

SITE PLAN REVIEW FINDINGS

4700 Cherry Avenue

App. No. 1803-15 (SPR18-017/CUP18-032)

Date: November 15, 2018

Pursuant to Chapter 21.25, Division V of the Long Beach Municipal Code, the Site Plan Review Committee or City Planning Commission shall not approve a Site Plan Review unless positive findings are made consistent with the criteria set forth in the Site Plan Review regulations.

- 1. THE DESIGN IS HARMONIOUS, CONSISTENT AND COMPLETE WITHIN ITSELF AND IS COMPATABLE IN DESIGN, CHARACTER AND SCALE, WITH NEIGHBORING STRUCTURES AND THE COMMUNITY IN WHICH IT IS LOCATED;**

Positive Finding: The proposed project is a request for the construction of an approximately 5,000 square-foot retail and restaurant pad with a drive-thru lane and the reconfiguration of the existing parking lot. The project site consists of an existing 51,000 square-foot Northgate Market, a 2,000 square-foot warehouse and a 64 square-foot key shop, with a total of 290 parking spaces. The property is bordered to the north by a gas station, to the south and west by a cemetery, and to the east by multifamily residential.

The existing Northgate Market underwent a façade renovation and interior remodel in 2014. The renovation incorporated a Spanish style and featured several architectural elements to add visual interest and create a cohesive design within itself: smooth stucco, orange tile at the building's base, beige and white paint, decorative canopy structures used for architectural projections, recurring arches throughout multiple facades (both painted and canopies), decorative molding along the parapets, and several tiled gable roof elements that extend further beyond the majority of the roof height. The proposed project does an excellent job of mimicking the same architectural features of the Northgate Market to create a synergistic connection throughout the commercial property. The smaller scale of the proposed retail/restaurant pad provides a nice balance with the larger 51,000 square-foot supermarket and allows for an enhanced activity center in the general area.

The proposed drive-thru is located along a major arterial in Cherry Avenue, in which automobile circulation is very prominent. As the project site is located in an area with heavy automobile activity, the drive-thru lane is compatible with the surrounding area and adverse impacts are not anticipated. Furthermore, the drive-thru abuts another auto-oriented use with an existing gas station directly to the north.

2. THE DESIGN CONFORMS TO THE “DESIGN GUIDELINES FOR R-3 AND R-4 MULTI-FAMILY DEVELOPMENT, THE “DOWNTOWN DESIGN GUIDELINES”, THE GENERAL PLAN, AND ANY OTHER DESIGN GUIDELINES OR SPECIFIC PLANS WHICH MAY BE APPLICABLE TO THE PROJECT;

Positive Finding: The subject site is located in General Plan Land Use District No. 8A (Traditional Retail Strip Commercial) and within the CHW (Regional Highway) Zone. The Land Use Element designation of LUD No. 8A is established to recognize the continuing need to provide commercial uses along the frontages of certain streets for the service and convenience of persons traveling by car, and needing local services, rather than community/regional needs. The current use on the subject property is a 51,000 square-foot supermarket, which serves the neighborhood and local community. As the property fronts Cherry Avenue, a major thoroughfare, the existing use lends itself to the convenience of those traveling by automobile. The proposed retail/restaurant pad with the drive-thru will further serve the needs of drivers and the local community. Furthermore, the applicant is proposing to reconfigure the layout and circulation pattern of the existing parking lot. Currently, the parking lot utilizes one-way angled parking with narrow aisle ways and less-than-efficient functionality. The proposed 90-degree parking layout offers a more efficient circulation pattern for automobiles and provides a north/south pedestrian path as a bonus feature.

3. THE DESIGN WILL NOT REMOVE SIGNIFICANT MATURE TREES OR STREET TREES, UNLESS NO ALTERNATIVE DESIGN IS FEASIBLE;

Positive Finding: The project site currently consists of a 161,245 square-foot (3.70 acres) land area with a 51,000 square-foot supermarket and 290 parking spaces. The proposed project will not result in the removal of any significant mature trees.

