



# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 W. Ocean Boulevard Long Beach, CA 90802 (562) 570-6194 FAX (562) 570-6068

February 4, 2010

CHAIR AND PLANNING COMMISSIONERS  
City of Long Beach  
California

## RECOMMENDATION:

Approve a Site Plan Review and Conditional Use Permit, certify Negative Declaration 09-09, and recommend that the City Council approve a General Plan Amendment from LUD #8N (Shopping Nodes) to LUD #4 (High Density Residential), and a rezone from CCA (Automobile-Oriented Commercial) to CCN (Community R-4-N) for the construction of a 61-unit affordable senior apartment building at 3290 E. Artesia Boulevard. A second parcel located at 3232 E. Artesia Boulevard is also included in the project. That parcel will only undergo a General Plan Amendment and Zone Change. (District 9)

APPLICANT: Palm Desert Development Company  
P.O. Box 3958  
Palm Desert, CA 92261  
(Application No. 0812-13 and Negative Declaration No. 09-09)

## DISCUSSION

The proposed site consists of a 1.48-acre parcel currently developed with a bank building located on the corner of Artesia Boulevard and Indiana Avenue (Exhibit A - Location Map). The applicant, Palm Desert Development Company, is proposing to construct a 61-unit, three-story affordable senior apartment complex over a ground floor parking garage (Exhibit B - Plans). Of those units, 49 would be one-bedroom units, 11 two-bedroom units, and one three-bedroom manager's unit. Building amenities include a large central courtyard, a pool, spa, fire pit, picnic area, exercise room, community rooms, classroom and recreation rooms. A second parcel located at 3232 E. Artesia Boulevard is also included in the project. That parcel, which contains the Windsor Gardens Convalescent Center, will only undergo a General Plan Amendment and Zone Change.

The proposed building, which includes architectural variation along both street frontages to help reduce the bulk and mass of the building, will be constructed to meet a minimum LEED certification standard and comply with City green building standards. The applicant is also proposing to pave the entire alley, provide 17 on-site community parking spaces at the alley, and create a car-sharing program with fuel-efficient cars and/or provide a minimum of one rental car for group use in the parking garage. Once developed, the project will provide high quality, comfortable accommodations for Long Beach's senior citizens. The project will contribute to the neighborhood by offering an aesthetically pleasing design through the

incorporation of sufficient landscaping and architectural projections, thereby allowing the building to be more compatible in scale with neighboring structures.

Along with the Site Plan Review and Conditional Use Permit application, the applicant is requesting a General Plan Amendment from Land Use Designation 8N to 4 and a corresponding Zone Change from a Community Automobile-Oriented district (CCA) to a Community R-4-N district (CCN), which is necessary to allow for additional height and density at the project site. Also included in the amendments to the General Plan and change in zone is the adjacent property located at 3232 E. Artesia Boulevard. The inclusion of the adjacent lot will allow the entire block to be rezoned, which allows the project to comply with the General Plan and the convalescent hospital to become a discretionary use in the proposed CCN zone.

Under the proposed CCN zoning designation, the site could accommodate a maximum of 66 residential units (1 unit per 975 square feet of land area). The applicant is proposing 61 units, 5 less than what is allowed in the proposed zone. A total of 89 parking spaces will be provided on-site – at least one parking space for each of the 61 units will be provided onsite. For an affordable senior apartment building, a total of one parking space for every two bedrooms and one guest space for every four units is required. With a total of 74 bedrooms and 61 dwelling units, a total of 53 parking spaces are required to be provided onsite. The additional 36 spaces provided onsite would be available for guests and nearby residents (Exhibit C – Findings and Conditions of Approval).

The proposal was presented to the community on five separate occasions and was reviewed by the Planning Commission as a study session item on August 20, 2009. The Commission was concerned with parking, handicap accessibility, access to the park, senior services, ride sharing services and access to public transportation. The community concerns were related to loss of parking, accessibility to the park, building management, security and crime. The applicant was very accommodating and revised their plans to mitigate concerns from the community and Commission. Some of the revisions included, repaving the entire length of the alley, providing a car-sharing service for residents, and new senior programs at Ramona Park.

