

# FINDINGS

**Site Plan Review, Vesting Tentative Tract Map  
321 W. Ocean Blvd. and 121 Cedar Ave.  
Application No. 1908-14 (SPR19-035, VTTM19-003)  
February 20, 2020**

## Site Plan Review Findings

Pursuant to Section 21.25.506 of the Long Beach Municipal Code, the site plan review committee or the planning commission shall not approve a site plan review unless the following findings are made. These findings and staff analysis are presented for consideration, adoption and incorporation into the record of proceedings:

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

Positive Finding: The proposed project consists of two new eight-story, approximately 85-foot-high mixed-use residential buildings with a two-level subterranean parking garage below, and smaller at-grade parking garages as well. The buildings, called the North Building and South Building, contain 290 dwelling units each, for a total of 580 units, and 35,400 square feet (up to 40,000 total) of ground-floor retail commercial space. A total of 725 parking stalls are required by code (the Downtown Plan Planned Development District, PD-30), while 877 are currently proposed by the developer. The project's area totals are 505,576 square feet of building area for the North Building, 531,688 square feet for the South Building, all on a 3.3-acre site after required dedications (see project plans in File No. 1908-14 for additional information and details).

The two proposed eight-story buildings are designed in a contemporary style, primarily using colored metal as the main exterior cladding materials, in conjunction with some areas of smooth plaster. The project's architecture is well-planned and has consistent themes and treatments. High-quality and thoughtful materials choices are used throughout the buildings, with architectural metals, windows, accents, and other finish items. The design is compatible with the neighboring developments in the downtown area, which consist of the new twin eleven-story buildings for the City Hall and Port Administration Building to the west, a combination of high-rise (approximately 30-story) and eight-story condominium and apartment buildings across Ocean Blvd. to the south, the four-level Broadway Parking Garage to the north, the City's new two-story Main Library to the northwest, and the planned Lincoln Park open space to the east. The eight-story design, height, and massing of the proposed project is appropriate and consistent with the development pattern in the immediate vicinity and the core of the Downtown Area.

**2. THE DESIGN CONFORMS TO ANY APPLICABLE SPECIAL DESIGN GUIDELINES ADOPTED BY THE PLANNING COMMISSION OR SPECIFIC PLAN REQUIREMENTS, SUCH AS THE DESIGN GUIDELINES FOR R-3 AND R-4 MULTI-FAMILY DEVELOPMENT, THE DOWNTOWN DESIGN GUIDELINES, PD GUIDELINES OR THE GENERAL PLAN;**

Positive Finding: The project site is located in the Downtown Plan Planned Development District (PD-30), and conforms to the special design guidelines set forth in Chapter 4 of that document. These guidelines set standards for build-to lines, street walls, pedestrian paseos, form and massing, materials and finish, and overall quality of development. The project design, as discussed above, consists of high-quality architecture and materials choices, and complies with the requirements of the design guidelines. The proposed development responds well to its context between the new City Hall and Port Administration Building to the west, and the new Main Library and planned Lincoln Park to the east. The project creates a flowing, harmonious, and friendly pedestrian environment, both around the project perimeter, and through the site with its 60-foot-wide east-west pedestrian paseo (on the alignment of 1<sup>st</sup> Street) that connects Chestnut Ave. and Cedar Ave. The project's buildings have clear and well-expressed design ideas, and use quality, durable materials to achieve them. The project follows the Downtown Plan's recommended materials palette by building type, and uses materials and color to create variation in building form and massing. The buildings exhibit consistent detail and design vocabulary from the ground level to the top level, and make a positive contribution to the streetscape by directly addressing Ocean Blvd., Chestnut Ave., the future alignment of Cedar Ave., and the Broadway Garage to the north, with a quality architectural elevation on each frontage. Likewise, the design emphasizes the pedestrian paseo with architectural highlights and gateway features. The finish, texture, and color of the design is compatible with the chosen materials across the site and makes a positive, bold architectural statement at a key location in the downtown urban fabric. The chosen massing is appropriately-scaled for a half-block project and incorporates frequent architectural breaks, variations, and "reveals" in each façade to avoid a monolithic appearance. The project also complies with the minimum streetwall standard on Ocean Blvd., Chestnut Ave., and Cedar Ave., where a minimum six-story streetwall along 75 percent of the site frontage is required. In fact, the buildings project over the property line above the public right-of-way to create an enhanced streetwall and pedestrian environment. This encroachment has been reviewed and approved by the Public Works Department and complies with all necessary standards (see File No. 1908-14 for additional information).