4. THERE IS AN ESSENTIAL NEXUS BETWEEN THE PUBLIC IMPROVEMENT REQUIREMENTS ESTABLISHED BY THIS ORDINANCE AND THE LIKELY IMPACTS OF THE PROPOSED DEVELOPMENT; AND

Positive Finding: The public improvement requirements established in Chapter 21.47 of the Zoning Regulations and identified by the Department of Public Works in project comments dated September 20, 2018, include, but are not limited to, the following: adjacent sidewalk repair, ADA accessibility compliance, and general off-site improvements abutting the subject site. The essential nexus between these required public improvements and the likely project impacts exists because of the location of the subject site along one of the major thoroughfares within the city and the automobile-oriented nature of the proposed drive-thru. The project necessitates these public improvements to ensure that this private

property development does not adversely impact other public and private facilities and services. Required public improvements will be included in the project's conditions of approval.

5. THE PROJECT CONFORMS TO ALL REQUIREMENTS SET FORTH IN CHAPTER 21.64 (TRANSPORTATION DEMAND MANAGEMENT)

As conditioned, the project will be required to comply with all applicable standards of the Transportation Demand Management section of the Zoning Ordinance.

CONDITIONAL USE PERMIT FINDINGS

**4700 Cherry Avenue
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Pursuant to Section 21.25.206 of the Long Beach Municipal Code, a Conditional Use Permit can be granted only when positive findings are made consistent with the following criteria set forth in the Zoning Ordinance. These findings and staff analysis are presented for consideration, adoption and incorporation into the record of proceedings:

- 1. THE APPROVAL IS CONSISTENT WITH AND CARRIES OUT THE GENERAL PLAN, ANY APPLICABLE SPECIFIC PLANS SUCH AS THE LOCAL COASTAL PROGRAM AND ALL ZONING REGULATIONS OF THE APPLICABLE DISTRICT;**

The subject site is located in Land Use District No. (LUD) 8A – Traditional Retail Strip Commercial and within the CHW (Regional Highway) Zone. The CHW Zone is a commercial use district for mixed scale commercial uses located along major arterial streets and regional traffic corridors, with residential uses being unpermitted. Within the CHW Zone, the operation of a drive-thru lane in conjunction with retail/restaurant uses requires approval of a Conditional Use Permit (CUP). A CUP is consistent when it carries out the intent of the land use district in which it is located, and otherwise complies with the required findings of the Zoning Regulations. Approval of a Conditional Use Permit would allow for the establishment of a commercial use, with conditions of approval required. Furthermore, all applicable regulations of the CHW Zone are satisfied, including parking.

The Land Use Element designation of LUD 8A – Traditional Retail Strip Commercial is established to recognize the continuing need to provide commercial uses along the frontages of certain streets for the service and convenience of persons traveling by car, and needing local services, rather than community/regional needs. The proposed drive-thru will be used in conjunction with a new 5,000 square-foot retail/restaurant commercial pad and is located on a 161,245 square-foot (3.70 acres) parcel with an existing supermarket of 51,000 square feet. The construction and operation of the drive-thru facility contributes to the subject site as a viable neighborhood-serving and auto-oriented commercial center that fronts the major thoroughfare Cherry Avenue.

- 2. THE PROPOSED USE WILL NOT BE DETRIMENTAL TO THE SURROUNDING COMMUNITY INCLUDING PUBLIC HEALTH, SAFETY, GENERAL WELFARE, ENVIRONMENTAL QUALITY OR QUALITY OF LIFE; AND**

In accordance with the California Environment Quality Act (CEQA) and the CEQA Guidelines, a Categorical Exemption (CE 18-032) was prepared for this project and is attached for review. The project is exempt per Section 15303 – New Construction or Conversion of Small Structures.

The proposed use is not anticipated to be detrimental to the surrounding community as the project site located along an auto-oriented major arterial highway. The proposed design of the drive-thru far exceeds the requirement for the queuing distance. Regarding its operation, it is anticipated that the peak hours of drive-thru usage and functionality will occur for a couple of hours in the morning and a couple hours in the afternoon, Monday through Friday. The drive-thru lane has also been designed to minimize both visual and functional impacts to the site and immediate vicinity. The drive-thru lane will be located along the site's northern perimeter, adjacent to a gas station on the neighboring property.

It offers a straightforward vehicle circulation pattern, buffered from required parking spaces and as conditioned, it will be screened adequately with the use of trees and shrubbery. The drive-thru lane will also be buffered from the neighboring multifamily residential properties (to the east) by a 30' alley and required parking. In conjunction with the new 5,000 square-foot retail/restaurant pad, the overall project also includes the reconfiguration of the existing parking layout for the entire site. The existing parking scheme uses angled parking with narrow one-way aisles. The proposed parking configuration features 90-degree parking stalls and is more compatible with the circulation route of the drive-thru lane.