In summary, the proposed three-story, 61-unit senior apartment building will be constructed on a badly maintained and underutilized lot. Staff believes the project will have a positive effect on the community by providing much needed senior housing, and by improving a lot with a high quality building situated near public transportation and retail stores. Staff recommends that the Planning Commission approve the Site Plan Review and Conditional Use Permit, certify the Negative Declaration and recommend City Council approval of the General Plan Amendment and Zone Change.

**PUBLIC HEARING NOTICE**

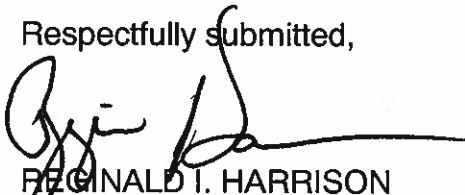
Public Hearing Notices were distributed on January 20, 2010. Staff has not received comments at this time.

**ENVIRONMENTAL REVIEW**

To address issues with respect to traffic and historic preservation, the applicant submitted a traffic study and Historic Resources Assessment. The traffic study shows that no significant impact to traffic or parking is expected with the new senior apartment building (Exhibit D- Traffic Study). The Historic Assessment shows that an International Style building was not uncommon for Long Beach, but unique to the area. Therefore, the structure does qualify under City of Long Beach Landmark Criteria Analysis as a historic resource. However, according to Michael A. Dice, Senior Cultural Resource Manager with Michael Brandman Associates, "there does not appear to be a way that the building can be saved, retrofitted and reused without substantially adjusting the project". To mitigate a less than significant impact to historic resources, a mitigation measure was added requiring a historic preservation professional to complete a photo documentation of the bank building. That photo documentation has been completed and is attached to this report (Exhibit E- Mitigated Negative Declaration).

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, a Negative Declaration (09-09) has been prepared for the proposed project.

Respectfully submitted,



REGINALD I. HARRISON  
INTERIM DIRECTOR OF DEVELOPMENT SERVICES

RH: DB: SV

Exhibits:

- A. Location Map
- B. Plans and Photographs
- C. Findings and Conditions of Approval
- D. Traffic Study
- E. Mitigated Negative Declaration 09-09



**CONDITIONS OF APPROVAL**  
**Application No.0812-13**  
**Date: February 4, 2010**

1. This permit and all development rights hereunder shall terminate one year from the effective date (final action date or, if in the appealable are of the Coastal Zone, 21 days after the local final action date) of this permit unless construction is commenced, a business license establishing the use is obtained or a time extension is granted, based on a written and approved request submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
2. This permit shall be invalid if the owner(s) and 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 form 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.
3. 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.
4. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Director of Development Services. These conditions must be printed on the site plan or a subsequent reference page.

**SPECIAL CONDITIONS**

5. The applicant shall comply with the following conditions to the satisfaction of the Director of Development Services:
  - a. The applicant shall repave the entire length of the alley south of the property, to the satisfaction of the Director of Public Works.
  - b. Prior to the issuance of a certificate of occupancy, the temple parking lot shall be reconfigured to provide for an additional 20 parking stalls.
  - c. The applicant shall create a car-sharing program with fuel-efficient cars and/or provide a minimum of one, a rental car for group use in the parking garage.
  - d. Prior to the issuance of a building permit, the applicant shall demonstrate to the

satisfaction of the Director of Development Services that all best efforts have been undertaken to achieve LEED certification for the Affordable Senior Apartment Building and all newly implemented Green Building Standards enumerated in Section 21.45.400.

- e. Prior to the issuance of any building permits, the applicant shall demonstrate on the final project plans that minimally reflective glass and other building materials will be incorporated on the building exteriors in order to reduce reflective glare. The use of glass with exterior daylight reflectance of more than twenty percent (20%) is prohibited.
- f. All mature trees removed from the site during demolition, shall be replaced with mature canopy trees.

