



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor

Long Beach, CA 90802

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September 3, 2009

CHAIR AND PLANNING COMMISSIONERS

City of Long Beach

California

RECOMMENDATION:

Approve a Tentative Tract Map No. 71057 to convert eight rental commercial tenant spaces into eight ownership commercial tenant spaces at 425-441 East 4th Street. (District 1)

APPLICANT:

East Village Partners, LLC
290 Cerritos Avenue
Long Beach, CA 90802
(Application No. 0907-08)

DISCUSSION

The subject site is located at the northwest corner of East 4th Street and Linden Avenue within the East Village Mixed-Use Subarea of the Downtown Planned Development District (PD-30) (Exhibit A – Location Map). The 23,250-square-foot project site housed three linear, 50-foot-wide buildings before undergoing a major renovation earlier this year converting the uninhabited buildings into creative office spaces, which, under this proposal, are to be under individual ownership.

The eight proposed ownership spaces range in size from 1,047 square feet to 2,802 square feet; 13,855 square feet of gross floor area in sum. Shared amongst the tenant spaces are 22 on-site parking stalls, meeting the Subdivision Regulations' minimum commercial conversion requirement of one parking stall per 1,000 square feet of converted gross usable floor area (Exhibit B – Plans & Photos).

Though Tentative Map proposals for condominium conversions typically require a special inspection from the City's Building Bureau and private inspections to indicate deficiencies related to heating and plumbing systems, roof condition, and insect infestation, the prerequisite of these reports has been waived in-lieu of on-going Building Bureau inspections to be performed under the aforementioned permits.

The long-term maintenance of the buildings housing the tenant spaces to be converted will be achieved through the passing of all renovation-related Building Bureau inspections and

CHAIR AND PLANNING COMMISSIONERS

Application No. 0907-08

September 3, 2009

Page 2 of 2

the creating of a due-collecting owners' association that will enforce abiding Covenants, Conditions and Restrictions (CC&R's), as required in the project's Conditions of Approval (Exhibit C – Findings & Conditions).

In closing, staff believes this subdivision request is a community benefit given the City's inadequate supply of owner-occupied creative office spaces and recommends that the Planning Commission approve the Tentative Map request, subject to conditions.

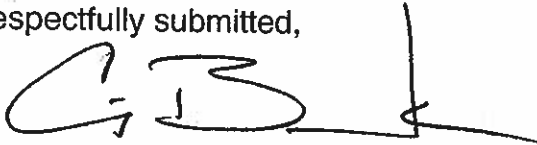
PUBLIC HEARING NOTICE

Public hearing notices were distributed on August 17, 2009, as required by the Long Beach Municipal Code. No responses were received.

ENVIRONMENTAL REVIEW

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, a Categorical Exemption (CE 09-051) was issued for the proposed project (Exhibit D – Categorical Exemption).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C. Beck', with a long horizontal line extending to the right.

CRAIG BECK
DIRECTOR OF DEVELOPMENT SERVICES

CB:DB:MH

Exhibits

- A. Location Map
- B. Plans and Photos
- C. Findings and Conditions of Approval
- D. Categorical Exemption CE 09-051

