



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor

Long Beach, CA 90802

(562) 570-6194 FAX (562) 570-6068

September 21, 2017

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Accept Categorical Exemption CE-16-251, deny the appeal from Dinko Bozanich, and uphold the Zoning Administrator's decision to approve a Local Coastal Development Permit (LCDP17-003) for the construction of a new 1,122-square-foot, two-story, commercial building, located at 5744 E. 2nd Street within the Commercial Neighborhood Pedestrian (CNP) zoning district. (District 3)

APPLICANT: Ron Hoover
39 Nieto Avenue
Long Beach, CA 90803
(Application 1610-09)

DISCUSSION

On August 14, 2017, the Zoning Administrator held a public hearing, heard testimony, and approved a Local Coastal Development Permit allowing the construction of a new 1,122-square-foot, two-story, commercial building. The project site is located on the south side of 2nd Street between Campo Walk and Ravenna Drive, within the Neighborhood Pedestrian (CNP) zoning district (Exhibit A – Location Map). The site is surrounded by commercial uses to the east and west and residential uses to the south across the alley. The approximately 2,400-square-foot site is currently vacant and is used for parking.

The proposed building would consist of three tenant suites, with one tenant space on the ground floor and two tenant spaces located on the second floor. The building is oriented towards the front of the property along 2nd Street, with the first floor sitting on the front property line and the second floor setback 3'-5". The building will extend across much of the 30-foot-wide frontage except for a 6-foot-5-inch-wide pedestrian breezeway that provides access to the ground floor unit and surface parking at the rear of the building (Exhibit B – Plans).

The building will feature decorative red brick veneer and stucco exteriors accented by arched features above the second-floor windows on the front elevation. The rear elevation features a balcony that provides access to the two units above. The building also features black aluminum storefront frames and black window frames. The building height is

CHAIR AND PLANNING COMMISSIONERS

September 21, 2017

Page 2 of 3

proposed at 27'-9", just below the 28'-0" maximum allowable height in the CNP zone.

The proposed commercial building totals 750 square feet of gross floor area, and the code requires one parking space for every 250 square feet of gross floor area. Based on 750 square feet of gross retail/office area, three parking spaces are required for the project. The project complies with this requirement by providing a total of three on-site parking spaces, (one disabled and two standard stalls), which are accessed from the alley at the rear.

The project site is located within the City's Coastal Zone, within the Naples Canal community, Area E, of the Local Coastal Program. All developments located within the Coastal Zone are required to obtain a Local Coastal Development Permit pursuant to Section 21.25.903 – Local Coastal Development Permits (LCDP). LCDP's are reviewed and approved by the Zoning Administrator during a public hearing. To approve a LCDP, the Zoning Administrator must find that: 1) the proposed development conforms to the certified Local Coastal Program including, but not limited to, all requirements for replacement of low and moderate-income housing; and 2) the proposed development conforms to the public access and recreation policies of Chapter 3 of the Coastal Act.

The Zoning Administrator conducted a public hearing on August 14, 2017, for LCDP 17-003. Three letters of opposition were received prior to the Zoning Administrator hearing. The concerns indicated in the letters were related to a lack of parking in the Naples area and along 2nd Street, and whether the new development was providing sufficient on-site parking. In addition, concerns were stated that the existing alley and the surrounding neighborhood would be impacted by increased traffic (Exhibit C – Letters of Opposition). After receiving the staff presentation and public testimony at the hearing, the Zoning Administrator concluded that the project met the required development standards and findings and approved the LCDP.

On August 17, 2017, Mr. Dinko Bozanich filed a third-party appeal within the 10-day appeal period (Exhibit D – Appeal). Mr. Bozanich indicated in his appeal that the site does not provide sufficient on-site parking. He states that the required three spaces should not include disabled spaces. He further states that four parking spaces should be provided for the new building, one disabled as required by federal laws and three standard spaces required by municipal code.

Based on the building's gross square footage, three parking spaces are required by code. Disabled parking is administered through the Building Bureau and is regulated under the 2016 California Building Codes. Disabled parking is included as one of the required parking spaces for the development. As illustrated in the architectural plans, the project meets minimum regulations pertaining to building setbacks, building height, and required parking, including disabled parking.

