

**CONDITIONS OF APPROVAL**  
**3340 North Los Coyotes Diagonal**  
**Application No. 2202-33 (SPR22-08, CUP22-003, LLA 21-004)**  
**May 5, 2022**

**Special Conditions:**

1. The following approvals are granted for this project:
  - a. Finding the project is Categorically Exempt pursuant to Section 15332 of the State CEQA Guidelines and warrants no further environmental review pursuant to CEQA Guidelines Section 15162;
  - b. This Site Plan Review approval for the project as depicted on the plans submitted to the Department of Development Services and presented to the Planning Commission on May 5, 2022, consisting of:
    - i. A two-story, 86-room senior assisted and memory care living facility consisting of a mix of studio, one-bedroom and two-bedroom units. Thirty units are allocated for the Memory Care portion of the facility and 56 rooms are allocated for the Senior Assisted living portion of the facility. (Special Group Residence);
    - ii. A minimum of approximately 11,766 square feet of indoor amenity space and 10,356 square feet of outdoor common space for building residents;
    - iii. Ground level parking incorporating a minimum of 61 parking stalls with 55 specifically designated for the project and the remaining six stalls shared with the adjacent medical/professional office and assembly uses.
  - c. Conditional Use Permit approval for the project described above, in accordance with LBMC 21.52.271.
  - d. Lot Line Adjustment approval in accordance with LBMC Chapter 20.20.
2. The applicant shall apply with the City's Public Works Department to finalize the Lot Line Adjustment between the lots. Recordation of the Lot Line Adjustment shall be completed, and the City shall receive a conforming copy of the recordation, prior to receiving a Certificate of Occupancy for the project.
3. Not less than ~~5564~~ standard parking stall spaces the minimum number required by Municipal Code shall be permanently maintained. The number of Electric Vehicle (EV) charging stations and spaces shall meet or exceed California Green Building Standards Code Chapter 5 Section 5.106.5.3 requirements.

4. In compliance with Chapter 21.64 Transportation Demand Trip Reduction Measures, the Project shall incorporate applicable measures, such as providing employees with transportation information and providing employee bicycle parking. A minimum of 18 bicycle parking/storage spaces shall be provided for and maintained on site.
5. The tile roof shall have a three to five color blend so as to blend more cohesively with the shingle portion of the roof.
6. Individual unit windows and windows along the front elevation shall be inset a minimum of three to five inches to provide a depth of elevation along the wall planes.
7. Wall-mounted mechanical equipment shall be flush with the surrounding elevation wall and shall not protrude from the wall plane. Said mechanical equipment shall be painted in accordance with the submitted renderings as included on the most recent plan set.
8. A Continuation of Use as a Senior Assisted and Memory Care Living Facility (Special Group Residence) shall be required through a deed restriction to the satisfaction of the Director of Development Services, or designee.
9. One or several central satellite television/data receiver dish(es) shall be located on the roof of the building or in another utility area so that multiple separate systems are not needed.
10. Pursuant to section 21.45.400 (c), the project shall meet the intent of LEED at the Certified level to the satisfaction of the Director of Development Services, or designee.
11. Noise levels emanating from the project's common open space areas shall not exceed applicable noise standards specified in Long Beach Municipal Code Section 8.80.150 – Exterior Noise Limits.
12. Utilities shall be located internally to the building as feasible to mitigate noise and vibration. Roof top mechanical equipment shall be screened to minimize exterior noise. Any testing of equipment shall occur during regular business hours (Monday through Friday, between the hours of 8 am to 5 pm). All equipment shall be compliant with Long Beach Municipal Code Section 8.80.150 – Exterior Noise Limits.
13. The developer shall submit to the Department of Development Services and the Department of Public Works a detailed construction staging plan for review and approval, to the satisfaction of the Director of Development Services and Public Works, prior to the issuance of a building permit. Contact information for the Project Manager shall be posted in a visible location on site during all construction phases.

