



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor

Long Beach, CA 90802

(562) 570-6194

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February 2, 2012

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Approve Tentative Parcel Map No. 71382 to subdivide one vacant lot into two lots located at 125 Linden Avenue within the Downtown Planned Development District (PD-30). (District 2)

APPLICANT: Broadlind LP
c/o Jim Najah and the Lafayette Parking Cooperative, LLC
27068 La Paz Road, #452
Aliso Viejo, CA 92656
(Application No.1111-11B)

DISCUSSION

The project site is located on the west side of Linden Avenue, north of First Street and south of Broadway, in the East Village Mixed Use subarea of the Downtown Planned Development District (PD-30)(Exhibit A – Location Map). The entire project site is 120 feet wide by 148.1 feet deep, or 17,774 square feet.

The existing site is a 120-foot by 148.1-foot lot; however, prior to a 2005 subdivision map approval the site was two separate lots owned by two different entities. The southerly lot, owned by the Lafayette Parking Cooperative, LLC, is 50 feet wide by 148.1 feet deep (7,407 square feet) and used as an off-site parking lot for the Lafayette Condominiums. The northerly portion of the site is an open parking lot 75 feet wide by 148.1 feet deep (11,109 square feet). This parking lot contains required parking spaces for the Broadlind Apartments directly to the north and is owned by Mr. Najah. The two property owners entered into a joint venture to develop the property with a four-story, 30-unit mixed-use condominium development. The 2005 entitlements included conditions of approval requiring the developer to provide the required number of off-site parking spaces for both the Broadlind Apartments and the Lafayette Condominiums. The Planning Commission certified Negative Declaration 27-04 and conditionally approved Case No. 0406-30 for a Site Plan Review and Tentative Subdivision Map to allow the construction of a mixed-use development with a 133-space parking garage, 30 condominium units and 2,000 square feet of commercial area.

Due to the subsequent downturn in the economy, the project was never built. No improvements have been made to the site and it exists as it did in 2005 as two open parking lots separated by a chain link fence with a curb cut off Linden Avenue to access each lot. The owners will be required to forfeit the development rights to the mixed-use project, dissolve the map and convert the lot back to its configuration prior to approval of the existing map: a 50-foot by 148.1-foot-deep (7,407 square feet) lot owned by the Lafayette Condominium Association and a 75-foot by 148.1-foot-wide (11,109 square feet) lot owned by Mr. Najah (Exhibit B – Plans & Photos).

The Public Works Department requested a 2-foot alley dedication along the north/south alley known as Frontenac Court at the rear property line and a 5-foot alley dedication along the east/west alley at the south property line known as Alta Way when the subdivision map was approved in 2005. The Public Works Department has agreed to allow the 5-foot dedication on Alta Way to be vacated due to an action by City Council on August 16, 2011, that approved a resolution to close Alta Way west of Linden Avenue to vehicular use and create a pedestrian passage in the interest of community greening. Thus, the 5-foot dedication is no longer necessary and this area will revert back to the property owners. The Public Works Department will maintain the 2-foot alley dedication on Frontenac Court so the lots will maintain their current depth of 148.1 feet.

In order to approve a Tentative Parcel Map, the Planning Commission must make positive findings (Exhibit C – Findings & Conditions). The minimum lot size for any new subdivision of existing parcels in PD-30 shall be 10,000 square feet. The existing lot is 18,516 square feet; thus, the division of this parcel into two lots will result in one parcel with less than 10,000 square feet of area. The proposed subdivision will result in converting the lots back to their original dimensions less the 2-foot alley dedication. Staff recommends the Planning Commission approve the Tentative Parcel Map for the two-lot subdivision, subject to Conditions of Approval.

PUBLIC HEARING NOTICE

Public hearing notices were distributed on January 17, 2012, as required by the Long Beach Municipal Code. No responses have been received as of the date of this report.

ENVIRONMENTAL REVIEW

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, a Categorical Exemption was prepared for the subject proposal (Exhibit D – CE 11-081).

