

**Maryanne Cronin**

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**From:** Susan Taylor <[REDACTED]>  
**Sent:** Tuesday, June 15, 2021 1:35 PM  
**To:** Maryanne Cronin  
**Cc:** Jennifer Celio; Marybeth; Gayle Shapiro; Tony Glavis  
**Subject:** 525 E. Broadway Project Redesign Proposal  
**Attachments:** 525 E Broadway Compromise Redesign.pdf

-EXTERNAL-

Hello Maryanne,

In the interest of opening up a conversation about possible changes to the 525 E. Broadway project, that would serve both the interests of the developer and the Atlantic Plaza, I am attaching a proposal. In a nutshell, the redesign would add one floor to the Broadway side of their building thereby increasing the number of units by about ten. To offset that gain the plan would remove all units over the garage so that light and air would be restored on the Atlantic Plaza's west side. This alteration would also allow for more parking on the roof. The garage would have parking on a basement level, plus on a first and second level (as currently planned) and with the redesign would allow for additional parking on the roof of the structure. So in essence, our proposed redesign would take about ten units from above the garage and put them instead on an additional floor on the Broadway side of their building. An added bonus for the developer is that the view from the new location would be superior to the view from the garage location making the units more attractive to renters.

The proposal would also increase the distance between the Atlantic Plaza and the 525 E. Broadway building from nine feet to twelve feet to increase light and airflow as well as allow room for emergency vehicles to enter the passageway.

Because we are unfamiliar with the appeal process, would you provide information or guide us to where we can learn more about what we can expect from the appeal process. For example, will the hearing be on Zoom or in person? Who will be allowed to attend? Will it be open to the public? Should we have a designated speaker? Are we to make a presentation? Should we have an attorney present to represent our interests? How long will the hearing last? How much notice will we be given? Were there any other appeals submitted? If so, will their concerns be addressed at the same hearing? If we are not satisfied by the decisions made as a result of the appeal what other recourse is available to us? The more we know the better we can be prepared to make our interests clear.

Thank you for being so responsive to our concerns and I look forward to hearing from you. I continue to hold a vision that allows for a compromise that manifests the highest good for everyone concerned.

Sincerely,

Susan Taylor  
Owner of Unit [REDACTED]

This is a compromise proposal to the presently considered 525 E. Broadway Development. It incorporates the desire of the Atlantic Plaza residents to retain sunlight and air flow, additional parking, and a safe distance between the buildings with the developer's desire for a multiple story mixed use structure.

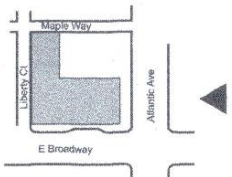
1. Adds an eighth floor to the developer's South elevation (also visible at east and west)
2. Reduces the northern part of the west elevation to a four-level parking structure. At 20 spaces per level of parking, that's 20 in basement, 20 on first floor, 20 on second floor and 20 on the roof of second floor for a grand total of approx. 80 spaces
3. Makes that new parking area more attractive with palm trees, hedges and safety parapet.
4. The Developer will lose approximately 10 units on the less attractive west side of his building, but eighth floor allows him to add approximately 10 units to the more attractive south exposure.
5. Allows room for a fire truck to enter the passage between the buildings in case of emergency. (Fire trucks average 10' in width, so wouldn't fit in currently proposed 9' passage.)
6. The Atlantic Plaza units designated 03 will also get more sunlight, air flow and find their balcony more usable.
7. Units designated 02 will get more sun and air flow from the west and have enough distance between their unit and garage area to enjoy air flow and a less distracting view of a wall, particularly if that wall is landscaped with a vertical garden or adorned with a mosaic.
8. Residents of apartments on Liberty will also benefit from less loss of sunlight coming from the east.