14. Developer to provide gas loads for proposed development and to confirm the new meter(s) locations meet all Long Beach Energy Resources Department (LBER) requirements.
15. All required off-site street improvements shall be installed or provided for to the satisfaction of the Director of Public Works prior to issuance of a building permit.
16. The **Department of Public Works** submits the following requirements for the proposed development referenced in the above subject line. The applicant must comply with all the following requirements:

### **GENERAL REQUIREMENTS**

- a. Prior to the start of ANY demolition, excavation, or construction, the Applicant shall,
  - i. Submit a construction plan for pedestrian protection, construction staging, scaffolding and excavations, and
  - ii. Submit a traffic control plan with street lane closures and routing of construction vehicles (excavation hauling, concrete and other deliveries, etc.) prepared by a registered Civil or Traffic Engineer in the State of California, with wet seal and signature, and
  - iii. Submit a plan for construction area and/or site perimeter fencing with custom printed screen(s),
  - iv. All for review and approval by the Department of Public Works and installed in accordance with the latest version of the Public Works Development Guideline.

Work, including hauling soils or other debris, is not allowed within the right-of-way without a valid Public Works permit. The Applicant shall comply with all requirements outlined within the latest version of the Public Works Development Guideline and all referenced standards at the time of application submittal.

- b. Doors and/or gates shall not swing or project into the public right-of-way. All door openings swinging into public rights-of-way shall be eliminated, to the satisfaction of the Director of Public Works.
- c. All proposed refuse and recycling structures and receptacles must be placed entirely on private property, outside of the public right-of-way. The Applicant and/or successors shall be responsible for the cleanliness of the sidewalk/roadway adjacent to the refuse and recycling area and the overall development.
- d. The Applicant 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, as determined during the plan check process, the right-of-way dedication way shall be provided.

- e. Public improvements shall be constructed in accordance with Public Works construction standards, and per plans reviewed and approved by the Department of Public Works. Detailed off-site improvement plans shall be prepared by a licensed Civil Engineer, stamped, signed and **submitted to the Public Works counter at the Permit Center on the 2nd Floor of City Hall (411 W. Ocean Blvd., Long Beach, CA 90802)**, for review and approval. The City's Public Works Engineering Standard Plans are available online at [www.longbeach.gov/pw/resources/engineering/standard-plans](http://www.longbeach.gov/pw/resources/engineering/standard-plans). **This is in addition to, and separate from, any plan check required by the Department of Development Services, Building & Safety Bureau.**
- f. All conditions of approval, including cover letter signed by the Planning Officer and Case Planner, must be printed verbatim on all plans submitted for plan review to the Department of Public Works.

### **PUBLIC RIGHT-OF-WAY**

- g. Applicant shall be responsible for the relocation and/ or undergrounding of utilities, right-of-way dedications, quitclaim of easements, and/or any new utility easements required in connection with the proposed development, and removal of any related abandoned facilities, such as an existing 6foot wide public utility easement traversing the property in an east-west orientation, or equipment as needed or required; as structures cannot be built within an easement or dedicated area.
- h. Applicant shall be responsible for resolving all matters of easement(s) and/ or utilities encroachment to the satisfaction of the interested agency, City Department, and the Director of Public Works.
- i. Backflow preventer must be installed on private property and a Grant of Easement to the City must be applied for by separate instrument to the Department of Public Works.

### **OFF-SITE IMPROVEMENTS**

- j. Palo Verde Avenue is currently subject to a street pavement cut moratorium ending in December 2025. The Applicant shall provide written approval from the City to implement any street improvements prior to the end of the existing moratorium, in the form of a discretionary permit for excavation. Any work within a street under moratorium requires a complete grind and overlay from block to block and the Applicant shall adhere to this requirement.

- k. The Applicant shall reconstruct the full width of the east-west alley adjacent to the northern property line of the project site, from Los Coyotes Diagonal to the northern prolongation of the eastern limit of the proposed improvements, with Portland cement concrete, to the latest City standards and to the satisfaction of the Director of Public Works.
- l. The Applicant shall reconstruct the alley curb intersection at Los Coyotes Diagonal and the alley, including new ADA compliant curbs ramps, to the latest City standards and to the satisfaction of the Director of Public Works. Alley improvements shall be constructed with Portland cement concrete.
- m. The Applicant shall protect in place the existing trees on the Los Coyotes Diagonal right-of-way adjacent to the project site, during construction of any off-site improvements within that right-of-way.
- n. The Applicant shall check with the Long Beach Water Department at (562) 570-2300 and the Gas and Oil Department at (562) 570-2030 for scheduled main replacement work prior to submitting any improvement plans to the Department of Public Works.
- o. The Applicant shall demolish and reconstruct a minimum of 4' sidewalk along Los Coyotes Diagonal adjacent to the entire project frontage to the satisfaction of the Director of Public Works. The Applicant shall construct all off-site improvements needed to provide full ADA accessibility compliance within the adjacent public right-of-way. If a dedication of additional right-of-way is necessary to satisfy ADA requirements, as determined during the plan check process, the right-of-way dedication way shall be provided. Sidewalk improvements shall be constructed with Portland cement concrete to the satisfaction of the Director of Public Works. All sidewalk removal limits shall consist of entire panel replacements (from joint line to joint line).
- p. The applicant shall reconstruct cracked, deteriorated, or uplifted/depressed sections of curb and curb gutter along Los Coyotes Diagonal adjacent to the project site to the satisfaction of the Director of Public Works.
- q. The Applicant proposes improvements that may impact existing under- and above-ground utilities through and adjacent to the project site, such as gas lines, water pipelines, and utility poles and overhead lines, and along the perimeter streets and alleyways adjacent to the project site. The Applicant shall be responsible for all design, applicable utility approval, permitting, relocation work, easements relocation and commissioning as required by the interested agency and shall work with each utility directly.