### **MITIGATION MEASURES**

6. Prior to the issuance of a building permits, the City shall ensure that the project Proponent shall submit a lighting plan to ensure that light and glare does not impact nearby residential land uses. The lighting plan shall indicate outdoor lighting levels of all security lights and the light levels at the property lines. All exterior security lights must be shielded and directed downward in such a manner so as to minimize light spillover effects.
7. Any proposed fire pits shall be prohibited from burning wood. The fire pits shall be powered by natural gas, propane, and/or electricity.
8. Prior to the issuance of a demolition permit, and in consultation with the Director of Developmental Services or their designee, an historic preservation professional qualified in accordance with the Secretary of Interior Standards shall be selected to complete Documentation Reports on the eligible property to be demolished. The property determined to be eligible for City Landmark listing shall be documented with archival quality photographs of a type and format approved by the Director or their designee. The recordation document shall be completed and approved to the satisfaction of the Director of their designee. The approved document, along with historical background of the properties, shall be submitted to an appropriate repository approved by the Director or their designee.
9. To be consistent with goals in the Long Beach Sustainable City Action Plan, the following measures shall be incorporated into the project and verified by a City of Long Beach representative prior to occupancy:
  - Create a car-sharing program with fuel efficient cars (greater than 40 miles per gallon) and/or provide a minimum of one Zipcar, a rental car for group use (or equivalent) in the parking garage ([www.zipcar.com](http://www.zipcar.com));
  - Provide information to the residents on how to use the transit system, including details on where the bus stops are located, route information, how to plan a bus trip, and potential destinations;
  - Install short-term bicycle parking within 100 feet of the main entrance(s);

- There shall be room onsite for convenient storage for resident recyclables;
  - The project shall implement a green roof system or install solar panels on the roof to cover three percent of the project's energy use.
  - The project shall plant a minimum of five onsite trees.
10. The following Leadership for Energy and Environmental Design (LEED) credits in the LEED for Homes Rating System dated January 2008 (or equivalent in subsequent version) shall be complied with:
- Sustainable Sites 2, landscaping, (minimum of four points);
  - Sustainable Sites 3, reduce local heat island effects;
  - Sustainable Sites 4.1, permeable lot;
  - Sustainable Sites 4.3, management of run-off from roof;
  - Water Efficiency 2, irrigation system;
  - Materials and Resource 3.2, construction waste reduction;
  - Energy and Atmosphere 1.2, exceptional energy performance (2 points minimum)
  - Energy and Atmosphere 9.1, high-efficiency appliances; and
  - Energy and Atmosphere 9.2, water efficient clothes washer.
11. Compliance with SCAQMD Rule 1403 requires that the owner or operator of any demolition or renovation activity to have a survey for asbestos containing materials (ACMs) performed prior to demolition. Any ACMs found must be remediated according to applicable standards to protect public health and safety. Testing for and any remediation of ACMs must occur before demolition permits are granted by the City for this project.
12. Lead-based paint (LBP) exposure is regulated by California Occupational Safety and Health Administration (Cal OSHA) regulations. California Code of Regulations, §1532.1, requires testing, monitoring, containment, and disposal of LBP such that exposure levels do not exceed Cal OSHA standards. Testing for and any remediation of LBP must occur before demolition permits are granted by the City for this project.
13. Prior to the issuance of building permits, an acoustical report must be submitted, reviewed, and approved by City of Long Beach Staff, in order to ensure that City noise requirements are met. Such report shall be prepared to the satisfaction of City Staff and shall, if necessary, include recommended measures to reduce noise exposures for residences to acceptable levels.
14. Construction activities shall adhere to the following noise requirements:
- All construction equipment shall utilize noise reduction features (e.g., mufflers and engine shrouds) that are no less effective than those originally installed by the manufacturer.