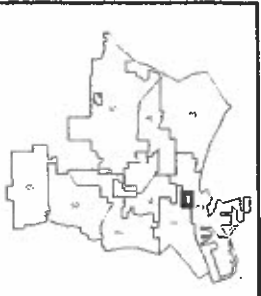
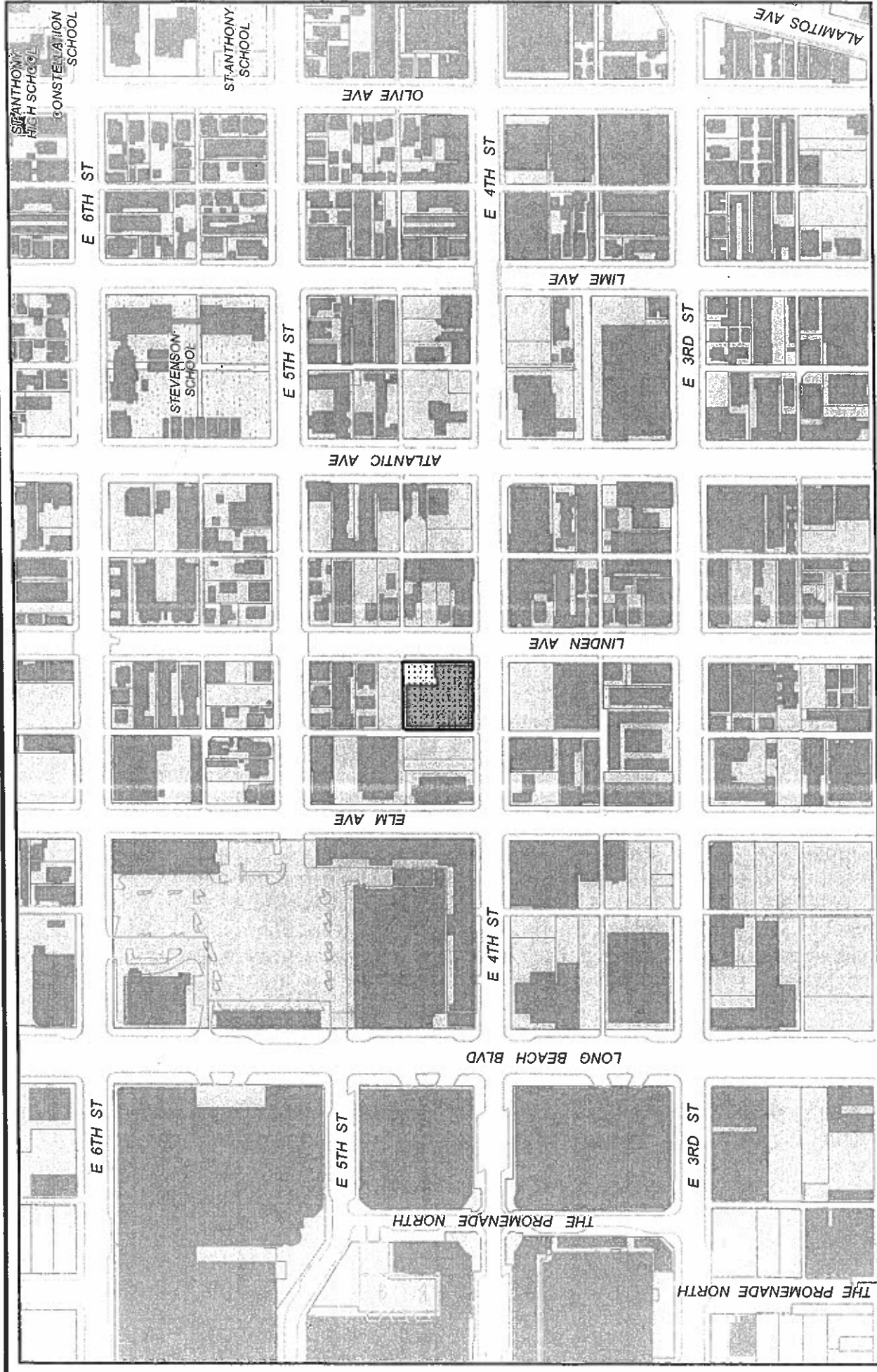
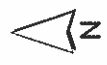


Exhibit A



Subject Property:
 425-441 E 4th St
 Application No. 0907-08
 Council District 1
 Zoning Code : PD-30



TENTATIVE TRACT MAP FINDINGS

Case No. 0907-08

Date: September 3, 2009

Pursuant to Section 20.12.100 of the Long Beach Municipal Code, the Planning Commission shall approve a tentative map if it complies with State and Local regulations. The tentative map can be granted only when positive findings are made consistent with the following criteria set forth in the Subdivision regulations.