The plans were reviewed by the Public Works Department to ensure proper onsite circulation, as well as to identify improvements to the public right-of-way. The Site Plan Review Committee reviewed and approved the LCDP for the proposed development on

CHAIR AND PLANNING COMMISSIONERS

September 21, 2017

Page 3 of 3

June 14, 2017. Specific conditions have been incorporated to mitigate potential impacts (Exhibit E – Conditions of Approval). Staff has prepared positive findings (Exhibit F – Findings) and recommends that the Planning Commission deny the appeal and approve the Local Coastal Development Permit for the proposed construction of the new commercial building, subject to conditions of approval.

PUBLIC HEARING NOTICE

A total of 594 Public Hearing notices were distributed on August 31, 2017, in accordance with the provision of the Zoning Ordinance. No comments have been received as of the preparation of this report.

ENVIRONMENTAL REVIEW

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, Categorical Exemption (CE 16-251) was issued for the proposed project (Exhibit G- Categorical Exemption).

Respectfully submitted,

Linda F. Tatum

LINDA F.TATUM, AICP
PLANNING BUREAU MANAGER

Amy J. Bodek

AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

AJB:LFT:CT:gc

Attachments:	Exhibit A – Location Map Exhibit B – Plans Exhibit C – Letters of Opposition Exhibit D – Appeal Exhibit E – Conditions of Approval Exhibit F – Findings Exhibit G – Categorical Exemption
--------------	---