- Hours of construction shall comply with those established in the City of Long Beach Municipal Code construction activity noise regulations. Those hours are 7:00 PM and 7:00m AM on any weekday, 9:00 AM to 6:00 PM on Saturdays and is prohibited on Sundays.
15. At the time the grading permit application is submitted, the project proponent shall submit a construction noise mitigation plan to the City of Long Beach for review and approval. The plan shall depict the location of construction equipment and describe how noise would be mitigated through methods such as, but not limited to, locating stationary noise-generating equipment (such as pumps and generators), as far as possible from nearby noise-sensitive receptors. Where practicable, noise-generating equipment shall be shielded from nearby noise-sensitive receptors by noise-attenuating buffers such as structures or haul trucks trailers. Onsite noise sources such as heavy equipment located less than 200 feet from noise-sensitive receptors shall be equipped with noise-reducing engine housings. Portable acoustic barriers able to attenuate at least six dBA shall be placed around noise-generating equipment located within 200 feet of residences may also be required. Water tanks and equipment storage, staging, and warm-up areas shall be located as far from noise-sensitive receptors as possible. The construction noise mitigation plan shall be prepared and implemented to the satisfaction of the City Planning Director.

#### **GENERAL CONDITIONS**

16. Site development, including landscaping, shall conform to the approved plans on file in the Director of 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.
17. The Director of Development Services is authorized to approve 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 and if no detrimental effects to neighboring properties are caused by said modifications. Any major modifications shall be reviewed by the Zoning Administrator or Planning Commission, respectively
18. Prior to the issuance of a building permit, the applicant must depict all utility apparatus, such as, but not limited to, backflow devices and Edison transformers, on both the site plan and the landscape plan. These devices shall not be located in any front, side, or rear yard area that is adjacent to a public street. Furthermore, this equipment shall be properly screened by landscaping or any other screening method approved by the Director of Development Services.
19. Prior to the issuance of a building permit, the applicant must submit complete landscape and irrigation plans for the discretionary approval of the Director of

Development Services. The landscaping plan shall include drought tolerant street trees to be installed consistent with the specifications of the Street Tree Division of the Department of Public Works. Approved root guards shall be provided for all street trees.

20. Where feasible, all landscaped areas shall be planted with drought tolerant plant materials. All landscaped areas shall be provided with water conserving automatic irrigation systems designed to provide complete and adequate coverage to sustain and promote healthy plant life. The irrigation system shall not cause water to spray or flow across a public sidewalk.
21. All landscaped areas must be maintained in a neat and healthy condition, including public parkways and street trees. Any dying or dead plant 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 City Council.
22. 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).
23. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
24. Any graffiti found on site must be removed within 24 hours of its appearance.
25. All parking areas serving the site shall provide appropriate security lighting with light and glare shields so as 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.
26. All rooftop mechanical equipment shall be fully screened from public view. Said screening must be architecturally compatible with the building in terms of theme, materials, colors and textures. If the screening is not specifically designed into the building, a rooftop mechanical equipment plan must be submitted showing screening and must be approved by the Director of Development Services and Building prior to the issuance of a building permit.
27. Adequately sized trash enclosure(s) shall be designed and provided for this project as per Section 21.46.080 of the Long Beach Municipal Code. The

designated trash area shall not abut a street or public walkway and shall be placed at an inconspicuous location on the lot.

28. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau must be secured. Please contact Ken Huang at 562-570-6423 for details.
29. Separate building permits are required for signs, fences, retaining walls, trash enclosures, flagpoles, pole-mounted yard lighting foundations and planters.
30. Approval of this development project is expressly conditioned upon payment (prior to building permit issuance or prior to Certificate of Occupancy, as specified in the applicable Ordinance or Resolution for the specific fee) of impact fees, connection fees and other similar fees based upon additional facilities needed to accommodate new development at established City service level standards, including, but not limited to, sewer capacity charges, Park Fees and Transportation Impact Fees.
31. 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. Contact Sean Daughtery at 562-570-7087 for details.
32. The plans submitted for plan review must explicitly call out and describe all materials, textures, accents, colors, window, door, planter, and paving details that were approved by the Site Plan Review Committee and/or the Planning Commission. No substantial changes shall be made without prior written approval of the Site Plan Review Committee and/or the Planning Commission.
33. The Director of Development Services is authorized to make minor modifications to the approved preliminary plans or any of the conditions if such modifications shall achieve substantially the same results, as would strict compliance with said plans and conditions.
34. Grading and construction activities shall conform to Rule 403 of the South Coast Air Quality Management District and shall include the following:
  - a. Use water trucks and hoses to wet exposed and graded areas at least twice daily with complete coverage on all active areas and periodic wash-downs of public streets in the vicinity of all entrances and exits to the project site. Increase frequency of watering to three or more times per day whenever winds exceed 15 miles per hour, and cease grading activities during period of winds greater than 30 miles per hour.
  - b. Water material being excavated and stockpiled.
  - c. Water grading and cover materials being transported.
  - d. Maintain grading and construction equipment in proper tune.
  - e. Schedule truck trips to avoid peak hours (7-9 a.m. and 4-6 p.m., weekdays).