Development	Gains	Losses
Atlantic Plaza	<ul style="list-style-type: none"> <li>• Retain sunlight and air flow from west</li> <li>• More space between buildings (12 ft) for safety and air flow</li> <li>• More attractive parking area to look at than current occupant (Padre's) allows</li> </ul>	<ul style="list-style-type: none"> <li>• Still lose southern exposure</li> <li>• Another level of parking</li> <li>• Another level of shadow to south</li> </ul>
525 E. Broadway	<ul style="list-style-type: none"> <li>• Additional parking floor (approx. 20 more spaces per level for total of 80 over four floors)</li> <li>• One additional south elevation floor (approx. 10 units)</li> <li>• Attractive parking structure for residents of main building with landscaping elements in keeping with rest of the building (Palm trees, hedges)</li> <li>• Additional parking adds value to tenants of commercial space</li> <li>• Possible lower building costs</li> </ul>	<ul style="list-style-type: none"> <li>• The equivalent of approx. 10 units above garages</li> <li>• Three feet additional set back (total 12').</li> </ul>

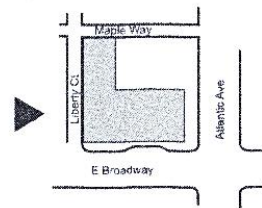
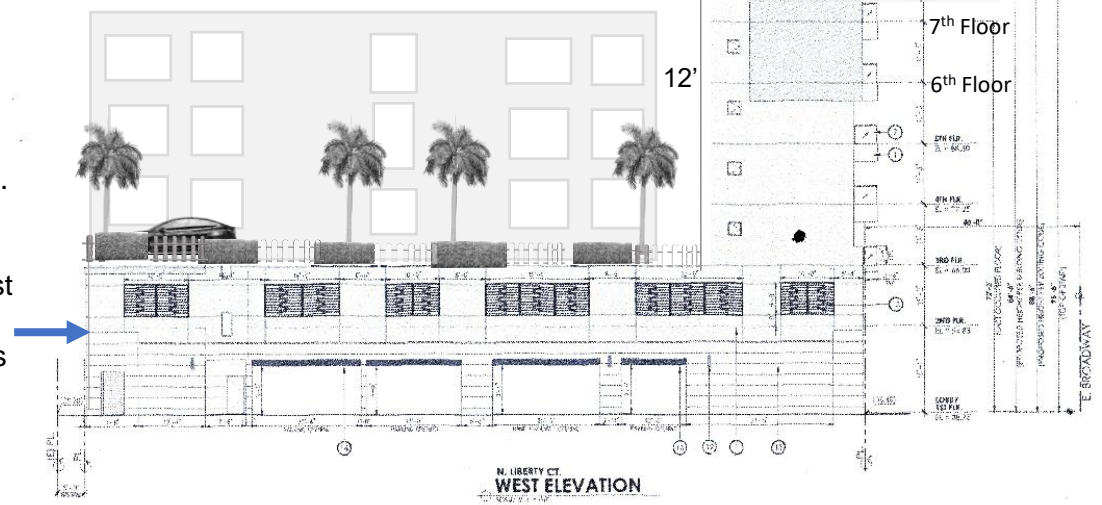
Revised height at 8 stories tall  
 (with added 11' 5" floor)  
 Top of stairs 107.11  
 Top of eighth floor 97' 5"