Morning peak hours are anticipated to occur before most other businesses open, which will eliminate congestion within the parking lot of the development. Another increase in traffic flow is anticipated during early afternoon hours with another subsequent decline afterwards, until closing time. The drive-thru functionality is not expected to increase the number of trips in the area as it will service commuters and local businesses that are already established. Conditions of approval will incorporate operational requirements that address potential negative impacts from the proposed use such as allowable hours of operation, explicit signage requirements, proper screening requirements, and compliance with all applicable standards of the Health Department. Approval of such requested Conditional Use Permits enables the City to enforce these conditions and address potential nuisances that may arise in the future.

Although residential properties are located directly to the east of the project site, the 30' alley, landscaping and parking spaces mitigates any negative impacts on those properties. As a part of the conditions of approval, strict compliance with sound attenuation and noise issues will be required to further minimize any impacts to the neighboring residential community.

3. THE APPROVAL IS IN COMPLIANCE WITH THE SPECIAL CONDITIONS FOR THE USE ENUMERATED IN CHAPTER 21.52.

Chapter 21.52 of the Zoning Code does not have any special conditions required for the operation of a drive-thru, ready-to-eat facility. However, Section 21.45.130 of the Zoning Code requires a minimum queuing distance of 150 feet from the

forward-most drive up window to the entrance of the queuing space. The proposed drive-thru lane will be approximately 220 feet.

**SITE PLAN REVIEW
CONDITIONAL USE PERMIT
CONDITIONS OF APPROVAL**

4700 Cherry Avenue

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1. The use permitted on the subject site, in addition to the other uses permitted in the Regional Highway (CHW) Zoning District, shall be a 5,000 square-foot retail and restaurant pad building with a drive-thru lane. Site development shall commence in accordance to plans submitted and filed under Application No. 1803-15, except as modified by said conditions.
2. This permit and all development rights hereunder shall terminate two 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 of the two-year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
3. 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 Acknowledgement 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).

Special Conditions:

4. The existing pylon shall be removed and replaced with a new sign that meets the standards of Chapter 21.44 of the Municipal Code. The new sign shall match the architectural style of the proposed retail/restaurant pad, to the satisfaction of the Director of Development Services. Prior to the issuance of building permits for the building shell, plans for the new sign shall be submitted and approved.
5. Along Cherry Avenue, one street tree shall be added for every 25 linear feet of the property. The location of each street tree shall be approved to the satisfaction of the Director of Public Works.
6. A landscape buffer of at least 5 feet shall be provided along the Cherry Avenue property line, and the north and east property lines. One tree and three shrubs shall be planted for every 15 linear feet of the east and west property lines, and one tree shall be planted for every four parking spaces. All landscaping shall be drought tolerant. The use of palm trees is prohibited.
7. The parking lot shall be illuminated with lights directed and shielded to prevent light and glare from intruding onto adjacent sites. The light standards shall not exceed the height of the principal use structure or one foot (1') for each two feet (2') of the

distance between the light standard and the nearest property line, whichever is greater. All lights shall be illuminated to the applicable standards of the Illuminating Engineers Society.

8. A solid masonry wall shall be provided along the Cherry Avenue property frontage, matching the existing wall along the southern portion of the property.
9. Installation of any exterior newsstands, pay phones or vending machines shall be prohibited.
10. Video or coin operated games and the like shall be prohibited on site so as to discourage loitering on the premises.
11. The operator shall prevent loitering and loud noises around the project site, and in all parking areas serving the use during and after hours of operation.
12. The parking lot and building shall be significantly lit to reduce loitering. The lights shall be limited to 15-feet in height and contain glare shields. The lighting plan shall be approved to the satisfaction of the Director of Development Services.
13. The hours of operation for the drive-thru shall be limited from 5:00 a.m. to 11:00 p.m., Monday through Sunday.
14. Security cameras shall be installed along the exterior of both building to monitor the business and site on a 24-hour basis. The cameras should monitor all portions of the property, to the satisfaction of the Chief of Police.
15. Deliveries to the restaurant shall be limited to non-peak hours, generally between 9:00 a.m. and 3:00 p.m. on no more than two occasions per week. The use of 18-wheel trucks for deliveries is prohibited.
16. A minimum of 239 parking spaces shall be maintained on-site at all times. Any deviation from plans submitted for this approval (in which the proposed size of dining area within the retail/restaurant pad is 2,500 square feet), shall still comply with the 239 parking space threshold for the entire site. Any allocation of space between dining area and general commercial/retail floor area that exceeds the requirement of 239 parking spaces for the entire site shall require additional parking spaces.