- f. Discontinue construction during stage II smog alerts (ozone more than or equal to 0.35 ppm.)
  - g. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):  
Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;  
Saturday: 9:00 a.m. - 6:00 p.m.; and  
Sundays: not allowed
35. The applicant shall comply with the following conditions to the satisfaction of the Director of Public Works:
- a. The Developer shall dedicate and improve 2 feet for street purposes along Indiana Avenue, adjacent to the project site. New concrete curb and gutter shall be reconstructed 4 feet westerly, resulting in a 10-foot wide walk, and a 34-foot wide roadbed. An additional 2 feet of roadbed shall be obtained when the property on the east side of the street is re-developed.
  - b. All obstructions, including power poles within the proposed street widening shall be relocated by the Developer at his expense, and to the satisfaction of the Director of Public Works.
  - c. An installation and maintenance agreement is required for placement of planters and special paving within the public right-of-way. The Developer shall provide a plan to determine feasibility and for the approval of the Director of Public Works.
  - d. 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 shall be provided.
  - e. 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.
  - f. 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.
  - g. The Developer shall remove and reconstruct the full-width of the alley adjacent to the project site with Portland cement concrete to the satisfaction of the Director of Public Works.
  - h. The Developer shall provide for the resetting to grade of existing manholes, pullboxes, and meters in conjunction with the required off-site improvements to the satisfaction of the Director of Public Works.
  - i. The Developer shall provide for tree wells, new street trees with root barriers and

irrigation on Indiana Avenue, adjacent to the project site. The Developer and/or successors shall privately maintain all street trees, landscaping and sprinkler systems required in connection with this project.

- j. The Developer shall contact the Street Tree Division of the Department of Public Works, at (562) 570-2770, prior to beginning the tree planting, landscaping, and irrigation system work. The Street Tree Division will assist with the size, type and manner in which the street trees are to be installed.
  - k. 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.
  - l. Prior to approving an engineering plan, all projects greater than 1 acre in size must demonstrate coverage under the State Construction General NPDES Permit. To meet this requirement, the applicant must submit a copy of the letter from the State Water Resource Control Board acknowledging receipt of the Notice of Intent (NOI) and a certification from the developer or engineer that a Storm Water Pollution Prevention Plan (SWPPP) has been prepared. Should you have any questions regarding the State Construction General NPDES Permit or wish to obtain an application, please call the State Regional Board Office at (213) 266-7500 or visit their website for complete instructions at [www.waterboards.ca.gov/stormwtr/construction.html](http://www.waterboards.ca.gov/stormwtr/construction.html) Left-click on the Construction General Permit 99-08-DWQ link.
  - m. 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.
  - n. 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.
  - o. The Developer shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
  - p. 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.).
  - q. The Developer shall contact the Traffic & Transportation Bureau, at (562) 570-6331, to modify the existing curb marking zones, adjacent to the site.
36. Prior to issuance of a building permit, the applicant shall submit a lighting and security plan to the satisfaction of the Police Department. Please contact David Marander at (562) 570-5771 for assistance. Please see TAC comments.
37. Prior to issuance of a building permit, please contact Mike Zukoski at (562) 570-2038 for information on gas meter location requirements.

38. Please contact Larry Oaks of the Water Department for sewer and water line information at (562) 570-2382. See TAC comments.
  
39. 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.