CHAIR AND PLANNING COMMISSIONERS

February 2, 2012

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Respectfully submitted,



DEREK BURNHAM
PLANNING ADMINISTRATOR



AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

AJB:DB:LF

- Exhibits:
- A. Location Map
 - B. Plans & Photos
 - C. Findings & Conditions
 - D. Categorical Exemption

**CONDITIONS OF APPROVAL
TENTATIVE TRACT MAP No. 71382**

Application No. 1111-11B

125 Linden Avenue

Date: February 2, 2012

1. The Final Map is to be prepared in accordance with the approved Tentative Tract Map and shall be filed with the Los Angeles County Recorder's Office 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, unless specified otherwise herein.
3. Unless specifically waived by the Planning Commission, as per Section 21.42.080 of the Long Beach Municipal Code, 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.
4. 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 associated Planning processing fees of the Final Map.
5. All County property taxes and all outstanding special assessments shall be paid in full prior to approval of the Final Map.
6. All required utility easements shall be provided for to the satisfaction of the concerned department or agency and shown on the map, if applicable.
7. 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.
8. Prior to approval of the Final Map, the subdivider shall obtain utility clearance letters from any public entity or public utility holding any interest in the subdivision as required by Section 66436 C. (1) of the Subdivision Map Act.
9. 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.

10. All required facilities required by the Department of Public Works not in place and accepted prior to approval of the parcel map must be guaranteed by cash deposit or bond to the satisfaction of the Director of Public Works.
11. Easements shall be provided to the City of Long Beach for proposed utility facilities to the satisfaction of the concerned City Department or public agency and shown on the map.
12. The parcel map shall be based upon criteria established by the Public Works Department.
13. When the parcel map is waived, the applicant shall file a final plot plan with the Department of Public Works and shall meet all criteria established by the Director of Public Works.
14. When a parcel map is waived, a Certificate of Compliance shall be filed for recording with the County recorder when the final plot plan is approved by the Director of Public Works and when there is compliance with all requirements of the Tentative Map.

Special Conditions:

15. The applicant shall forfeit all entitlements to Case No. 0406-30 for the construction of a four-story, mixed-use condominium development with 30 residential units and 2,000 square feet of commercial floor area (Tract No. 62142).
16. 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.
17. 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 Administrator or Planning Commission shall review any major modifications, respectively.

Special Conditions:

18. The applicant shall comply with the following conditions 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 bonds 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 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.

OFF-SITE IMPROVEMENTS

- f. The Subdivider shall be responsible for the protection of off-site facilities abutting the subdivision boundary during any on-site construction activity. Any such off-site facilities found damaged by the construction of on-site improvements shall be repaired or replaced by the Subdivider to the satisfaction of the Director of Public Works.
- g. All private property obstructions within the Frontenac Court right of way shall be removed or relocated to within the private property line. All utilities both private and public within the Frontenac Court alleys shall be protected in place during alley improvements to the satisfaction of the Director of Public Works.
- h. The Subdivider 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.

- i. ~~— The Subdivider shall remove and reconstruct the entire width of the Frontenac Court alley adjacent to the site, from the south prolongation line of the Alta Way alley to the subdivider's north prolongation property line with Portland cement concrete to the satisfaction of the Director of Public Works.~~
- j. ~~— The Subdivider 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.~~
- k. The Subdivider shall relocate the fence that is within the Frontenac Court right of way 2 feet easterly to within the private property line and repair the alley pavement damage by the fence.

TRAFFIC & TRANSPORTATION

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

- 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), 2010 edition (i.e., white parking stalls, stop signs, entry treatment signage, handicapped signage, etc.).
- q. 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.

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.

Standard Conditions:

- 19. 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.
- 20. 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.
- 21. Separate building permits shall be required for fences, and retaining walls.
- 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. 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 Planning and Building.

24. 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.

FINDINGS
TENTATIVE PARCEL MAP No. 71382
Application No. 1111-11B
February 2, 2012

Pursuant to Section 20.12.100 of the Long Beach Municipal Code, the Planning Commission shall approve a tentative parcel 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.

TENTATIVE PARCEL MAP FINDINGS

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

The subject site is located within the General Plan area designated as LUD #7 Mixed Uses and the Downtown Planned Development District (PD-30), East Village Mixed Use subarea. The proposed map is consistent with the General Plan, LUD #7. The land use is described as mixed use, which is intended for large activity centers allowing employment centers, retail, offices, and high density residential, visitor serving facilities and professional services. The proposed map does not comply with the minimum lot size of 10,000 square feet in PD-30, as the entire lot size is 18,516 square feet (125 feet by 148.1 feet). The original underlying subdivision pattern is 25-foot-wide lots. One lot will be 50 feet wide and 7,407 square feet and the other 75 feet wide and 11,109 square feet. Each lot will be owned by the previous owner and continue to be used as open parking lots, required parking for the Lafayette and Broadlind building.

