

SITE PLAN REVIEW FINDINGS**1028 East 10th Street****Application No. 1811-11 (SPR18-057)****August 14, 2019**

Pursuant to Chapter 21.25.506 (Findings Required), Division V of the Long Beach Municipal Code (LBMC), 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 COMPATIBLE IN DESIGN, CHARACTER AND SCALE, WITH NEIGHBORING STRUCTURES AND THE COMMUNITY IN WHICH IT IS LOCATED;**

The site is currently developed with a single-family residence and is surrounded by multi-family and commercial properties to the north (across East 10th Street), adjacent to both an existing single-family residence and an existing multi-family property to the east, a vacant site to the west, and a two-story multi-family residential building to the rear. The project site is located in the Neighborhood Overlay of Planned Development District (PD)-30 (Downtown) which allows up to five residential units on this site. The project consists of demolition of all existing site improvement and construction of five residential units with three attached townhouse units in one building (Building 1) and two attached townhouse units in a second building (Building 2). Both buildings will be 38' in height, the maximum allowable height for this site, and have been designed with ample articulation through the use of decks and a stepped design along the east elevation; windows of varying sizes; and diverse design materials such as painted brick veneer on the ground floor and cement plaster in a sand finish. Such design features break up the massing of the project to ensure compatibility and harmony with neighboring structures.

- 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;**

The proposed project is consistent with the intent of the Downtown Plan (PD-30), the overall standards that apply to new buildings (Section 4 Design Standards + Guidelines), and the specific standards that apply to Low-Rise Buildings (buildings that are one to six stories tall).

The design standards for low-rise buildings emphasize buildings that are well-crafted and that exist as good neighbors to other buildings that share the same block and street. At Building 1, the project has been designed with decks along the western elevation, adjacent to the vacant site as opposed to decks along the eastern elevation, which faces an existing single-family residence. The placement

of decks along this elevation reduces potential privacy impacts on the existing single-family residence. At Building 2, the project does include two decks along this elevation; however, the decks would face the rear walls of two multi-family buildings.

In addition to the design features discussed above, the project has been designed with features such as a low wall made of wrought-iron vertical pickets and landscaping in the 6' required front yard to provide a small front patio area at street level that creates a seamless transition between the public and private realm.

In conclusion, the project promotes a building design that respects the scale of adjacent structures with materials that vary in the vertical plane to exhibit greater detail and higher quality materials at the lower levels, where viewed by pedestrians.

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

There are no trees located on the project site that are proposed for removal; however, the applicant proposes to remove trees along the eastern property line that may be located on the adjacent neighbor's property (1034 E. 10th Street). The project has been conditioned to require that the applicant work with the neighbor on determining ownership of the trees for purposes of removal.

As part of the project, the applicant proposes to improve the site with new landscaping, including planting the following trees:

- One (1) Fruitless Olive;
- Fifteen (15) Sweetshade trees;
- Five (5) Mexican Birds of Paradise that will be trained into trees; and
- Three (3) African Tulip trees.

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

The developers are required to comply with all public improvement requirements including parkway improvements and property dedications found by the Department of Public Works to apply to this project. The increase in on-site density associated with the project necessitates these public improvements.

Incorporated into Project design are parkway landscaping and irrigation improvements, a fair share fee requirement for future implementation of a Class III and recommended 8-to-80 Bikeway along 10th Street, and standard Public Works requirements. If needed, as a condition of approval, all off-site improvements needed to provide full compliance with the Americans With Disability Act (ADA) will be required.

5. THE PROJECT CONFORMS WITH ALL REQUIREMENTS SET FORTH IN CHAPTER 21.64 (TRANSPORTATION DEMAND MANAGEMENT), WHICH REQUIREMENTS ARE SUMMARIZED IN TABLE 25-1; AND

The Project is wholly residential in nature and does not include non-residential development; therefore, the project is exempt from Transportation Demand Management requirements.

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

The project consists of a new private residential project with five townhouse dwelling units in two buildings under 50,000 square feet of gross floor area and is not subject to the Green Building Standards for public and private development contained in LBMC 21.45.400.

SITE PLAN REVIEW CONDITIONS OF APPROVAL

**1028 East 10th Street
Application No. 1811-11 (SPR18-057)
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1. This Site Plan Review approval is for the construction of five for-sale dwelling units with three attached townhouse units in one building ('Building 1') and two attached townhouse units in a second building ('Building 2') with 10 parking spaces and one bicycle parking space.
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 request submitted to and approved by the Zoning Administrator 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 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).