- r. The Applicant 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. All off-site improvements adjacent to the development site, and/or along the truck delivery route found damaged as a result of construction activities, shall be reconstructed or replaced by the Applicant, to the satisfaction of the Director of Public Works.
- s. The Applicant shall provide for the resetting to grade of existing manholes, pull boxes, and meters in conjunction with the required off-site improvements, to the satisfaction of the Director of Public Works.
- t. The Applicant shall submit a 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.
- u. The Applicant shall submit a drainage plan for approval by Public Works prior to issuance of a building permit.

### **TRAFFIC AND TRANSPORTATION**

- v. The Applicant shall provide a trip generation and trip distribution analysis. Based on these studies, a traffic impact analysis may be required. Any conditions generated by the analysis shall be made a part of these conditions.

~~The Applicant shall be responsible for upgrading existing Class II bikeways (bike lanes) to Class IV bikeways (separated bikeways), using materials approved by the City Traffic Engineer, on Los Coyotes Diagonal along the Project's frontage continuing north to Wardlow Road on the east side of the street, and from Pageantry Street to Wardlow Road on the west side of the street.~~

- w. The Applicant shall be responsible for upgrading existing Class II bikeways (bike lanes) to Class IV bikeways (separated bikeways), using materials approved by the City Traffic Engineer, on Los Coyotes Diagonal along the Project's frontage on both sides of the roadway. In lieu of constructing these improvements, the applicant may contribute \$16,000 for future City implementation of the bikeway separators.

- x. The size and configuration of all proposed driveways serving the project site shall be subject to review and approval of the City Traffic Engineer. Driveways greater than 28 feet in width require a variance; contact the Transportation Mobility Bureau, at (562) 570-6331, to request additional information regarding driveway construction requirements.

- y. The Applicant 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.
  - z. The Applicant shall replace all traffic signs and mounting poles damaged or misplaced as result of construction activities to the satisfaction of the City Traffic Engineer.
  - aa. The Applicant shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
  - bb. The Applicant shall contact the Traffic & Transportation Bureau, at (562) 570-6331, to modify any existing curb marking zones adjacent to the project site.
  - cc. 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), 2012 or current edition (i.e. white parking stalls, stop signs, entry treatment signage, handicapped signage, etc.).
17. The Applicant shall comply with the requirements contained in the **Building Bureau** Technical Advisory Comment letter dated March 9, 2021 incorporated with this application, Application Number 2202-33.
18. The Applicant shall comply with the requirements contained in the **Long Beach Water Department** Technical Advisory Comment letter dated January 3, 2021, incorporated with the application, Application Number 2202-33.
19. The Applicant shall comply with the following conditions of approval by the **Long Beach Energy Resources Department**. Furthermore, said Applicant shall comply with the requirements contained in the letter/email dated December 22, 2021, incorporated with the application, Application Number 2202-33.
- a) The developer/owner is responsible in coordinating with LBER to make sure there is a plan in place for the relocation, or cut and cap of gas facilities.
  - b) The developer is to review and get approval for proposed meter(s) locations with LBER inspector.
  - c) Developer to provide gas loads for proposed development and to confirm that the new meter(s) locations meet all LBER requirements.