B. 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 of the General Plan for subdivision purposes. The southern parcel does not meet PD-30 minimum lot size requirement of 10,000 square feet; however, it is being converted back to the underlying subdivision pattern prior to approval of the tract map in 2005. The underlying subdivision is 25-foot wide lots for a total street frontage of 50 feet and 7,407 square feet.

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

The site is physically suitable for future development. No development is proposed at this time.

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

The parcels proposed are suitable in size to accommodate future development. Although one parcel is less than 10,000 square feet, it will be reverted back to the size prior to approval of the 2005 map and is required to remain as off-site parking for the Lafayette Condominium Association.

- E. THAT THE DESIGN OF THE SUBDIVISION OR THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIAL AND AVOIDABLE INJURY TO FISH AND WILDLIFE OR THEIR HABITAT;**

The proposed subdivision will create two lots. The same two lots that existed prior to the 2005 tract map approval. The proposed subdivision is not likely to cause substantial environment damage or avoidable injury to fish and wildlife or their habitat.

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

The subdivision will create two parcels. One parcel is currently being used for off-site parking for the Lafayette Association. The second parcel is also used as an off-site parking lot for the Broadlind building. Both lots could accommodate future development provided the existing on-site parking is provided for within the new development.

- G. 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 PORPERTY WITHIN THE PROPOSED SUBDIVISION.**

All concerned City Departments have reviewed the Tentative Parcel 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 prior to the recordation of the final map.

Pursuant to Section 20.12.140 of the Long Beach Municipal Code, the Planning Commission shall approve a tentative parcel 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. NO UNUSUAL IMPACT TO PUBLIC HEALTH, SAFETY, OR WELFARE IS ANTICIPATED;

No unusual impact to public health, safety or welfare is anticipated by converting the two parcels back to their original configuration prior to the 2005 Tract Map: a 50-foot wide and 75-foot wide lot.

2. ALL REQUIRED DEDICATION OF PUBLIC RIGHT-OF-WAY AND PUBLIC IMPROVEMENTS HAVE BEEN PROVIDED FOR;

The Public Works Department has reviewed the request and required the subdivider to remove any improvements within the Frontenac Court right-of-way and shall remove and reconstruct the entire width of the Frontenac Court alley adjacent to the site, from the south prolongation line of the Alta Way alley to the subdivider's north prolongation property line with Portland cement concrete. This requirement is included in the conditions of approval.

3. THE PARCEL MAP SHALL CONSISTS OF FOUR LOTS/UNITS OR LESS; AND

The proposed parcel map consists of two lots.

4. IF A TENTATIVE MAP IS FOR CONDOMINIUM CONVERSION, ALL REQUIREMENTS AS SPECIFIED IN THE CONDOMINIUM CONVERSION REGULATIONS SHALL BE COMPLIED WITH IN FULL.

The proposed map is for the subdivision of one vacant lot into two lots. Both lots are currently developed as open parking lots with no future plans for development.



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- 11-081

Project Location/Address: 125 Linden Ave Long Beach 90802

Project/Activity Description: X Convert One lot into two lots.

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

Applicant Name: Broadland LP / LAFAYETTE PARKING COOPERATIVE, LLC

Mailing Address: 149 Linden Ave # m100 Long Beach CA 90802

Phone Number: 310 995-8123

Applicant Signature: _____

[Handwritten Signature]
Broadland LP. LAFAYETTE PARKING COOP. LLC

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 1111-11 Planner's Initials: LF

Required Permits: Parcel map

THE ABOVE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM CEQA IN ACCORDANCE WITH STATE GUIDELINES SECTION 15315, CLASS 15

Statement of support for this finding: Subdivision of land into four or fewer parcels. Project subdivides one parcel into two parcels.

Contact Person: Lynette Ferenczy Contact Phone: 562-570-6194

Signature: Lynette Ferenczy Date: Jan, 2012