1. THAT THE PROPOSED MAP IS CONSISTENT WITH APPLICABLE GENEREAL AND SPECIFIC PLANS;

The Land Use Element of the General Plan identifies the project site as lying within Land Use District (LUD) #7, Mixed Uses. The site's LUD is complemented by the underlying zoning designation of the property, the Mixed-Use Subarea of the Downtown Planned Development District (PD-30), as both the LUD and underlying zoning call for a careful blending of commercial and residential uses. Therefore, the proposal to convert the subject site's eight tenant spaces into ownership creative design studios fits with the intent of both the General Plan and the Zoning Regulations.

2. THAT THE DESIGN OR IMPROVEMENT OF THE PROPOSED SUBDIVISION IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS;

The design and improvement of the proposed subdivision has been determined to be consistent with the Land Use Element and General Plan, as noted in the above finding. Furthermore, the recent remodel of the site incorporated green design practices, keeping the original façade and creating a shared courtyard (previously absent) and drought-tolerant landscaped areas, all measures befitting the City's stated sustainability goals.

3. THAT THE SITE IS PHYSICALLY SUITABLE FOR THE TYPE OF DEVELOPMENT;

The .53-acre project site is currently developed with 13,855 square feet of gross floor area and 9,396 square feet of parking, courtyard, landscaping, and common walkway areas. As such, and with a parking count exceeding the Subdivision Regulations' minimum count, the project site can be deemed to be of appropriate size and orientation to manage the requested conversion.

4. THAT THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT;

A renovation of the project site's existing three buildings performed earlier this year resulted in a lot coverage reduction of approximately 30%. From this decrease in density – accomplished without a net increase in gross floor area –

site improvements are in compliance with the commercial density standards set forth for the project site in PD-30.

5. **THAT THE DESIGN OF THE SUBDIVISION OR THE TYPE OF IMPROVEMENTS WILL NOT CAUSE SERIOUS PUBLIC HEALTH OR SAFETY PROBLEMS; AND**

The buildings to be converted into ownership creative design studios were recently renovated using sustainable design practices and provide a significant aesthetic upgrade over the building's previous warehouse-like appearance. Considering these points, and taking into consideration the employee base and clientele that creative office studio uses tend to target, serious public health and/or safety problems are not anticipated.

6. **THE DESIGN OF THE SUBDIVISION OR THE TYPE OF IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.**

All concerned City Departments have reviewed the Tentative Tract Map and it has been found that the design and improvements of the site will not conflict with public access easements. All required easements and utility locations would be provided for prior to the recordation of the Final Map.

TENTATIVE TRACT MAP No. 71057
CONDITIONS OF APPROVAL

Case No. 0907-08

Date: September 3, 2009

1. The Final Map is to be prepared in accordance with the approved Tentative Tract Map and shall be filed within thirty-six (36) months from the date of approval by the Planning Commission of the Tentative Map, unless prior to expiration of the thirty-six month period, the Planning Bureau receives a written request from the subdivider for an extension of time, which receives approval from the Zoning Officer.
2. The Final Map shall be prepared to conform to all conditions, exceptions and requirements of Title 20 (Subdivision Ordinance) of the City of Long Beach, as applicable.
3. Prior to approval of the Final Map, the subdivider shall deposit sufficient funds with the City to cover the cost of processing the Final Map through the Department of Public Works. Furthermore, the subdivider shall pay the Planning processing fees for the Final Map.
4. All County property taxes and all outstanding special assessments shall be paid in full prior to approval of the Final Map.
5. All required off-site street improvements shall be financially provided for to the satisfaction of the Director of Public Works prior to approval of the Final Map or issuance of a building permit, whichever occurs first.
6. Site development, including landscaping, shall conform to the approved plans on file with the Department 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.
7. 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, Transportation Impact Fees and Housing Trust Fund fees, if applicable.
8. The Director of 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 and if no detrimental effects to neighboring properties are caused by said modifications. The Zoning Officer or Planning Commission shall review any major modifications, respectively.

