



## Legislation Details (With Text)

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<b>Type:</b>	Ordinance	<b>Status:</b>		<b>Status:</b>	Adopted
<b>File created:</b>	1/25/2021	<b>In control:</b>		<b>In control:</b>	City Council
<b>On agenda:</b>	2/2/2021	<b>Final action:</b>		<b>Final action:</b>	2/9/2021
<b>Title:</b>	Recommendation to declare ordinance amending the Use District Map of the City of Long Beach as said Map has been established and amended by amending portions of Part 9 of said Map from CCA (Community Commercial Automobile-Oriented), CHW (Regional Highway Commercial) and Two-Family Residential (R-2-N) to Midtown Specific Plan (TOD-L), read and adopted as read. (District 6)				
<b>Sponsors:</b>	Development Services				

### Indexes:

### Code sections:

**Attachments:** 1. 020221-H-11sr&att.pdf, 2. 020921-ORD-13sr&att.pdf, 3. ORD-21-0008.pdf

Date	Ver.	Action By	Action	Result
2/9/2021	2	City Council	approve recommendation and adopt	Pass
2/2/2021	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 the Use District Map of the City of Long Beach as said Map has been established and amended by amending portions of Part 9 of said Map from CCA (Community Commercial Automobile-Oriented), CHW (Regional Highway Commercial) and Two-Family Residential (R-2-N) to Midtown Specific Plan (TOD-L), read and adopted as read. (District 6)

On November 5, 2020, the Planning Commission (Attachment A - Planning Commission Report) held a public hearing and recommended (6-0, with one abstention) that City Council approve: (1) a Zone Change to rezone nine lots generally located on the north side of Pacific Coast Highway between Cedar Avenue to the west and Pacific Avenue to the east to the Midtown Specific Plan (MTSP) Transit Node Low (TN Low) district; and, (2) a Zone Code Amendment to modify plan text and maps to reflect the expansion of the boundary area of MTSP to encompass the subject parcels and facilitate a development project at the subject location (Attachment B - Location Map).

The subject site is surrounded by multifamily residential and commercial uses to the north, an education facility across Pacific Coast Highway to the south, commercial and multifamily uses across Pacific Avenue to the west, and commercial uses across Cedar Avenue to the east. The site is currently zoned Regional Highway District (CHW), Community Automobile Orientated (CCA) and Two-Family Residential (R-2-N) Districts and has a General Plan Land Use PlaceType designation of Transit Orientated Development (TOD-L). The 2019 General Plan Land Use Element Update designated the subject site as the TOD-L PlaceType and

limits the site to a maximum height of seven stories. The TOD-L PlaceType supports mixed use developments and is generally characterized by average densities of 44 dwelling units per acre.

The current zoning, which for the majority of the site allows only commercial uses (the CHW and CCA zones), is inconsistent with the mixed uses permitted by the General Plan Land Use Element PlaceType designation. Pursuant to State law, the City is required to rezone the property to bring the zoning into alignment with the General Plan. The City is currently undertaking a systematic geographic rezoning program to bring zoning throughout the City into consistency with the 2019 General Plan Land Use Element update. In a city as large as Long Beach, it is not feasible to rezone every parcel at one time due to the size of the City, the variety of contexts, and the need to engage the public in the process. As a result, the rezoning program will phase the development of new zones and rezoning of all properties in the City, consistent with State law, which provides that a city must update its zoning ordinance to be consistent with its updated General Plan within “a reasonable time” (see California Government Code Section 65860).

At this time, the applicant seeks a Zone Change to the Midtown Specific Plan (MTSP) Transit Node (TN) district (Attachment C - Proposed Zone Change Map) for the purpose of developing the site (Attachment D - Development Plans) in a manner that is consistent with the TOD-L PlaceType (described in greater detail below). This Zone Change would involve expanding the Midtown Specific Plan one block west to Cedar Avenue to encompass the subject site. The Transit Node District has two distinct subareas, High and Low. This development site will be rezoned to the Transit Node Low (TN Low) district. The proposed TN Low zoning district better aligns the zoning of the parcels with the goals of the TOD-Low PlaceType outlined in the Land Use Element and facilitates the construction of mixed-use development consisting of commercial and residential opportunities. The proposed zone change of the subject site is an appropriate extension of MTSP and provides a transition between the existing commercial uses that flank Pacific Coast Highway and the multifamily residences located on Cedar Avenue. A map of the Zone Change area and the expanded specific plan are attached to the proposed Ordinances as Exhibit A.