Special Conditions:

4. A tentative tract map and a final map shall be applied in conjunction with the for-sale units in accordance with Title 20 (Chapter 20.12) of the Long Beach Municipal Code and The California Subdivision Map Act (§66410-66499.58).
5. The applicant shall work with the adjacent neighbor at 1034 E. 10th Street in determining ownership for the proposed removal of trees along the eastern side property line.
6. The project shall adhere to the vehicular turning radius deemed acceptable by the City's Traffic Engineer and the Site Plan Review Committee, as shown on the approved plans. Any deviation from the approved turning radius necessitated by structural engineering or otherwise shall require review and approval by both the Traffic Engineer and the Site Plan Review Committee.
7. Door and windows shall be recessed a minimum 3" in accordance with PD-30 design standards.
8. The applicant shall comply with Technical Advisory Committee (TAC) In-Lieu comments imposed by other departments, as applicable.

9. The developer shall provide one (1) street tree for each 25 feet of street frontage in the public right of way adjacent to the project site.
10. In accordance with the comments received from the City of Long Beach, Energy Resources Department (LBER) during the In-Lieu Technical Advisory Committee (TAC) review process, the developer shall provide new total gas loads for each unit. The developer shall also ensure that new meter locations meet all LBER requirements.
11. The landscaping plan submitted for plan check purposes shall list the common names of each tree, shrub, and plant, in addition to their scientific names.
12. The Department of Development Services, the Department of Community Development, and the Long Beach Police Department shall have the authority to review the site for security problems, and said departments shall have the power to require additional security measures including, but not limited to, security guards, fencing, and additional security lighting if problems develop at the site.

Standard Conditions:

13. Site development, including landscaping, shall conform to the approved plans on file with Long Beach Development Services. At least one set of approved plans containing Planning, Building, Fire, and, if applicable, Health Department stamps shall be maintained at the job site at all times for reference purposes during construction and final inspection.
14. The project shall comply with the water efficient landscaping standards set forth by the State Model Water Efficient Landscape Ordinance (MWELO) and LBMC 21.42.035.
15. 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.
16. Separate building permits are required for signs, fences, retaining walls, trash enclosures, flagpoles, pole-mounted yard lighting foundations and planters.
17. Minor amendments to any Plans referenced in these Conditions of Approval shall be subject to the approval of the Director of Development Services. Any significant change, as determined in the sole discretion of the Director of Development Services, in the approved Plans or concept shall be subject to Site Plan Committee review. No deviation from the design of the building, design materials used, or specifications on the windows, or doors approved as part of the project shall occur without the prior approval of the City.
18. 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.

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. 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.

21. The applicant shall provide the following to the satisfaction of the Director of Public Works:

GENERAL REQUIREMENTS

- a. Prior to the start of any demolition, excavation, or construction, the applicant shall submit all applicable plans and drawings for review and approval by the Department of Public Works (e.g. plans for pedestrian protection, construction area perimeter fencing, grading, street lane closures, construction staging, traffic control, utilities, shoring, excavations, etc.). This is in addition to any plan check required by the Department of Development Services. Work, including hauling soils or other debris, is not allowed within the right of way without a valid Public Works permit.
- b. Prior to ANY demolition, excavation, or construction, site perimeter fencing with custom-printed screen(s) shall be submitted to Public Works, approved, and installed in accordance with the latest version of the Public Works Development Guideline.
- c. 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.
- d. The applicant shall comply with all standards and guidelines in effect at the time of application submittal. The City's Public Works Engineering Standard Plans are available online at www.longbeach.gov/pw/resources/engineering/standard-plans.
- e. The applicant shall construct all off-site improvements needed to provide full Americans with Disabilities Act (ADA) accessibility compliance within the public right-of-way adjacent to the project site. At this stage in the entitlement process the plans are conceptual in nature, and Public Works plan check is required for in-depth review of ADA compliancy. As determined during the plan check process, the applicant shall dedicate and improve additional right-of-way necessary to satisfy unfulfilled ADA requirements.
- 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.

PUBLIC RIGHT-OF-WAY

- g. The applicant is proposing a subdivision requiring a final map. A complete application along with all required items shall be submitted for review and processing.
- h. 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.
- i. All off-site improvements and facilities required by the Department of Public Works not in place and accepted prior to final map approval, must be guaranteed by the applicant through instrument of credit or bond.
- j. All rough grading including cross-lot drainage issues shall be completed prior to the approval of the final map, otherwise, the applicant shall be responsible for processing appropriate bonds and agreements.