The project conforms to the City's General Plan, and is located within the DT (Downtown) PlaceType of the Land Use Element. The DT PlaceType anticipates and permits exactly the type and scale and intensity of development proposed by this project. The project complies with the context, land uses, development patterns, transitions, access, and parking goals of this PlaceType, which emphasizes compact, dense development with a mix of land uses in a pedestrian-friendly pattern that reduces reliance on automobile transportation in the City's highly-urbanized core. The project design achieves these goals and is consistent with the General Plan.

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

Positive Finding: Existing street trees adjacent to the project site on Ocean Blvd. will be protected in place during construction, as required in the conditions of approval (see conditions of approval for File No. 1908-14). New street trees additionally will be provided on Ocean Blvd., Cedar Ave., and Chestnut Ave., as required by Chapter 21.42 (Landscaping Standards) of the Zoning Regulations and as specified in the Downtown Plan (PD-30). On the project site, the existing trees will be removed as they are located in raised planters that will be demolished or in other areas that are within the proposed building footprint. No alternative design is possible that would preserve these trees and still accomplish the goals and objectives of the proposed project. Additionally, these trees date only to the construction of the old Long Beach Civic Center in the mid-1970s. These trees generally did not flourish or thrive due to their location in planter boxes on the "Park"-level deck, or within treewells above the building basement. Any removed trees will be made up for by the planting of new trees along the internal east-west pedestrian paseo (see building plans in File No. 1908-14).

**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: Improvements to the public right-of-way adjacent to the project site will include a number of dedications and other exactions required by code and conditions of approval in order to offset the capital improvements to public infrastructure necessary to support this project. These include street and sidewalk dedications on Chestnut Ave., dedication and improvement of the entire right-of-way width of the reconnected Cedar Ave. between Broadway and Ocean Blvd., and general repair and improvements to the right-of-way and construction of full ADA sidewalk, curb, and intersection improvements adjacent to the project., traffic signal upgrades to all signalized intersections directly affected by the project, new or upgraded pedestrian crosswalks, and new tree wells, street trees, root barriers, and irrigation systems adjacent to the project site (see conditions of approval in

File No. 1908-14, and Public Works Department Technical Advisory Committee comments dated November 5, 2019).

**5. THE PROJECT CONFORMS WITH ALL REQUIREMENTS SET FORTH IN CHAPTER 21.64 (TRANSPORTATION DEMAND MANAGEMENT), WHICH REQUIREMENTS ARE SUMMARIZED IN TABLE 25 1 AS FOLLOWS:**

Table 25-1  
 Transportation Demand Management Ordinance Requirements

TDM Requirements	New Nonresidential Development		
	25,000+ Square Feet	50,000+ Square Feet	100,000+ Square Feet
Transportation Information Area	♦	♦	♦
Preferential carpool/vanpool parking		♦	♦
Parking designed to admit vanpools		♦	♦
Bicycle parking		♦	♦
Carpool/vanpool loading zones			♦
Efficient pedestrian access			♦
Bus stop improvements			♦
Safe bike access from street to bike parking			♦
Transit review	For all residential and nonresidential projects subject to EIR		

Positive Finding: The proposed development contains less than 50,000 square feet of non-residential space, so only the first item in the list will apply and will be implemented as conditions of approval. While the project itself is covered within the previously-certified Civic Center Project Supplemental EIR (see project File No. 1908-14), and will be reviewed for any necessary transit improvements. The project has been developed with the intention of reducing automobile travel, both by residents, visitors, and customers. See project plans and description in File No.1908-14 for more information.