The MTSP TN Low zoning district allows a floor area ratio (FAR) of 3.0 and up to 65 feet in height and a maximum of five stories for parcels with depths of 200 feet or greater. MTSP does not have a maximum density for residential units; rather density is controlled by the development standards including building height, setbacks, parking, open space standards, etc. The General Plan Land Use Map permits building heights up to seven stories for the development site-two stories greater than the proposed Zoning District of MTSP TN-Low allows. The range of uses and intensity permitted by the MTSP is consistent with the general characteristics of the Placetype TOD-Low, which anticipates higher density residential units mixed with commercial uses in proximity to transit. For these reasons, the extension of the MTSP and the TN-Low zoning is appropriate and is supported by the PlaceType, given the site is located in a high-quality transit area served by light rail and high-frequency bus service. The eastern edge of the project areas is located just outside of the 1/4 mile, the determined radius for walkability from the “A” line, but is well within the critical one-mile

distance for potential riders. The project site is also located along Long Beach Transit bus routes with bus stops located adjacent to the site on Pacific Coast Highway and Pacific Avenue. This Zone Change advances the Goals and Policies of the General Plan, including the following: LUE Goal No.3 - Accommodate Strategic Growth and Change; LUE Policy 7 - Encourage degraded and abandoned buildings and properties to transition to more productive uses through adaptive reuse or new development; Goal No. 5 - Diversify Housing Opportunities; and, LUE Policy 13-2 - Provide new housing opportunities in neighborhood-serving centers and corridors within transit-oriented development areas and downtown.

The Zoning Code Amendment would modify the plan text of the MTSP and pertinent maps for the purpose of reflecting the expanded boundary of MTSP. There are no proposed changes to uses or development standards within the MTSP. The City Attorney has prepared an Ordinance reflecting the proposed amendments to the MTSP.

On November 5, 2020, the Planning Commission approved and recommended that City Council adopt the proposed Zone Change to rezone the subject site the MTSP TN-Low District and the Zoning Code Amendment to expand the boundaries of specific plan to better align the zoning designation of the parcels with their PlaceType to permit a mix of residential and commercial uses on otherwise vacant lots (Attachment E - PC Findings and Conditions). Furthermore, the Planning Commission's approval of a Site Plan Review (SPR18-054) and the Lot Merger (LMG18-032) for the mixed-use development consisting of two, five-story buildings, with 138-market-rate residential units and 24,911 square feet of ground floor commercial space is contingent on the proposed Zone Change and Zoning Code Amendment.

The buildings have been designed to minimize impact to the surrounding uses. They feature a terraced design that pushes the bulk and mass of the buildings away from the residential properties to the north and toward Pacific Coast Highway. The proposed project redevelops a currently underused site with residential units that can help the City address its housing shortage and meet its regional housing obligations. It includes nearly 25,000 square feet of nonresidential square-footage that will provide the surrounding community with access to neighborhood-serving commercial uses and creates a walkable environment with the incorporation of a public paseo that runs north/south through the project that will be lined with retail and other commercial uses. The development project would serve as an appropriate transition between the existing commercial uses that flank Pacific Coast Highway and the multifamily residences located on Cedar Avenue. Reuse of the subject site in the manner described is consistent with the 2019 General Plan Land Use Element Update, which directs new housing and commercial uses to major, mixed-use corridors as a means to accommodate the City's anticipated growth through the Plan's horizon year of 2040. There are no proposed changes to uses or development standards within the MTSP (Attachment F - Zone Change and Zone Code Amendment Findings).