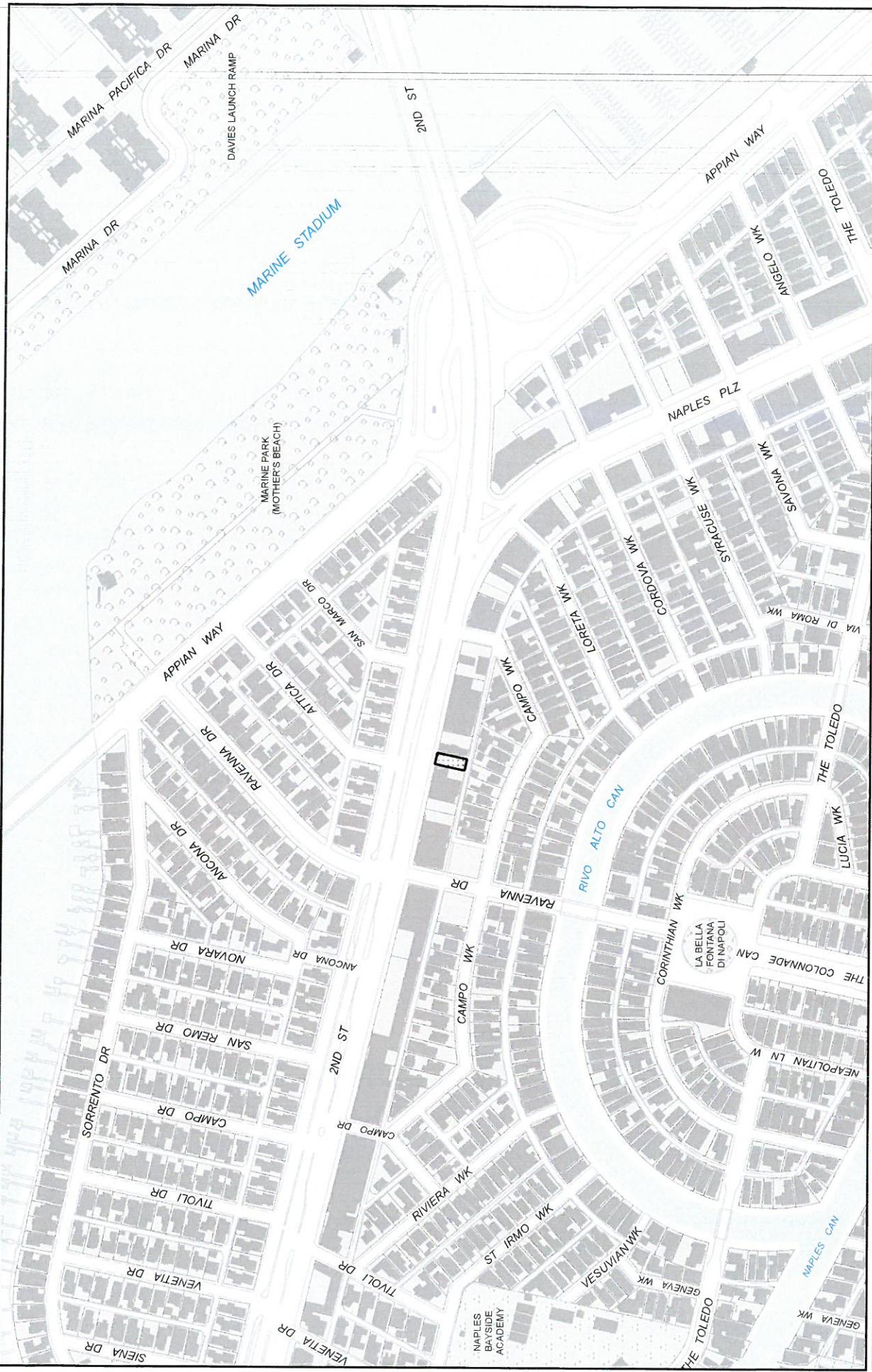


Exhibit A



150 75 0 150 300 Feet

Subject Property:

5744 2nd St

Application No. 1610-09

Council District 3

Zoning Code : CNP



EXHIBIT E

LOCAL COASTAL DEVELOPMENT PERMIT CONDITIONS OF APPROVAL

5547 E. 2nd Street
Application No. 1609-10/17-003
September 21, 2017

Standard Conditions

1. This approval permits a Local Coastal Development Permit for a new 1,122-square-foot, two-story, commercial building located at 5744 E. 2nd Street within the Neighborhood Pedestrian zoning district (CNP). The building shall have a maximum of 750 square feet of gross floor area, as defined by the Long Beach Municipal Code.
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 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).
4. 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.
5. 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, which are a part thereof. These specific requirements must be recorded with all title conveyance documents at time of closing escrow.
6. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Planning and Building Bureaus. These conditions must be printed on the site plan or a subsequent reference page.
7. All plans submitted for plan review must explicitly call out and describe all materials, textures, and colors approved by the Planning Commission. No substantial changes shall be made without prior written approval of the Planning Commission.

8. The Director of Development Services is authorized to make minor modifications to the approved design plans or to any of the conditions of approval, if such modifications shall not significantly change/alter the approved design/project. Any major modifications to the approved project shall be reviewed and approved by the Planning Commission.
9. 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 and/or the Planning Commission. No substantial changes shall be made without prior written approval of the Director of Development Services or appointee.
10. Site development, including landscaping, shall conform to the approved plans on file in 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.
11. All landscaped areas shall be designed to comply with LBMC Section 21.41 – Landscaping Standards. All 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.
12. 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.
13. Adequately sized trash enclosures shall be designed and provided for this project as per LBMC Section 21.45.167. The designated trash area shall not abut a street or a public walkway and shall be placed at an inconspicuous location on the property. Trash enclosures shall be designed to complement the building architecture, screened on all sides and provided for easy access. Prior to the issuance of a building permit, detailed drawings of these enclosures shall be submitted to the Director of Development Services for review and approval of the enclosure designs and materials. Trash enclosures require a separate permit.
14. The Department of Development Services and the Long Beach Police Department shall have the authority to review the site for security issues, 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.

15. 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).
16. 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. Such devices shall be properly screened with landscaping or other screening methods approved by the Director of Development Services.
17. 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.
18. All parking areas serving the site shall provide appropriate security lighting pursuant to Section 21.41.259. All exterior lighting shall be operated by a photocell that activates the lighting when it senses darkness. Such lighting shall be adequately shielded to prevent intrusion of light and glare upon neighboring properties. The Chief of Police may require other security measures to be provided.
19. Energy conserving equipment, lighting, and construction features shall be utilized on the building.
20. Any graffiti found on site must be removed within 24 hours of its appearance.
21. Security bars and roll-up doors applied to the exterior of the windows and pedestrian building entrances shall be prohibited.
22. 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.
23. Separate building permits are required for fences, retaining walls, and flagpoles.
24. 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.

