



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

June 17, 2010

CHAIR AND PLANNING COMMISSIONERS

City of Long Beach
California

RECOMMENDATION:

Approve a Conditional Use Permit to construct a courtesy parking lot with eleven parking spaces and a trash enclosure located at 4110 Fountain Street in the R-3-4 zoning district. (District 4)

APPLICANT: Greg Maedo Associates
c/o Thomas Reichert
321 N. Rampart Street, Suite 101
Orange, CA 92868
(Application No. 1004-03)

DISCUSSION

The project site is located on the south side of Fountain Avenue between Belmont and Termino Avenue on a vacant lot (Exhibit A – Location Map). The site is adjacent to Shoreline Healthcare and was used as a residential lot since 1948. The single family home was recently demolished.

The applicant is requesting approval of a Conditional Use Permit to construct a courtesy parking lot with eleven parking stalls and a trash enclosure. The proposed parking lot will be designed to connect to the existing Shoreline Healthcare parking lot and will add a total of twenty-four parking spaces. A Conditional Use Permit is required to establish a parking lot in a residential zone when located adjacent to a commercial zone and no further than 100 feet into a neighboring residential zone. The proposed courtesy parking lot meets all zoning standards.

The new parking lot will provide additional off-street parking spaces to Shoreline Healthcare, which currently has fifteen existing parking spaces. The courtesy lot, as a condition of approval, will be required to be merged with the property located at 4029 East Anaheim Street (Shoreline Healthcare) within 90 days of closing escrow. The applicant will also be required to adequately screen the parking lot and provide additional landscaping, as a condition of approval (Exhibit B-Findings and Conditions of Approval).

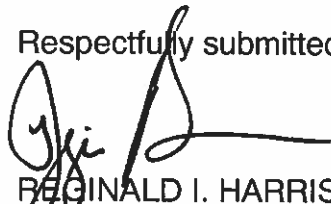
PUBLIC HEARING NOTICE

A Notice of Application was sent to the local community groups on April 30, 2010, and public hearing notices were distributed on June 1, 2010, in accordance with the provision of the Zoning Ordinance. No responses have been received at the time of preparation of this report.

ENVIRONMENTAL REVIEW

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, a Categorical Exemption (CE 10-033) was issued for the proposed project (Exhibit C - Categorical Exemption).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Reginald I. Harrison', written over a horizontal line.

REGINALD I. HARRISON

INTERIM DIRECTOR OF DEVELOPMENT SERVICES

RH:DB:sv

Attachments

Exhibit A – Location Map

Exhibit B – Findings and Conditions of Approval

Exhibit C – Categorical Exemption

CONDITIONAL USE PERMIT FINDINGS

4110 Fountain Street

App. No. 1004-03

June 17, 2010

Pursuant to Section 21.25.206 of the Long Beach Municipal Code, a Conditional Use Permit can be granted only when positive findings are made consistent with the following criteria set forth in the Zoning Ordinance. These findings and staff analysis are presented for consideration, adoption and incorporation into the record of proceedings:

- 1. THE APPROVAL IS CONSISTENT WITH AND CARRIES OUT THE GENERAL PLAN, ANY APPLICABLE SPECIFIC PLANS SUCH AS THE LOCAL COASTAL PROGRAM AND ALL ZONING REGULATIONS OF THE APPLICABLE DISTRICT;**

The project site is located in Land Use District No. 2 (Mixed Style Homes). LUD No. 2 does not address the need for courtesy parking in a residential zone, but since this land use is allowed by the zoning ordinance, which is derived from the General Plan, staff concludes that approval of this project would be consistent with the General Plan.

The proposed project is consistent with the zoning regulations for the R-3-4 zoning district. This district allows courtesy parking through the conditional use permit process. Staff supports the conversion of this property to a courtesy lot, as it will provide additional parking spaces and allow for the improvement and eventual merger of the two lots. Development standards for courtesy parking are contained in Section 21.52.221 (Conditional Uses) and are discussed below in Finding #3.

- 2. THE PROPOSED USE WILL NOT BE DETRIMENTAL TO THE SURROUNDING COMMUNITY INCLUDING PUBLIC HEALTH, SAFETY, GENERAL WELFARE, ENVIRONMENTAL QUALITY OR QUALITY OF LIFE; AND**

The proposed use will not be detrimental to the surrounding community. The site will be required to comply with Section 21.52.221, which are discussed below. Furthermore, this project will not have a negative visual impact upon the surrounding area since it will be located adjacent to a parking lot and will be screened effectively.