Standard Conditions:

17. 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.

18. 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.
19. 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).
20. 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.
21. The plans submitted for plan check 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. No substantial changes shall be made without the prior written approval of the Site Plan Review Committee and/or Planning Commission.
22. The Director of Development Services is authorized to make minor modifications to the approval design plans or any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project. Any major modifications shall be reviewed by the Zoning Administrator or Planning Commission, respectively.
23. All rooftop mechanical equipment shall be fully screened on all sides to a height not less than that of the tallest item screened. Rooftop mechanical equipment shall be grouped together to minimize visual impact from the adjacent buildings. 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 Long Beach Development Services prior to the issuance of a building permit.
24. The landscaping plans shall incorporate on-site retention and percolation of storm water runoff to the satisfaction of the Director of Long Beach Development Services and Department of Public Works as feasible.
25. 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).
26. Any graffiti found on site must be removed within 24 hours of its appearance.

27. The applicant shall comply with the following standards to the satisfaction of the Director of Public Works:

GENERAL REQUIREMENTS

- a. The final map shall be based upon criteria established by the California Subdivision Map Act and/or Title 20 of the Long Beach Municipal Code.
- 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 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 **demolition or** construction, the Subdivider shall submit a construction plan for pedestrian protection, construction area perimeter fencing with custom-printed screen(s), 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 dedicate 3 feet for sidewalk widening purposes along Cherry Avenue adjacent to the project site and reconstruct the entire width of sidewalk with Portland cement concrete, resulting in a 10-foot wide public sidewalk to the satisfaction of the Director of Public Works.
- f. The Subdivider shall dedicate and improve an additional 2 feet for sidewalk purposes in the vicinity of the bus stop on Cherry Avenue adjacent to the project site, resulting in a 12-foot wide public sidewalk to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed of Portland cement concrete.
- g. The Subdivider shall relocate or provide easements to the City of Long Beach for all existing or proposed public utility facilities within the private property, to the satisfaction of the interested utility agency or City Department. All easements shall show on the final map.

Note: The Subdivider shall be responsible for the relocation of utility lines, right-of-way dedications, quitclaim of easements, and/or any new utility easements required in connection with this development; as structures cannot be built within an easement or dedicated area. The proposed building lies within an existing easement area for utility purposes (storm drain, gas and water) along the northerly boundary of the project site.

- h. The Subdivider shall provide easements to the City of Long Beach for any City required facilities including traffic signal controls, signage, required slopes, bus stops, refuse

collection access, and any other public necessities, to the satisfaction of the interested utility agency or City Department. All easements shall show on the final map.

- i. Unless approved by the Director of Public Works, easements shall not be granted to third parties within areas proposed to be granted, dedicated, or offered for dedication to the City of Long Beach for public streets, alleys, utility or other public purposes until the final map filing with the County Recorder. If easements are granted after the date of tentative map approval and prior to final map recordation, a notice of subordination must be executed by the third-party easement holder prior to the filing of the final map.
- j. The Subdivider proposes an architectural projection encroachment into the public right-of-way that includes signage. Construction plans shall be submitted to the Department of Public Works for all projections over the public right-of-way to be reviewed for approval as to compliance with California Building Code Chapter 32 and City Pedestrian Accessibility Guidelines, to the satisfaction of the Director of Public Works.
- k. 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, as determined during the plan check process, the right-of-way dedication way shall be provided.

OFF-SITE IMPROVEMENTS

- l. The Subdivider shall improve the alley (length and width) east of the project site to the satisfaction of the Director of Public Works. The Subdivider shall demolish and reconstruct the alley pavement with Portland cement concrete, from Cherry Avenue to East Del Amo Boulevard, per plans reviewed and approved by Public Works. All obstructions along the proposed alley improvement, including power poles, shall be relocated or removed by the Subdivider at project expense and to the satisfaction of the Director of Public Works.