25. The applicant shall comply with all Low Impact Development (LID) measures as required by the Building Bureau.
26. The applicant shall file a separate plan check submittal to the Long Beach Fire Department for their review and approval prior to the issuance of a building permit.
27. 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 permitted
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.

Special Conditions

29. The developer shall install one Electrical Vehicle Charging Station onsite.
30. The street address shall be clearly posted on the street side of the main building and visible from the street.
31. Exterior lighting should clearly illuminate the common areas surrounding the building including, but not limited to, the entrance and exit doors, as well as the business address.

Department of Public Works

General Requirements

32. Prior to the start of any on-site/off-site construction, the Developer 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.).

33. The Developer proposes architectural projection encroachments into the public right-of-way that include architectural features, signage, balconies and awnings. 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, to the satisfaction of the Director of Public Works.
34. All door openings swinging into public rights-of-way shall be eliminated or set back to the satisfaction of the Director of Public Works.
35. All refuse and recycling receptacles shall be subject to the standards and requirement of Long Beach Municipal Code Chapter 8.60.

Public Right-of-Way

36. The Developer shall dedicate and improve 2.5 feet for alley widening purposes and improve the full width of the alley right-of-way adjacent to the development site, relocating all existing facilities as necessary to accommodate the alley widening.
37. The Developer shall construct all off-site improvements needed to provide full ADA accessibility compliance within the adjacent public right-of-way, to the satisfaction of the Director of Public Works. If a dedication of additional right-of-way is necessary to satisfy ADA requirements, the right-of-way dedication way shall be provided.

Engineering Bureau

38. The Developer shall reconstruct the full width of the alley adjacent to the project site, and extending approximately 20 feet east of the site up to the westerly edge of the existing good pavement, with Portland cement concrete, to the satisfaction of the Director of Public Works.
39. The Developer shall widen the alley adjacent to this project site with additional Portland cement concrete by 2.5 feet, to the satisfaction of the Director of Public Works.
40. The Developer shall provide for or install alley lighting in the improved alley adjacent to the project site, to the satisfaction of the Director of Public Works.
41. The Developer 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.

42. The Developer 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 alley improvement plans to the Department of Public Works.
43. The Developer shall remove unused driveways and curb cuts along East 2nd Street, 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.
44. The Developer shall install FenceScreen.com Custom Printed Flex Mesh screen(s), Series 311, or equivalent, fence screening along the perimeter of the development site, and provide for the printed graphic, to the satisfaction of the Director of Public Works. The Developer shall consult with Public Works prior to submitting the graphic design for printing.
45. The Developer shall reconstruct cracked, deteriorated, or uplifted/depressed sections of sidewalk pavement, curb and curb gutter adjacent to the development site along East 2nd Street. 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).
46. Public improvements shall be constructed in accordance with plans reviewed and approved by Public Works. Detailed off-site improvement plans shall be prepared by a licensed Civil Engineer, stamped, signed and submitted to the Department of Public Works for approval.
47. The Developer 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 Developer, to the satisfaction of the Director of Public Works.
48. 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.
49. All conditions of approval, including Final Action Notice 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.

Traffic & Transportation Bureau

50. The Developer 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.
51. The Developer shall replace all traffic signs and mounting poles damaged or misplaced as result of construction activities to the satisfaction of the City Traffic Engineer.
52. The Developer shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
53. 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.).
54. The Developer shall contact the Traffic & Transportation Bureau, at (562) 570-6331, to modify any existing curb marking zones adjacent to the project site.