9. The applicant shall provide the following to the satisfaction of the Director of Public Works:

GENERAL REQUIREMENTS

- a. The final map shall be based upon criteria established by the Director of Public Works.
- b. Prior to final map approval, the Subdivider shall obtain utility clearance letters for any public entity or public utility holding any interest in the subdivision as required by the Subdivision Map Act.
- c. All required facilities required by the Department of Public Works not in place and accepted prior to final map approval must be guaranteed by instrument of credit or bond to the satisfaction of the Director of Public Works.
- d. Prior to the start of any on-site/off-site construction, the Subdivider 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.).

PUBLIC RIGHT-OF-WAY

- e. The Subdivider shall repair the deteriorated, uplifted and/or depressed sections of sidewalk, curb and curb gutter along the perimeter of the project site. Sidewalk improvements shall be constructed with Portland cement concrete to the satisfaction of the Director of Public Works.
- f. The Subdivider 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.

- g. The Subdivider shall repair the missing sidewalk sections along 4th Street adjacent to the southwest building frontage. Detailed off-site improvement plans shall be submitted to the Department of Public Works for review and approval.
- h. The Subdivider shall obtain a Temporary Street Occupancy Permit for All construction work performed in the public right of way.

OFF-SITE IMPROVEMENTS

- i. The Subdivider shall be responsible for the maintenance, repair and replacement of off-site improvements abutting the project boundary during construction of the on-site improvements until final inspection of the on-site improvements by the City. Any such off-site improvements found damaged by the construction of the on-site improvements shall be repaired or replaced by the Subdivider to the satisfaction of the Director of Public Works.
- j. The Subdivider shall submit a drainage plan for approval by Public Works prior to issuance of a building permit.
- k. Existing cross-lot drainage problems shall be corrected to the satisfaction of the Director of Public Works prior to approval of the final map approval.
- l. The alley returns of Melrose Way, accessing onto Linden Avenue, must be relocate to provide sufficient access to the parking lot adjacent to your project site. Subdivider should work with the owner of the adjacent parking lot to formulate an acceptable driveway approach plan. Construction plans detailing the size and configuration of the new driveway approach serving the adjacent lot shall be submitted to the City Traffic Engineer for review and approval prior to the start of construction. Contact the Traffic and Transportation Bureau at (562) 570-6331 to request additional information regarding driveway construction requirements.

TRAFFIC & TRANSPORTATION

- m. The Subdivider 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.

- n. The Subdivider 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 Subdivider shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
- p. The Subdivider shall contact the Traffic & Transportation Bureau, at (562) 570-6331, to modify the existing curb marking zones, adjacent to the project site.
- 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.).

LONG TERM MAINTENANCE

- r. The Subdivider and successors shall be responsible for the maintenance of the site drainage system and for the operation and maintenance of the private sewer connection to the public sewer in the abutting public right-of-way, and for the maintenance of the sidewalk, parkway, street trees and other landscaping, including irrigation, within and along the adjacent public right-of-way. Such responsibilities shall be enumerated and specified in the project "Conditions, Covenants and Restrictions", and a recorded copy of said document shall be provided to the Director of Public Works.
10. The applicant shall cause to be prepared CC&R's for this project. A copy of the CC&R's is to be provided to the Director of Planning and Building for approval prior to transmittal to the California Department of Real Estate or recordation with the County Recorder. The CC&R's shall be executed and recorded against the title of the parcel and shall contain the following provisions, which shall also be noted on the Final Map:
- a. The subject condominium project consists of eight (8) creative design tenant spaces;
 - b. A minimum of twenty-two (22) on-site parking stalls be permanently maintained as parking facilities for the project. Parking spaces must be used solely for the parking of personal vehicles. Parking spaces may not be leased, subleased, sold, or given to others not associated with the tenants occupying the creative design studios.