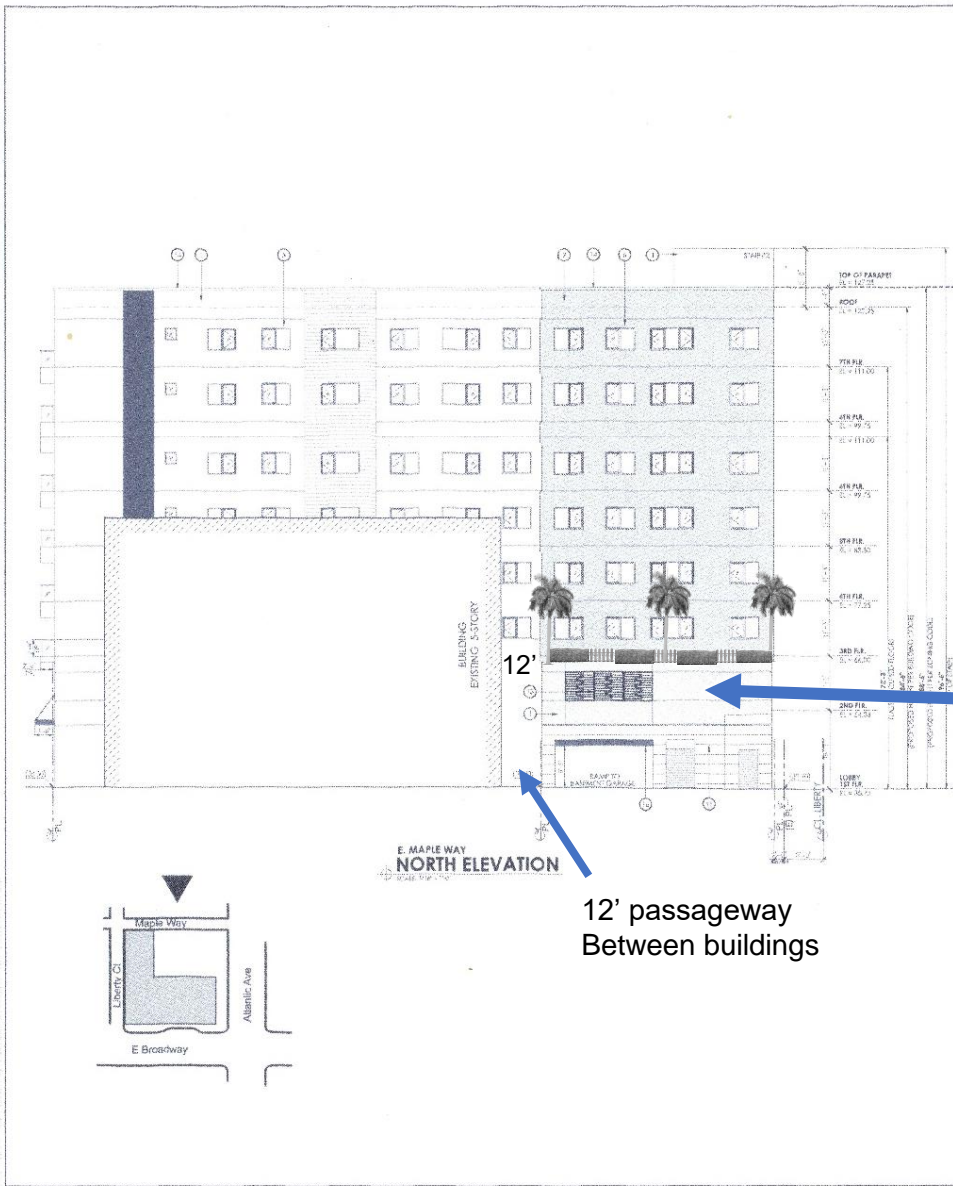


12' passageway  
 Between buildings

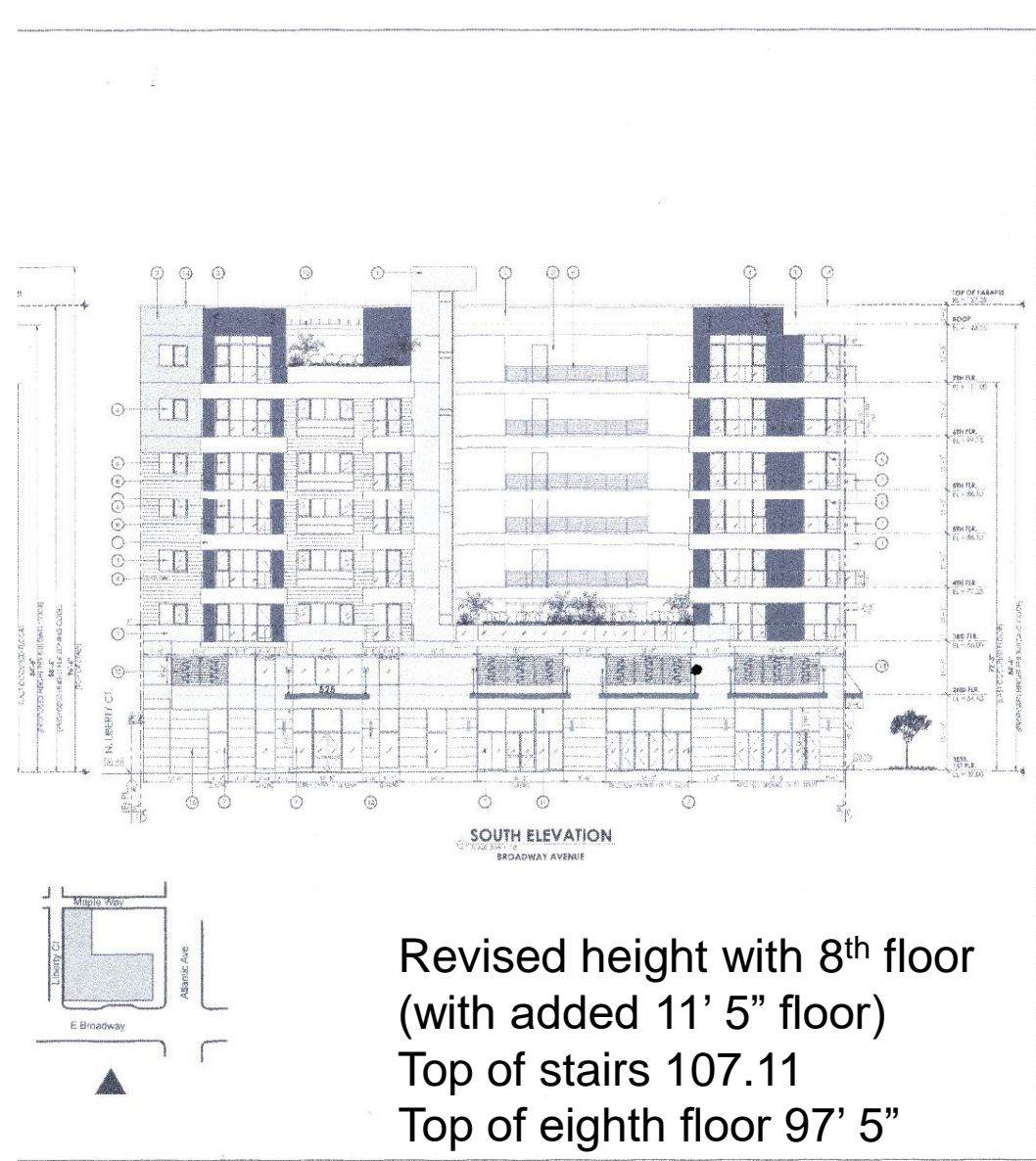


Northwest side of 525 E. Broadway becomes a four-level parking structure (basement, first floor, second floor and roof) which at 20 spaces per level is a grand total of approximately 80 spaces.





Northwest side of 525 E. Broadway becomes a four-level parking structure (basement, first floor, second floor and roof of second floor at approx. 20 spaces per level (approx. 80 spaces))



**LAW OFFICES OF MARTIN H. BLANK, JR.**

25<sup>th</sup> Floor, 1801 Century Park East  
Los Angeles, California 90067  
(310) 736-1617

7/1/2021

**Long Beach Planning Commission**  
**411 W. Ocean Blvd, 3<sup>rd</sup> Floor**  
**Long Beach, CA 90802**

Re: 525 Broadway

Dear Long Beach Planning Commissioner,

Martin H. Blank, Esq. represents 525 Broadway LLC and is submitting this letter to inform you that the Planning Commission has an obligation to abide by all relevant state housing laws when evaluating the above captioned proposal, including the Housing Accountability Act (HAA). We would like to emphasize that the Planning Commission is limited in the scope and type of conditions that may be applied to the project as part of an approval.