CIVIL IMPROVEMENTS

- k. Subject to approval of the proposed driveway near the northeast corner of the project site, the applicant shall reconstruct the curb, gutter, and sidewalk and provide for a Type 3 driveway approach per Public Works Engineering Standard Plan No. 105. All hardscape shall be constructed with Portland cement concrete. All removal limits shall consist of entire panel replacements (from joint line to joint line).
- l. The applicant shall provide new parkway landscaping and irrigation along 10th Street, including an access path through the improved parkway, per Section 21.42.050 of the Long Beach Municipal Code. The applicant and/or successors shall water and maintain all landscaping and sprinkler systems required in connection with this project.
- m. The applicant proposes improvements that may impact existing underground/above ground electrical, lighting, and gas utilities. The applicant is responsible for all design, applicable utility approval, permitting, relocation work, and commissioning as required by the interested agency and shall work with each utility directly.
- n. 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 found damaged as a result of construction activities shall be reconstructed or replaced.
- o. The applicant shall provide for the resetting to grade of manholes, pull boxes, meters, and other existing facilities in conjunction with the required off-site improvements.

- p. The applicant shall submit a precise 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 issuance of a building permit.

TRAFFIC AND TRANSPORTATION

- q. The size and configuration of all proposed driveways serving the project site shall be subject to review and approval of the City Traffic Engineer. The applicant shall contact the Transportation Mobility Bureau, at (562) 570-6331, to request information regarding driveway construction requirements.
- r. The applicant shall contribute a fair share fee to the City for future implementation of a Class III and recommended 8-to-80 Bikeway along 10th Street.
- s. The applicant shall protect or repaint all traffic markings and colored curb within the public right-of-way adjacent to the project site.
- t. All traffic control device installations, including pavement markings within the private parking lot, shall be installed in accordance with the current edition of the California Manual on Uniform Traffic Control Devices (CA MUTCD).
- u. The applicant shall submit a Traffic Control Plan prepared by a registered Civil or Traffic Engineer in the State of California, with wet seal and signature, for review and approval by the Department of Public Works.

ENGINEERING BUREAU

- a. The Developer shall be responsible for the maintenance of the off-site improvements during construction of the on-site improvements. All off-site improvements found damaged as a result of construction activities shall be reconstructed or replaced by the Developer to the satisfaction of the Director of Public Works.
- b. The Developer 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.
- c. The Developer 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.

- d. The Developer shall contact the Street Tree Division of the Department of Public Works, at (562) 570-2770, prior to beginning the tree planting, landscaping, and irrigation system work. The Street Tree Division will assist with the size, type and manner in which the street trees are to be installed.
 - e. The Developer shall submit 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.
 - f. The Developer shall submit a drainage plan for approval by Public Works prior to issuance of a building permit.
 - g. 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.
22. Prior to issuance of a building permit, the developer shall submit a landscaping plan to the Planning Bureau for review. Turf shall be limited to less than 50% of the total landscaped area. The turf shall not be composed of bluegrass, fescue, rye, or other grasses with high water needs. 50% or more of the planted area (as measured in square feet of landscape) shall be comprised of drought-tolerant plants, to the satisfaction of the Zoning Administrator.
23. 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.
24. All outdoor fountains or water features shall utilize water recycling or re-circulation systems. The plans submitted for review shall specifically identify such systems.
25. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
26. Any graffiti found on site must be removed within 24 hours of its appearance.
27. 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, this equipment shall be properly screened by landscaping or any other screening method approved by the Director of Development Services.

28. All rooftop mechanical equipment shall be fully screened from public view. 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 plan must be submitted showing screening and must be approved by the Director of Development Services prior to the issuance of a building permit.
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. 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
31. Grading and construction activities shall conform to Rule 403 of the South Coast Air Quality Management District and shall include the following:
 - a. Use water trucks and hoses to wet exposed and graded areas at least twice daily with complete coverage on all active areas and periodic wash-downs of public streets in the vicinity of all entrances and exits to the project site. Increase frequency of watering to three or more times per day whenever winds exceed 15 miles per hour, and cease grading activities during period of winds greater than 30 miles per hour.
 - b. Water all material being excavated and stockpiled.
 - c. Water all grading and cover materials being transported.
 - d. Properly maintain all grading and construction equipment propulsion systems to avoid excess emissions.
 - e. Schedule truck trips to avoid peak hours (7-9 a.m. and 4-6 p.m., weekdays).
 - f. Discontinue construction during Stage 2 smog alerts (ozone greater than or equal to 0.35 ppm.)
32. All trash and refuse containers shall be fully screened from public view to the satisfaction of the Director of Development Services.
33. 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.