### **Summary of, and Response to, Public Input**

The Proposed Zone Change represents one of the first projects to seek a zone change that is

consistent with the 2019 General Plan Land Use Update. Public comments on the proposed zone change and development project were received via email, letters, and “in person” during the Planning Commission hearing. Some comments were supportive of the project and enhancement of the subject site, while other comments raised concerns or objections. The comments of concern are summarized as follows:

- The project is too tall, too dense, and severely under-parked.
- The project will result in increased traffic and negatively impact pedestrian safety.
- The proposed project is one of a number of new developments proposed in the Sixth Council District, and the cumulative impact of high-density, mid-rise buildings that are under-parked is having a detrimental impact on the entire community.
- The proposed project should be redesigned to be compatible with the adjoining one-story residence at 1832 Cedar Avenue and be no more than two stories in height.
- The proposed project is not compatible with the scale of the neighborhood, which is generally lower density and has buildings that are lower in height than the proposed project and is generally larger in scale than other new developments along Long Beach Boulevard.
- The proposed project is incompatible with the development pattern and height of the surrounding community; all four corners of Pacific Coast Highway and Pacific Avenue are improved with one story buildings and the surrounding area consists of one-story buildings with the exception of a low-profile two-story apartment to the west on Cedar Avenue.
- The proposed project at a height of 5 stories with a 9-foot, 6-inch high mezzanine, which gives it the appearance of 6 stories and a height of 62 to 71 feet, is not compatible with the surrounding area.
- This location is the gateway to Wrigley Village not Downtown Long Beach.

Neighborhood Compatibility, Scale and Design: The western half of the site is occupied by a small retail food market and parking lot. The eastern half of the project site was developed with a commercial building and parking lot on the parcel located at 201 West Pacific Coast Highway and a single-story motel on the parcel located at 1827 Pacific Avenue. The motel was demolished in 2011. The existing conditions of the project site feature several outdated commercial buildings, large expanse of surface parking and vacant land. The existing conditions in the area can be attributed to the limitations of the existing zoning. The area has not seen significant investment in recent decades due to the single use commercial zoning as well as the restrictive development standards, including a two-story height limit and high parking ratios that have inhibited both new development and changes of use in existing commercial buildings. The result has been vacancy and blight. This interim blighted condition has led to graffiti, illegal dumping, and other crime on and near the subject site.

The proposed project represents a feasible redevelopment of the site facilitated by the 2019 General Plan Land Use Element Update PlaceType designation that contemplates mixed use and taller building heights commensurate with the site’s more urban, transit-accessible location to accommodate new housing and neighborhood-serving uses and amenities. Another project in the vicinity (a 100 percent affordable housing project at Pacific Coast Highway and Magnolia Avenue) achieved a similar scale using state density bonus incentives

and waivers.

Generally, the area can be described as an area that is transition. While existing buildings in the vicinity range from one to two stories in height (multifamily residential uses on the westside of Cedar Avenue, north of the subject site are largely two story), the height of the proposed project is consistent with and less than the seven-story height limit contemplated by the updated General Plan. As housing and mixed-use projects are developed consistent with the TOD-Low PlaceType, there will be a more consistent scale in the area. Additionally, the site only directly abuts one low-density multifamily residential lot to the north. All other sides of the subject site abut a street or commercial uses, and residential uses northwest of the subject site are separated by a street, Cedar Avenue. The northwestern portion of the proposed development that directly abuts the low-density multifamily residential lot has been stepped down to 29 feet, which is effectively the height of a two-story building. The Cedar Building was designed to step down in height as it approaches the residential uses to the north in a terraced design. The rest of the building's height, which ranges from 62 to 67 feet (including architectural features), is oriented toward Pacific Coast Highway and the eastern portion of the site that abuts commercial uses to the north. The proposed project, relative to projects of similar size, has a significant commercial component that will ensure that area residents continue to have access to shopping and services and can allow for the replacement of the current grocery store and fulfill other neighborhood needs. This will contribute to a more activated pedestrian environment and a reduction in vehicle trips, as residents will be able to walk to basic services. Moreover, there are no residential uses on the site, so the proposed project will not result in the displacement of dwelling units and will represent a net gain in housing that is needed to address the City's severe housing shortage and accommodate the City's State-mandated housing obligations, which is a primary objective the General Plan Land Use Element Update.

As noted, the developer has been working with City staff since 2017 to design a project that would complement the neighborhood. The original design featured one, six-story building that extended across the entire block, Pacific Avenue to Cedar Avenue, and featured 154 residential units. Additional design modifications that resulted in the current proposal include two buildings that will be connected by raised pedestrian bridges over the existing alley that is to remain and serve as a paseo through the site; this modification further breaks up the massing of the building, and along with the terraced height, incorporates vertical variation and articulation to further reduce the visual massing of the buildings and create greater architectural interest. As revised, the site would be developed with 138-market-rate residential units and 24,911 square feet of ground floor commercial.