EXHIBIT F

LOCAL COASTAL DEVELOPMENT PERMIT FINDINGS

Application No. 1610-09/17-003
September 21, 2017

1. THE PROPOSED DEVELOPMENT CONFORMS TO THE CERTIFIED LOCAL COASTAL PROGRAM INCLUDING BUT NOT LIMITED TO ALL REQUIREMENTS FOR REPLACEMENT OF LOW AND MODERATE-INCOME HOUSING; AND

The project site is located within the Naples Canal community, fronting on 2nd Street between Ravenna Drive and Campo Walk. The project site falls within Area E – Naples and Alamitos Peninsula Communities – of the Local Coastal Program. Area E consists generally of single-family residential units except for 2nd Street which was developed with commercial buildings. The island is characterized by narrow streets, dense developments and numerous boat slips along the water's edge. The subject property is located within General Plan Land Use District (LUD) #8P, "Pedestrian-Oriented Retail Strip District," and the Neighborhood Pedestrian (CNP) zoning district. LUD #8P was established for strip retail users to be catered primarily to pedestrians or to be pedestrian-oriented. This land use focuses on the pedestrians walking on foot to the local business, with parking located behind buildings. The CNP zone is oriented to serve pedestrians with buildings located at the front setback and parking behind the building. The CNP zone allows for small scale neighborhood compatible uses. The project, a new two-story commercial building, is compatible with, and conforms to, both the General Plan LUD and the zoning district, and applicable zoning regulations. The building will feature one tenant suite on the ground floor and two tenant spaces located on the second floor. The building will extend across the entire 30-foot-wide lot except for a 6'-5"-wide pedestrian breezeway/walkway which provides access to the ground floor unit and surface parking at the rear. The development meets all regulations pertaining to setbacks, building height and parking. The development requires three parking spaces which are provided behind the building, accessible from the alley. The building will be located along the front property line and the second floor will be setback 3'-5". The building will feature a brick veneer and stucco exterior accented by arch features above the second-floor windows.

The specific Local Coastal Program provision of low and moderate-income housing replacement would not apply to this development proposal, as the proposed improvements would occur on a privately-owned parcel that is currently not deed restricted to any income group(s).

2. THE PROPOSED DEVELOPMENT CONFORMS TO THE PUBLIC ACCESS AND RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT. THIS SECOND FINDING APPLIES ONLY TO DEVELOPMENT LOCATED SEAWARD OF THE NEAREST PUBLIC HIGHWAY TO THE SHORELINE.

Chapter 3 of the Coastal Act deals with the public's right to use beach and water resources for recreational purposes. The chapter provides the basis for state and local

Findings

Case No. 1610-09

September 21, 2017

Page 2

government beach access requirements with a stated objective of prohibiting development projects that restrict public access to the beach and/or water resources.

The proposed project located within the Naples Canal community, fronting on Second Street and situated between Ravenna Drive and Campo Walk, will not restrict access to coastal or recreational amenities. The proposed commercial building will replace private undeveloped lot. The proposed development would occur entirely upon a privately-owned parcel of land and will pose no obstruction to coastal or recreational access.



NOTICE of EXEMPTION from C

EXHIBIT G

CITY OF LONG BEACH | DEPARTMENT OF DEVELOPMENT SERVICES
333 W. OCEAN BLVD., 5TH FLOOR, LONG BEACH, CA 90802
(562) 570-6194 FAX: (562) 570-6068
lbds.longbeach.gov

TO: Office of Planning & Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: Department of Development Services
333 W. Ocean Blvd, 5th Floor
Long Beach, CA 90802

L.A. County Clerk
Environmental Filings
12400 E. Imperial Hwy., Room 1201
Norwalk, CA 90650

Project Title: CE- 16-251

Project Location/Address: 5744 E. 2ND ST.

Project Activity/Description: NEW 2 STORY RETAIL BLDG

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

Applicant Name: RICHER VAUDRY

Mailing Address: B347 EASTERN AVE. BELL GARDENS CAL. 90201

Phone Number: 310 993-5262 Applicant Signature: 

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 1610-09 Planner's Initials: GC

Required Permits: Local Coastal Development Permit

THE ABOVE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM CEQA IN ACCORDANCE WITH
STATE GUIDELINES SECTION 15303

Statement of support for this finding: The project consists of a small commercial development with 5,122 square feet of area. With no hazardous substances proposed in the Class 3 consists of construction of small structures.

Contact Person: Jenna Casillas Contact Phone: 562 570-6819
Signature: Jenna Casillas Date: _____