**6. THE APPROVAL IS CONSISTENT WITH THE GREEN BUILDING STANDARDS FOR PUBLIC AND PRIVATE DEVELOPMENT, AS LISTED IN SECTION 21.45.400.**

The project will be required to comply with green building standards for private development, as the requirements of Section 21.45.400 are now implemented in Chapter 18.47 (Green Building Standards Code) of Title 18 (Long Beach Building Standards Code) of the LBMC.

Vesting Tentative Tract Map Findings

Pursuant to Section 20.12.100 of the Long Beach Municipal Code, a Tentative Map approval can be granted only when positive findings are made consistent with the following criteria set forth in the Subdivision Ordinance. These findings and staff analysis are presented for consideration, adoption and incorporation into the record of proceedings.

**THE PLANNING COMMISSION SHALL APPROVE A TENTATIVE MAP IF THE MAP COMPLIES WITH STATE AND LOCAL REGULATIONS AND IF ALL OF THE FOLLOWING FINDINGS ARE MADE:**

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

Positive Finding: According to the General Plan's Consistency Test (see pp. 168–171, 2019 General Plan Land Use Element), *proposed subdivisions are considered consistent when the density of the proposed subdivision meets the PlaceTypes residential density and commercial/industrial intensity.* The development site will be subdivided into two master ground lots and thirteen airspace lots to accommodate the project (see project plans and Vesting Tentative Tract Map No. 82912 in File No. 1908-14). The proposed map is consistent with the uses and development types allowed by the DT (Downtown) PlaceType of the Land Use Element. While neither the DT PlaceType nor the Downtown Plan limit density directly, density is controlled through compliance with development standards, primarily floor area ratio, building height limits, and required parking. The proposed project for this subdivision complies with these limits, with an FAR of 5.24 for the North Building, and 5.29 for the South Building, with a limit of 8.0, and is consistent with the General Plan. The subdivision will divide an approximately 14.4-acre City-owned parcel (home to the Main Library, Lincoln Park, Broadway Garage, Lincoln Garage, Police Headquarters, and Fire Station No. 1) to obtain the gross 4.59-acre development site, which contains the old Civic Center, leaving the remainder under City ownership. After required dedications of public right-of-way, a 3.3-acre net development site will remain. No specific plan applies to the subject site.

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

Positive Finding: According to the General Plan's Consistency Test (see pp. 168–171, 2019 General Plan Land Use Element), *proposed subdivisions are considered consistent when the density of the proposed subdivision meets the PlaceTypes residential density and commercial/industrial intensity.* The design and improvement of the proposed subdivision consists of two new eight-story, approximately 85-foot-high mixed-use residential buildings with a two-level subterranean parking garage below, and smaller at-grade parking garages as well. The buildings, called the North Building and South Building, contain 290 dwelling units each, for a total of 580, and 35,400 square feet (and up to 40,000 total) of ground-floor retail commercial space. A total of 725 parking stalls are required by code (the Downtown Plan Planned Development District, PD-30), while 885 are currently proposed by the developer. The project's area totals are 505,576 square feet of building area for the North Building, 531,688 square feet for the South Building, all on a 3.3-acre site after required dedications (see project plans in File No. 1908-14 for additional information and details).

The types and density of the proposed improvements of the subdivision will be consistent with the uses and development types allowed by the DT PlaceType. The DT PlaceType anticipates and permits exactly the type and scale and intensity of development proposed by this project. The project complies with the context, land uses, development patterns, transitions, access, and parking goals of this PlaceType, which emphasizes compact, dense development with a mix of land uses in a pedestrian-friendly pattern that reduces reliance on automobile transportation in the City's highly-urbanized core. The project design achieves these goals and is consistent with the General Plan. No specific plan applies to the subject site.