Note: At the discretion of the Director of Public Works, the Subdivider shall be responsible for removing existing barriers that may block vehicular access to the alley. There are no City records indicating authorized closure of the alley to public vehicular traffic.

- m. The Subdivider shall check with the Long Beach Water Department, at (562) 570-2300, and the Energy Resources Department, at (562) 570-2000, for scheduled main replacement work prior to submitting alley improvement plans to the Department of Public Works.
- n. The Subdivider shall provide for public street lamps or install on-site alley lighting to the improved alley adjacent to the project site, to the satisfaction of the Director of Public Works.
- o. The Subdivider shall remove unused driveways and curb cuts, and replace with full-height curb, curb gutter and sidewalk pavement to the satisfaction of the Director of

Public Works. Sidewalk improvements shall be constructed with Portland cement concrete.

- p. The Subdivider shall demolish the existing sidewalk and curb ramp located at the intersection of Cherry Avenue and East San Antonio Drive adjacent to the project site, and construct a new ADA compliant curb ramp to the satisfaction of the Director of Public Works.
- q. The Subdivider shall reconstruct the sidewalk pavement along Cherry Avenue adjacent to the project site and improve the dedicated areas for sidewalk purposes, to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete. All sidewalk removal limits shall consist of entire panel replacements (from joint line to joint line).
- r. The Subdivider shall reconstruct cracked, deteriorated, or uplifted/depressed sections of sidewalk curb and curb gutter along Cherry Avenue adjacent to the project site. Sidewalk improvements shall be constructed with Portland cement concrete to the satisfaction of the Director of Public Works.
- s. The Subdivider shall provide for new tree wells and street trees with root barriers along Cherry Avenue adjacent to the project site, per Section 21.42.050 of the Long Beach Municipal Code, except the sidewalk area within the vicinity of the bus stop. Street trees requiring removal shall be relocated or replaced to the satisfaction of the Director of Public Works. The Subdivider and/or successors shall water and maintain all street trees, landscaping and sprinkler systems required in connection with this project. The Subdivider shall contact the Street Tree Division of the Department of Public Works, at (562) 570-2770, prior to beginning the tree planting, landscaping, and any irrigation system work. The Street Tree Division will assist with the size, type and manner in which the street trees are to be installed. At a minimum, parkway trees shall provide shade coverage, after five years of growth, of 50% of the total area dedicated for public right of way.
- t. 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. 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 Subdivider to the satisfaction of the Director of Public Works.
- u. Subject to the limits of the proposed building footprint, the Subdivider shall provide for the relocation of the underground street light conduit within the northwest corner of the project site, to the satisfaction of the Director of Public Works. The Subdivider shall contact City Light and Power to schedule the relocation work prior to submitting on-site grading plans. Approved plans for relocation shall be submitted to Public Works along with the on-site grading plans.
- v. All rough grading shall be completed prior to the approval of the final map, **otherwise, the Subdivider shall be responsible for processing an appropriate grading bond.**

No cross-lot drainage will be permitted. Existing cross-lot drainage problems shall be corrected to the satisfaction of the Director of Public Works prior to the approval of the final map.

- w. The Subdivider shall submit grading and related storm drain plans 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 final map.
- x. The Subdivider shall provide for the resetting to grade of manholes, pull boxes, meters, and other existing facilities in conjunction with the required off-site improvements, to the satisfaction of the Director of Public Works.
- y. All work within the public right-of-way must be performed by a contractor holding a valid State of California Contractor's License and City of Long Beach Business License, sufficient to qualify the contractor to do work. The Contractor shall have on file with the City Engineer a Certificate of General Liability insurance, and endorsement evidencing minimum City of Long Beach limits of required general liability insurance.
- z. Public improvements shall be constructed in accordance with Public Works construction standards, and per plans reviewed and approved by the Department of Public Works. The City's Public Works Engineering Standard Plans are available online at www.longbeach.gov/pw/resources/engineering/standard-plans. Prior to issuance of a building permit, detailed off-site improvement plans shall be prepared by a licensed Civil Engineer, stamped, signed and submitted to Public Works for review and approval.
- aa. 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.
- bb. 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 Subdivider 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) 576-6600 or visit their website for complete instructions at www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml. Left-click on the Construction General Permit Order 2009-0009-DWQ link.

TRAFFIC AND TRANSPORTATION

- cc. 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.