- c. A clear, detailed and concise written description of the common areas and facilities of the condominiums shall be provided, including a parking assignment plan;
 - d. The Property Owners' Association shall be responsible for the operation and maintenance of the private sewer connection to the public sewer in the public right-of-way, the site drainage system, the maintenance of the common areas and facilities, the exterior of the building, the abutting street trees, public right-of-way, and any costs or corrections due to building or property maintenance code enforcement actions. Such responsibilities shall be provided for in the CC&R's;
 - e. Graffiti removal shall be the responsibility of the Property Owners' Association. Graffiti shall be removed within 24 hours of its discovery;
 - f. The Subdivider and successors shall be responsible for the maintenance of the site drainage system and for the operation and maintenance of the private sewer connection to the public sewer in the abutting public right-of-way, and for the maintenance of the sidewalk, parkway, street trees and other landscaping, including irrigation, within and along the adjacent public right-of-way. Such responsibilities shall be enumerated and specified in the project CC&R's, and a recorded copy of said document shall be provided to the Director of Development Services.
11. The applicant shall file a separate plan check submittal to the Long Beach Fire Department for review and approval prior to the issuance of a building permit.
 12. 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 Officer Reyes at (562) 570-5805.
 13. The applicant shall provide the following to the satisfaction of the Long Beach Gas and Oil Department:
 - a. The address of each unit shall be displayed appropriately.
 - b. Each house line shall have a brass tag stamped with the unit address number.
 - c. The applicant shall ensure that all vertical and horizontal clearances are met (electrical, cable, vents, windows).
 - d. Meters shall not be visible or accessible from the public right-of-way.

- e. All gas facilities shall meet the current standards of the Long Beach Gas and Oil Department.
14. 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.
15. A separate building permit shall be secured from the Building Bureau for a change of occupancy for the conversion of apartments to condominiums.
16. Separate building permits shall be required for signs, fences, retaining walls, trash enclosures, flagpoles, pole-mounted yard lighting foundations, and planters.
17. Separate electrical and plumbing permits shall be required for conversion of three (3) or more tenant spaces to condominiums.
18. Per Section 21.42.030 of the Long Beach Municipal Code, all required yards and setback areas shall be attractively landscaped primarily with live plant material. All landscaped and paved areas shall be maintained in a neat and orderly condition with healthy landscaping free of weeds and litter. The subdivider shall replace all existing dying and dead landscaping on the subject property to the satisfaction of the Director of Development Services prior to approval of the Final Map.
19. Prior to approval of the Final Map, the applicant shall provide clearance letters from all applicable City departments and other government agencies stating that requirements for condominium conversion have been met.
20. 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 Filings
12400 E. Imperial Hwy. 2nd Floor, Room 2001
Norwalk, CA 90650

Categorical Exemption CE- 09-051

Project Location/Address: 425-441 E. 4th Street

Project/Activity Description: 02 CONVERSION OF EIGHT (8) RENTAL TENANT
EAST VILLAGE PARTNERS, LLC SPACES INTO EIGHT (8) OWNERSHIP DESIGN
562-436-5200 STUDIO TENANT SPACES.
562-436-5222

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

Applicant Name: 290 Cerritos Avenue

Mailing Address: Long Beach

Phone Number: CA

Applicant Signature: 

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 0907-08 Planner's Initials: MP

Required Permits: TENTATIVE TRACT MAP

THE ABOVE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM CEQA IN ACCORDANCE WITH STATE GUIDELINES SECTION 15303

New Construction or Conversion of Small Structures
Statement of support for this finding: Class 3 is the appropriate CEQA
review for the project, the conversion of an
existing building to new office square
footage.

Contact Person: Jill Griffiths Contact Phone: 562.570.6191

Signature: Jill Griffiths Date: August 12, 2009