California Government Code § 65589.5, the Housing Accountability Act, prohibits localities from denying housing development projects that are compliant with the locality's zoning ordinance or general plan at the time the application was deemed complete, unless the locality can make findings that the proposed housing development would be a threat to public health and safety. Additionally, the HAA forbids localities from placing conditions on projects that would have the effect of reducing the density of a project or rendering it infeasible to build. The relevant portions of the statute read as follows:

*(j) When a proposed housing development project complies with applicable, objective general plan and zoning standards and criteria, including design review standards, in effect at the time that the housing development project's application is determined to be complete, but the local agency proposes to disapprove the project or to approve it upon the condition that the project be developed at a lower density, the local agency shall base its decision regarding the proposed housing development project upon written findings supported by substantial evidence on the record that both of the following conditions exist:*

*(1) The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. As used, in this paragraph, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.*

(2) *There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified pursuant to paragraph (1), other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density.*

.... (h) *The following definitions apply for the purposes of this section: (7) "Lower density" includes any conditions that have the same effect or impact on the ability of the project to provide housing.*

The project proposed by the applicant is fully zoning and general plan compliant, as we have explained in previous letters and applications. The city is therefore not allowed to impose any conditions on the project that would have the effect of reducing the number, size, or feasibility of the units proposed to be built. The city is additionally required to approve the project unless findings can be made of a clear threat to public safety from the development proposal.

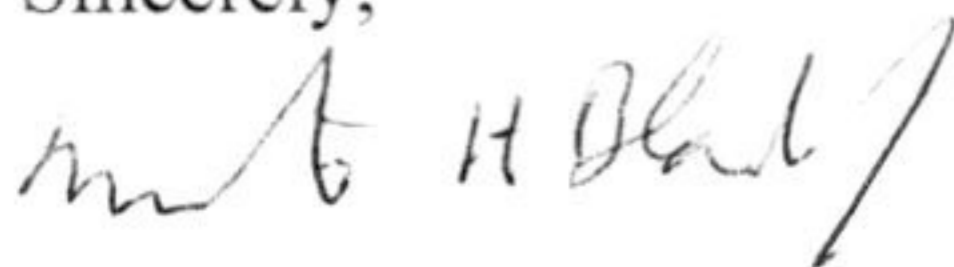
Staff supports the project, the size of the proposed residential units and the ground floor retail. While a few neighboring residents have expressed concerns regarding the building height, any deviation from the approved building would clearly run afoul of the principle laid out in the HAA.

The use and design proposed for this site is allowed by its zoning and general plan designations. The city may not compel the applicant to utilize a different design, and potentially a completely different use, without justification in clear, objective standards within the city's general plan or zoning ordinance. Vague, subjective criteria like neighborhood context, height restrictions and compatibility are not sufficient justification for such major project approval conditions.

The decisions that cities make within their zoning ordinances and general plans are important and binding. If the city of Long Beach would like to reassess the uses allowed within its commercial zones it is welcome to do so when formulating the city's next general plan. For now, and for this proposed project, the Planning Commission must limit itself to the existing general plan and zoning. This project is fully compliant with both and therefore cannot be lawfully denied or unduly restricted with conditions of approval.

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525 Broadway, LLC and the owner's mission is to increase the accessibility and affordability of housing in California. I am signing this letter both in my capacity as the counsel for 525 Broadway LLC and as a resident of California who is affected by the shortage of housing in our state.

Sincerely,



Martin H. Blank, Esq.