Boulevard at Livingston Drive, and the Belmont Pier, Belmont Pool, and Colorado Lagoon recreation areas. The Project furthers Local Coastal Program policies that call for enhancement of coastal zone public recreation and public access, and an increase in public use of coastal resources. Project compliance with Area C-specific policies will also be achieved. These policies include retention of existing Termino Avenue and Bennett Avenue view corridors (achieved, and enhanced from the former box-shaped facility, with the facility's bubble shape and use of transparent building material) and the closure of Olympic Plaza at the north-end of the site (the area would be converted into a landscaped pedestrian circulation and emergency fire access path).

Construction of the pool facility will feature a deep pile foundation. The deep, below grade piles will support a system of beams and vertical structures that in turn support the pool, walls, floors, and roof structure. In the event of a wave uprush scenario, the deep piles will not be exposed to wave activity. Exposed elements of the foundation, namely the vertical walls of the facility, will act as a barrier to water flow, including wave action, should waves reach the structure. The south face of the pool facility will be designed to be impermeable, resulting in deflection and/or reflection of waves in the event of a wave uprush scenario. Overland water flows around the facility will be directed primarily to the adjacent Pier Parking Lot and Beach Parking Lot. A Sea Level Rise erosion analysis performed for the Project found that in a wave uprush scenario the facility will not exacerbate erosion in adjacent beach areas until the berm fronting the facility is completely eroded away, something the study does not foresee occurring even in the most conservative sea level rise and breakwater modification scenarios studied.

On June 17, 2014, the City Council conducted a Study Session on the Project programmatic requirements and conceptual plans. Pursuant to City Council direction, a Stakeholder Advisory Committee (Committee) was formed that included representatives for local residents, business interests, aquatics community, competitive pool users, recreational pool users, and the general public. This Committee conducted three workshops in July and August 2014, to prioritize optional project components through collaborative discussions. Based on this Committee's recommendations, a public conceptual design meeting was held on September 17, 2014, at Rogers Middle School. At a public meeting held on October 21, 2014, the City Council unanimously approved the recommended programmatic requirements recommended primarily by this Committee. Based on input from the City Council, the Committee, the general public, and the California Coastal Commission, the major common issues of concern included: (1) loss of park space; (2) wildlife; (3) parking; (4) noise; (5) aesthetics; (6) geologic stability; (7) design features; and (8) cost.

## Environmental Review

In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the Belmont Pool Revitalization Project EIR was prepared for the Project. (Exhibit D - Final EIR 01-16, State Clearinghouse No. 2013041063). The EIR analyzes the potential environmental impacts of the Project, discusses alternatives, and proposes mitigation measures for identified potentially significant impacts that would minimize, offset, or otherwise reduce or avoid those environmental impacts.

The EIR addresses all areas of concern raised in the Initial Study/Notice of Preparation (IS/NOP) comment period, examines project-related and cumulative environmental impacts, identifies significant adverse environmental impacts, and proposes mitigation measures designed to reduce or eliminate potentially significant Project impacts. The Draft EIR and Notice of Availability (NOA) were released for a public comment period that started on April 13, 2016, and ended on June 16, 2016. During this public comment period, three Study Sessions were held on the Draft EIR: (1) Planning Commission Study Session on May 5, 2016; (2) Marine Advisory Committee Study Session on May 12, 2016; and (3) City Council

Study Session on June 14, 2016. The Draft EIR determined that after inclusion of all recommended mitigation measures, the Project would not result in any significant adverse environmental impacts.

The City received a total of 60 comments during, or immediately after, the Draft EIR public comment period: four from State and local agencies (California Department of Transportation, California Coastal Commission, State Clearinghouse, and the County Sanitation Districts of Los Angeles County) and 56 from interested individuals. Among the concerns raised in these comments were three issues that were frequently addressed: the quantity of permanent indoor seating; the possibility of including outdoor diving facilities proposed in Alternative 3; and the necessity of requiring an Event Traffic Management Plan as a mitigation measure for special events.

The comments received on the Draft EIR did not constitute significant new information, identify any new potentially significant environmental issues not analyzed in the EIR, substantially increase the severity of impacts analyzed in the EIR, identify feasible Project alternatives or mitigation measures not addressed in the EIR, or show that the EIR was fundamentally inadequate and conclusory in nature. The Final EIR provides changes in the Draft EIR to clarify, correct or add to the environmental impact analysis. The public comments and changes in the Draft EIR did not constitute significant new information that would alter the impact analysis determinations or require recirculation of the EIR. The preparation and public availability of this EIR has been performed in compliance with the provisions of CEQA and the CEQA Guidelines.

## Summary

Based on the Project details, the consistency with the City's General Plan, Zoning Ordinance, and Local Coastal Program, and the analysis in the Project EIR, staff is able to make positive findings for the requested entitlements (Exhibit E - Staff Report and Findings). Conditions of Approval have been included to ensure that the objectives of consistent, high-quality design for this Project will be met, and that pool operations function without community detriment (Exhibit F - Conditions of Approval).

In accordance with the requirements of Chapter 21.21 of the Long Beach Municipal Code, public hearing notices for the City Council appeal hearing were mailed to property owners and occupants within a 1,000-foot radius of the Project site, posted at the Project site and distributed to neighborhood groups on May 2, 2017. Additionally, notices were emailed to any interested parties that have provided their email contact information during this planning process.

This matter was reviewed by Assistant City Attorney Michael J. Mais on April 28, 2017 and by Assistant Finance Director Lea Eriksen on April 27, 2017.

City Council action is requested on May 16, 2017. Section 21.25.103 of the Zoning Regulations requires presentation of this request to the City Council within 60 days of the

appeal filings, which were received between March 8 and March 10. All appellants have consented to a May 16, 2017 City Council hearing date.

There is no direct fiscal or local job impact associated with this recommendation. The recommendation is not whether to construct the Project, but whether to approve Project entitlements and certify the EIR. A decision on Project construction and whether to proceed would return to the City Council at a later date.

Approve recommendation.

[Enter Body Here]

AMY J. BODEK, AICP  
DIRECTOR OF DEVELOPMENT SERVICES

APPROVED:

PATRICK H. WEST  
CITY MANAGER