- dd. Subject to approval of the proposed northernmost driveway, the Subdivider shall be responsible for modifying the signalized intersection of Cherry Avenue and East San Antonio Drive to the satisfaction of the City Traffic Engineer. Modifications shall apply to, but may not be limited to, the following: sidewalk pavement, curb, curb gutter, curb ramps, roadway pavement, traffic signal equipment, traffic striping, and traffic signs. **The traffic signal and signing & striping modifications shall include all work and equipment necessary to provide split phasing for east/west directions and southbound protected/permissive left turn phasing. The Subdivider shall provide signed and stamped improvement plans for review and approval, prior to construction.**
- ee. The Subdivider shall be responsible to improve certain traffic signal related equipment to current CA MUTCD and/or City of Long Beach Standards, at the intersection of Cherry Avenue and East San Antonio Drive. At the discretion of the City Traffic Engineer, the Subdivider shall also be responsible for improvements at the intersection of Cherry Avenue and East Del Amo Boulevard. The traffic signal related equipment shall be within signalized intersections that are directly impacted by the Subdivider's project. If not existing, the Traffic Signal related equipment shall include, but may not be limited to the following:
- i. All 8" Traffic Signal indications shall be updated to 12" LED units.
 - ii. Vehicular detection shall be installed on all approaches to the signalized intersection. This may include presence, mid or advance detection per City direction. Options will include standard Type E loops or video detection.
 - iii. All pedestrian indications shall be upgraded to LED Countdown Modules within all pedestrian crossings.
 - iv. All pedestrian push buttons shall be upgraded to the most current City Standard.
 - v. All signalized intersections will require the installation of Emergency Vehicle Pre-Emption (EVPE) equipment. The equipment and installation must be completed per the most current City Standard.
 - vi. Because of the fact that so many City of Long Beach traffic signals operate and share coordinated signal timing plans, the Subdivider shall install a GPS Module at all traffic signals that are directly impacted by their project. The GPS Modules create accurate time-based communications between nearby traffic signals.
 - vii. The Subdivider may be asked to update the traffic signal controller located in the traffic signal cabinet. At the discretion of the City Traffic Engineer, it may be decided that the existing traffic signal controller does not have the capability to handle the complexities of new traffic patterns that are directly related to the Subdivider's project. In such cases, the Subdivider will be asked to install a new traffic signal controller based on the most current City Standard, McCain 2070 Controllers.
 - viii. **The Subdivider shall provide traffic signal and signing & striping modifications at Cherry Avenue and East Del Amo Boulevard that include the work and equipment necessary to provide southbound dual**

left turn lanes. The Subdivider shall provide signed and stamped improvements plans for review and approval, prior to construction.

- ff. New continental style crosswalks in the vicinity of the project shall be added by the Subdivider at the discretion of the City Traffic Engineer. The Subdivider shall be responsible to upgrade all existing crosswalks, and install all new marked crosswalks, to the newest City standards.
- gg. At the discretion of the City Traffic Engineer, the Subdivider shall be responsible to implement the most recent Bicycle Master Plan of the City at its frontage block along Cherry Avenue, or contribute a fair share fee to the City for future implementation.
- hh. There is a high volume Long Beach Transit bus stop on Cherry Avenue adjacent to the development site. The Subdivider shall incorporate enhancements to improve the bus stop into this project. Amenities such as a roof overhang for additional shelter and architectural seating for bus patrons should be integrated into the project. Enhanced sidewalk paving should be provided for the bus stop area per Long Beach Transit standards (at a minimum, 12 feet of sidewalk should be provided). The Subdivider shall collaborate with Long Beach Transit and the City's Public Works Department to take advantage of this opportunity.
- ii. The Subdivider shall contact Long Beach Transit prior to the commencement of work to coordinate design and construction issues and to ensure that construction does not interfere with transit bus operations at the existing bus stop on Cherry Avenue. Contact Shirley Hsiao, Manager of Service Development Planning, at (562) 591-8753.
- jj. 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.
- kk. 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.
- ll. The Subdivider shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
- mm. The Subdivider shall contact the ~~Traffic &~~ Transportation **Mobility** Bureau, at (562) 570-6331, to modify the existing curb marking zones, adjacent to the project site.
- nn. 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.).

LONG-TERM MAINTENANCE

- oo. 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.
28. 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.