**Standard Conditions – Plans, Permits, and Construction:**

1. The applicant shall comply with all comments from the Long Beach Police, Gas & Oil, Public Works, Water and Fire Departments and Building Bureau.
2. 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 Director of Development Services.
3. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Department of Development Services. These conditions must be printed on the site plan or a subsequent reference page.
4. 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 or the Planning Commission. No substantial changes shall be made without prior written approval of the Site Plan Review Committee or the Planning Commission.
5. 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, these devices shall be screened by landscaping or another screening method approved by the Director of Development Services.
6. 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 or alter the approved project. Any major modifications shall be reviewed by the Zoning Administrator, Site Plan Review Committee, or Planning Commission, respectively.
7. All rooftop mechanical equipment shall be fully screened from public view and views from taller, adjacent rooftops. 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 screening plan must be submitted for approval by the Director of Development Services prior to the issuance of a building permit.
8. Upon plan approval and prior to issuance of a building permit, the applicant shall submit a pdf file to the Planning ~~Bureau~~Bureau reflecting the final construction plans for the project file.
9. A permit from the Department of Public Works shall be required for any work to be performed in or over the public right-of-way.



10. Any off-site improvements found to be damaged as a result of construction activities related to this project shall be replaced to the satisfaction of the Director of Public Works.
11. Separate building permits are required for fences, retaining walls, flagpoles, and pole-mounted yard lighting foundations.
12. 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.
13. 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.
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. 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.
16. Prior to the issuance of a building permit, the applicant must submit complete landscape and irrigation plans for the approval of the Director of Development Services.
17. All landscaped areas shall comply with the State of California's model landscape ordinance. Landscaped areas shall be planted primarily with drought tolerant plant materials and 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.
18. All landscaping irrigation systems shall use high efficiency sprinkler nozzles. The models used and flow rates shall be specified on the landscaping plan. For residential-type or small-scale sprinkler systems, sprinkler head flow rates shall not exceed 1.00 GPM and shall be of the rotating type. Where feasible, drip irrigation shall be used instead. If an in-ground irrigation system is to be

installed, such system shall be controlled by an automatic self-adjusting weather-based irrigation controller.

19. Permeable pavement shall be utilized where feasible, to the satisfaction of the Director of Development Services. Public right-of-way improvements shall be exempt from this requirement. If the feasibility of using permeable pavement is uncertain, it shall be the developer's responsibility to demonstrate that a given application of permeable pavement is not feasible, to the satisfaction of the Director of Development Services.
20. All outdoor fountains or water features shall utilize water recycling or re-circulation systems. The plans submitted for review shall specifically identify such systems.
21. Energy conserving equipment, lighting, and construction features shall be utilized in this project.
22. Low-flow fixtures shall be used for all lavatory faucets, kitchen faucets, showerheads, toilets, and urinals. Toilets may be either low-flow or dual flush. Maximum flow rates for each fixture type shall be as follows: lavatory faucet – 2.75 GPM, kitchen faucet – 2.20 GPM, showerhead – 2.00 GPM, toilet – 1.3 GPF, dual flush toilet – 0.8/1.6 GPF, urinal – 1.0 GPF. Plans submitted for review shall specifically identify such fixtures and flow rates.
23. 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.
24. This permit and all development rights hereunder shall terminate three years from the effective date of this permit unless construction is commenced or a time extension is granted, based on a written and approved request submitted prior to the expiration as provided in Section 21.21.406 of the Long Beach Municipal Code.
25. 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).

26. 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.
27. 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).
28. 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.
29. 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.
30. No publicly accessible telephones shall be maintained on the exterior of the premises. Any existing publicly accessible telephones shall be removed.
31. 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.
32. The property owner shall prevent loitering in all parking and landscaping areas serving the use during and after hours of operation. The operator must clean the parking and landscaping areas of trash and debris on a daily basis. Failure to do so shall be grounds for permit revocation. If loitering problems develop, the Director of Development Services may require additional preventative measures such as but not limited to, additional lighting or private security guards.
33. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
34. Any graffiti found on site must be removed within 24 hours of its appearance.

35. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
36. All trash and refuse containers shall be fully screened from public view to the satisfaction of the Director of Development Services.
37. As a condition of any City approval, the applicant shall defend, indemnify, and hold harmless the City and its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, and employees to attack, set aside, void, or annul the approval of the City concerning the processing of the proposal/entitlement or any action relating to, or arising out of, such approval. At the discretion of the City and with the approval of the City Attorney, a deposit of funds by the applicant may be required in an amount sufficient to cover any anticipated litigation costs and staff time required as a result of litigation activity.