Other Project Benefits: Pacific Coast Highway, a major transit corridor, is used by pedestrians traversing to and from bus stops, first and last mile. The project site's current blighted condition fosters an environment of inactivity and lacks adequate nighttime/security lighting that can contribute to a perception of a lack of safety and can deter walking and transit use. With its ground floor commercial uses and activated paseo, the proposed development project will provide a more walkable, safer pedestrian route along Pacific Coast Highway, which will help to promote the use of public transit. New commercial uses will not

only activate Pacific Coast Highway but contribute to an enhanced pedestrian experience along Cedar and Pacific Avenues as well.

Although the project site includes an operating market, the site, as a whole, is largely underutilized. The majority of the site consists of surface parking or areas formerly used for parking and a vacant deteriorated commercial building. As proposed, the existing 9,100-square-foot market would be replaced by a larger supermarket approximately 23,000 square feet in size. The project would not result in a net loss of grocery stores in the area. Additionally, the project incorporates 138-market-rate residential units above the ground floor spread across two buildings. The additional housing helps to address the local and statewide housing shortage demands of new housing units at all income levels.

The addition of housing units is consistent with the General Plan Housing Element Policy 4.1: Encourage a balance of rental and homeownership opportunities, including high-quality apartments, townhomes, condominiums, and single-family homes to accommodate the housing needs of all socioeconomic segments of the community, including large families. Additionally, the redevelopment of the site satisfies Land Use Element Policy 7-9 to focus infill development along major corridors.

The General Plan identifies one of the challenges in the City is that many corridors, including Pacific Coast Highway, lack identity and do not integrate with adjoining neighborhoods. Issues include aging vacant or abandoned buildings, lack of private investments, high business turnover, distressed properties, lack of uniformity, deficiencies in pedestrian amenities and incompatible uses. The proposed project would ameliorate a number of these concerns at this location.

This matter was reviewed by Assistant City Attorney Michael J. Mais on December 28, 2020 and by Budget Management Officer Rhutu Amin Gharib on January 6, 2021.

### Public Notice and Environmental Compliance

A notice of public hearing was published in the Long Beach Press-Telegram on January 19, 2021, in accordance with the requirements of Chapter 21.21 of the Long Beach Municipal Code. Notices were mailed to property owners within a 300-foot radius of the project.

In June 2016, the City Council certified a program Environmental Impact Report (State Clearinghouse No. 2015031034) for the MTSP (Attachment G - Midtown Specific Plan EIR). In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, an Addendum to the MTSP EIR was prepared for the proposed project. Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162, the proposed project has been analyzed in accordance with the MTSP EIR and will not result in any new

significant impacts upon the environment, or any impacts greater than those analyzed in the MTSP EIR. A CEQA statement of support and environmental compliance determination has been prepared to document this finding (Attachment H - Addendum to Midtown Specific Plan EIR). Therefore, no further environmental review is necessary.

The project will be subject to the Mitigation Monitoring and Reporting Program adopted with the MTSP EIR, which established mitigation measures that apply to development in the MTSP, including the proposed project. These mitigation measures pertain to aesthetics, air quality, cultural resources, geology and seismicity, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise, traffic and circulation, utilities, and service systems.

Pursuant to Section 21.25.103 of the Zoning Regulations, this request must be presented to the City Council within 60 days of the Planning Commission hearing, which took place on November 5, 2020. The February 2, 2020, meeting of the City Council was the first available hearing date for this item.

There is no fiscal or local job impact associated with this recommendation. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities.

### **Approve recommendation.**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING THE USE DISTRICT MAP OF THE CITY OF LONG BEACH AS SAID MAP HAS BEEN ESTABLISHED AND AMENDED BY AMENDING PORTIONS OF PART 9 OF SAID MAP FROM CCA (COMMUNITY COMMERCIAL AUTOMOBILE-ORIENTED), CHW (REGIONAL HIGHWAY COMMERCIAL) AND TWO-FAMILY RESIDENTIAL (R-2-N) TO MIDTOWN SPECIFIC PLAN (TOD-I)

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APPROVED:

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