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

Positive Finding: The site is physically suitable for the type of development proposed, which consists of two new eight-story, approximately 85-foot-high mixed-use residential buildings with a two-level subterranean parking garage below, with a total of 580 dwelling units and 877 parking stalls (see description in Finding #2). The site is physically suitable for the scale and massing of the proposed development, which is located within the highly-urbanized core of the Downtown area. This site is an appropriate area for a primarily-residential mixed-use project and is similarly an appropriate area for ground-floor retail. The lot size and configuration are adequate and exceed the 10,000-square feet minimum new lot size required by the Downtown Plan (PD-30).

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

Positive Finding: The site is physically suitable for the proposed density of development, which consists of two new eight-story, approximately 85-foot-high mixed-use residential buildings with a two-level subterranean parking garage below, with a total of 580 dwelling units and 877 parking stalls (see description in Finding #2). While neither the DT PlaceType nor the Downtown Plan limit density directly, density is controlled through compliance with development standards, primarily floor area ratio, building height limits, and required parking. The proposed project for this subdivision complies with these limits and is consistent with the General Plan. The large 3.3-acre net development site can adequately accommodate the proposed improvements. The lot size and configuration are more than adequate and exceeds the minimum lot standards for new lots within the Downtown Plan area.

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

Positive Finding: In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, a Supplemental Environmental Impact Report (SEIR) was prepared for the Civic Center Project (SCH#2015041054), which tiered off the Downtown Plan Program EIR (SCH#2009071006) (see File No. 1908-14 for these documents). Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162, the proposed project has been analyzed in accordance with the Civic Center Project SEIR, and will not result in any new significant impacts upon the environment, or any impacts greater than those analyzed in the Civic Center Project SEIR. A CEQA statement of support and environmental compliance determination has been prepared to document this finding (see CEQA Statement of Support/Environmental Compliance Determination for Mid-Block Project in File No. 1908-14). The project will be subject to the Mitigation Monitoring and Reporting Program adopted with the Civic Center SEIR, which established 65 mitigation measures that apply to the overall Civic Center Project, including the Mid-Block development that is the subject of this request. These mitigation measures pertain to aesthetics, air quality, cultural resources, geology and seismicity, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise, traffic and circulation, utilities and service systems, and one other mitigation measure regarding the fumigation of the old City Hall building. There are no streams, ponds, or riparian habitat present on the site and no impacts to fish.

There is a known peregrine falcon nest on top of the old City Hall building, which has been verified by multiple surveys carried out by the City within the last year.

To avoid any take or harassment of these birds, their eggs, or nest, during the demolition of the old City Hall, the City will install deterrents outside of the nesting season to prevent the birds from returning, or take other appropriate measures as recommended by the qualified wildlife biologists retained by the City, prior to any exterior demolition activity on the City Hall building. These requirements are found in the project's conditions of approval (see conditions of approval for File No. 1908-14).

**6. THAT THE DESIGN OF THE SUBDIVISION OR THE TYPE OF IMPROVEMENT IS NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH OR SAFETY PROBLEMS; AND**

Positive Finding: The design of the subdivision is not likely to cause serious public health or safety problems. The subdivision will take place on an existing 4.59-acre development site; see Finding #2 for project description. The residential and ground floor retail nature of the proposed uses will not cause any serious public health or safety problems. See Finding #5, which discusses environmental analysis and mitigation measures in detail.

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

Positive Finding: The proposed Vesting Tentative Tract Map has been reviewed by the Department of Public Works, and will be corrected and conditioned as necessary to ensure that the subdivision and its improvements do not conflict with any easements acquired by the public at large for access through or use of the property that is subject of this request (see conditions of approval in File No. 1908-14, and Public Works Department Technical Advisory Committee comments dated November 5, 2019). Currently, no public access or right-of-way to or through the property exists. As part of this project, Cedar Ave. will be reconnected between Broadway and Ocean Blvd., via a right-of-way dedication. The east-west pedestrian paseo likewise will be aligned near the past street alignment of 1<sup>st</sup> Street, and public access through this paseo will be guaranteed through an easement or other instrument to the satisfaction of the Directors of Public Works and Development Services.