EXHIBIT B

3. **THE APPROVAL IS IN COMPLIANCE WITH THE SPECIAL CONDITIONS FOR THE USE ENUMERATED IN CHAPTER 21.52.**

The following conditions shall apply to courtesy parking in residential districts:

A. The proposed site shall adjoin, abut or be adjacent to a commercial district;

The proposed courtesy parking lot is located adjacent to a commercial district and the Shoreline Healthcare parking lot. When constructed the two parking lots will connect

B. The parking lot shall extend not more than one hundred feet (100') into the residential district; and

The proposed courtesy parking is located next to a commercial district and can meet this special condition.

C. A six foot six inch (6'6") solid fence or wall and a five-foot (5') wide landscaping buffer shall be provided along any property line abutting a residential use.

Five feet of landscaping will be provided adjacent all residential uses and six foot six inch in height block walls will be required as a condition of approval.

**CONDITIONAL USE PERMIT
CONDITIONS OF APPROVAL**

App. No. 1004-03

Date: May 5, 2009

1. The use permitted on the subject site, in addition to other uses permitted in the R-3-4 zoning district, shall be a courtesy parking lot with seven parking spaces and a trash enclosure.
2. This permit and all development rights hereunder shall terminate one year from the effective date of this permit unless construction is commenced or a time extension is granted, based on a written request approved by the Zoning Administrator, submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
3. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return written acknowledgment of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30 days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date). Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval to the satisfaction of the Zoning Administrator.
4. This approval is required to comply with these conditions of approval as long as the use is on the subject site. As such, the site shall allow periodic re-inspections, at the discretion of city officials, to verify compliance. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by City Council (Sec. 21.25.412, 21.25.212).

Special Conditions of Approval:

5. The developer will be responsible for the following site improvements, prior to the issuance of building permits and to the satisfaction of the Director of Development Services:
 - a. Within 90-days of purchasing the property, the owner shall apply for a lot merger to merge both properties (4110 Fountain Street and 4029 E. Anaheim Street).
 - b. No payphones shall be installed on site.
 - c. A landscaping and lighting plan shall be submitted and approved prior to the issuance of a building permit.

- d. Landscaping, except trees shall not exceed 2 feet from the ground within the front yard setback.
 - e. All parking areas serving the site shall provide appropriate security lighting with light and glare shields to avoid any light intrusion onto adjacent or abutting residential buildings or neighborhoods pursuant to Section 21.41.259. Other security measures may be required to be provided to the satisfaction of the Chief of Police.
 - f. One live street tree shall be provided in the public right-of-way per every twenty-five feet (25') of street frontage as required by Section 21.42.060.B to the satisfaction of the Director of Public Works.
 - g. A six foot six inch (6'6") solid fence or wall and a five-foot (5') wide landscaping buffer shall be provided along any property line abutting a residential use.
6. The developer will be responsible for the following site improvements, prior to the issuance of building permits and to the satisfaction of the Director of Public Works:
- a. Prior to the start of any on-site/off-site construction, the Developer shall submit a construction plan for pedestrian protection, street lane closures, construction staging, shoring excavations and the routing of construction vehicles (excavation hauling, concrete and other deliveries, etc.).
 - b. The Developer shall make an irrevocable offer to dedicate 2.5 feet for sidewalk purposes along Anaheim Street adjacent to the project site
 - c. The Developer shall construct all off-site improvements needed to provide full ADA accessibility compliance within the adjacent public right-of-way to the satisfaction of the Director of Public Works. If a dedication of additional right-of-way is necessary to satisfy ADA requirements, the right-of-way dedication way shall be provided.
 - d. The Developer shall be responsible for the maintenance of the off-site improvements during construction of the on-site improvements. All off-site improvements found damaged as a result of construction activities shall be reconstructed or replaced by the Developer to the satisfaction of the Director of Public Works.
 - e. The Developer shall remove unused driveways and replace with full-height curb, curb gutter and sidewalk to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete. The size and configuration of all proposed driveways serving the project site shall be subject to review and approval of the City Traffic Engineer. Contact the Traffic and Transportation Bureau at (562) 570-6331 to request additional information regarding driveway construction requirements.
 - f. The Developer shall provide for the resetting to grade existing manholes, pullboxes, and meters in conjunction with the required off-site improvements to the satisfaction of the Director of Public Works.
 - g. The Developer shall reconstruct the damaged/deteriorated curb and gutter sections along Fountain Street adjacent to the project site to the satisfaction of the Director of Public Works.

- h. The Developer shall submit grading plan with hydrology and hydraulic calculations showing building elevations and drainage pattern and slopes for review and approval by the Director of Planning and Building Services and the Director of Public Works prior to approval of the map and/or release of any building permit.
 - i. The Developer shall submit a drainage plan for approval by Public Works prior to issuance of a building permit.
 - j. Public improvements shall be constructed in accordance with approved plans. Detailed off-site improvement plans shall be submitted to the Department of Public Works for review and approval.
 - k. The Developer shall improve the parkway along Fountain Street fronting this project with drought-tolerant accent shrubbery and permeable groundcover such as decomposed granite as described in Section 21.42.060 of the Municipal Code.
 - l. The first parking space within the private parking lot, adjacent to Anaheim Street and the space adjacent to Fountain Street, shall not be not be located less than 10 feet from the property line.
 - m. Driveway width adjacent to Anaheim Street shall be 24 feet maximum.
 - n. The Developer shall salvage and reinstall all traffic signs that require temporary removal to accommodate new construction within the public right-of-way. All traffic signs shall be reinstalled to the satisfaction of the City Traffic Engineer.
 - o. The Developer shall replace all traffic signs and mounting poles damaged or misplaced as result of construction activities to the satisfaction of the City Traffic Engineer.
 - p. The Developer shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
 - q. All traffic control device installations, including pavement markings within the private parking lot, shall be installed in accordance with the provisions of the Manual On Uniform Traffic Control Devices (MUTCD), 2003 edition (i.e., white parking stalls, stop signs, entry treatment signage, handicapped signage, etc.).
 - r. The Developer shall contact the Traffic & Transportation Bureau, at (562) 570-6331, to modify the existing curb marking zones, adjacent to the site.
7. If, for any reason, there is a violation of any of the conditions of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.
8. Prior to the issuance of a building permit, the applicant shall submit architectural, landscaping and lighting drawings for the review and approval of the Police Department for their determination of compliance with Police Department security recommendations. For more information, contact Sgt. David Marander of the Long Beach Police Department at (562) 570-5767.
9. In the event of transfer of ownership of the property involved in this

application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions that are a part thereof. These specific requirements must be recorded with all title conveyance documents at time of closing escrow.

10. All conditions of approval must be printed verbatim on all plans submitted for plan review to Long Beach Development Services. These conditions must be printed on the site plan or a subsequent reference page.
11. The Director of Long Beach Development Services is authorized to make minor modifications to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project. Any major modifications shall be reviewed by the Zoning Administrator or Planning Commission, respectively.
12. Site development, including landscaping, shall conform to the approved plans on file with Long Beach Development Services. At least one set of approved plans containing Planning, Building, Fire, and, if applicable, Redevelopment and Health Department stamps shall be maintained at the job site, at all times for reference purposes during construction and final inspection.
13. All landscaped areas must be maintained in a neat and healthy condition. Any dying or dead plants materials must be replaced with the minimum size and height plant(s) required by Chapter 21.42 (Landscaping) of the Zoning Regulations. At the discretion of City officials, a yearly inspection shall be conducted to verify that all irrigation systems are working properly and that the landscaping is in good healthy condition. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by the City Council.
14. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, fences and the perimeter of the site (including all public parkways).
15. Any graffiti found on site must be removed within 24 hours of its appearance.
16. Separate building permits shall be required for fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
17. The applicant shall file a separate plan check submittal to the Long Beach Fire Department for their review and approval prior to the issuance of a building permit.

18. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):
 - a. Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;
 - b. Saturday: 9:00 a.m. - 6:00 p.m.; and
 - c. Sundays: not allowed
19. Any off-site improvements found to be damaged shall be replaced to the satisfaction of the Director of Public Works.
20. All unused curb cuts shall be replaced with full height curb, gutter and sidewalk and shall be reviewed, approved and constructed to the specifications of the Director of Public Works.
21. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action, or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach.



CITY OF LONG BEACH NOTICE OF EXEMPTION

DEPARTMENT OF DEVELOPMENT SERVICES
333 W. OCEAN BLVD., 5TH FLOOR, LONG BEACH, CA 90802
(562) 570-6194 FAX: (562) 570-6068
lbs.longbeach.gov

TO: Office of Planning & Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: Department of Development Services
333 W. Ocean Blvd, 5th Floor
Long Beach, CA 90802

L.A. County Clerk
Environmental Fillings
12400 E. Imperial Hwy. 2nd Floor, Room 2001
Norwalk, CA 90650

Categorical Exemption CE- 10-083

Project Location/Address: 7110 Fountain St

Project/Activity Description: Shared parking situation with adjacent lot,
address: 4029 Anaheim St. New Courtesy Parking Lot

Public Agency Approving Project: **City of Long Beach, Los Angeles County, California**

Applicant Name: Gregg Macedo

Mailing Address: 321 N Rampart St Suite 101 Orange CA 92668

Phone Number: 714 937 1985 x 219 Applicant Signature: [Signature]

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 1004-03 Planner's Initials: SV

Required Permits: CUP

THE ABOVE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM CEQA IN ACCORDANCE WITH
STATE GUIDELINES SECTION 15303, Class 3, Conversion of Small Structures

Statement of support for this finding: Accessory shared parking lot use of
parking area.

Contact Person: Craig Chalfant Contact Phone: 562-570-6768

Signature: [Signature] Date: 6/8/10