

October 17, 2024

**CHAIR AND PLANNING COMMISSIONERS**

City of Long Beach  
California

**RECOMMENDATION:**

Recommendation to accept Exemption SE-24-153, finding the proposed project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15192 and 15195 of the CEQA Guidelines;

Approve Site Plan Review (SPR24-038); and

Adopt the proposed findings and conditions of approval related thereto, for a project consisting of the construction of a new seven (7) story multi-family residential building consisting of 96 micro dwelling units (12 of which are very-low income level affordable units) in a building with 17 vehicular parking spaces in an at-grade parking garage, 47 bicycle parking spaces, 3,993-square-feet of common indoor amenity spaces, 4,155-square-feet of common outdoor area, and 1,500-square-feet of private open space area located at 421 East 4<sup>th</sup> Street in the Downtown Plan (PD-30) Planned Development District. (District 1)

**APPLICANT:** Burnham Planning & Development  
c/o Derek Burnham  
111 W. Ocean Boulevard, Suite 1625  
Long Beach, CA 90802  
(Application No. 2404-11)

**DISCUSSION**

The Applicant requests approval of a Site Plan Review (SPR) for the development of a micro-unit project consisting of 96 units with associated vehicle and bicycle parking spaces, indoor amenity spaces, and common outdoor open space areas at 421 E. 4<sup>th</sup> Street in the Downtown Plan (PD-30) Planned Development District.

Located in the heart of Downtown, the site offers an opportunity to further the City of Long Beach's (City) objective to create pedestrian-focused, amenity-rich, high-quality spaces that build on and add to the richness and vitality of the city's core. The project site is currently occupied by a privately-owned surface parking lot with no structures or major improvements. It is located two blocks away from the Metro A Line as well as a host of restaurants, retail, and other public amenities. The proposed redevelopment of this site would not only provide much-needed



housing on an underutilized site, but it would also bring new people, activity, and opportunity to the downtown community and city overall.

### *Background*

This application is the second project subject to Planning Commission approval that includes micro-units in conformance with the City's Micro-Unit Pilot Ordinance (Ordinance) Section 21.45.600 of the Long Beach Municipal Code (LBMC). The Planning Commission reviewed the Ordinance on September 3, 2020, and recommended approval to the City Council. On November 17, 2020, the City Council adopted the Ordinance, which established the temporary Micro-Unit Pilot Program (Pilot Program), allowing a limited number of micro-unit projects in areas of the City that are amenity-rich and located near quality public transit systems. Micro-unit housing is a newer housing typology that can produce lower-cost units than traditional market-rate rental housing by constructing smaller individual units. These dwelling units are typically small studio apartments, usually less than 350 square feet, with a fully functioning and Americans with Disabilities Act (ADA) accessible kitchen and bathroom. While these micro-units are not subsidized affordable units, they can be an affordable rental housing solution for single-person households and young professionals offering cost savings to renters. When compared to a conventional studio in the same market, the gross rents for micro-units tend to be 20 to 30 percent lower than the rent for a conventional studio unit.

Due to the smaller size of individual units, the Pilot Program has higher standards for common building amenities than is typically mandated, and the Pilot Program is only available in limited, amenity and transit rich neighborhoods. The Ordinance establishes the geographic boundaries of the Pilot Program, limiting new micro-unit projects to the PD-30 and Midtown (SP-1) plan areas. It also establishes a 500-unit cap on the number of new micro-units that may be developed under the Pilot Program. It generally maintains existing zoning regulations and development standards with two main exceptions. The proposed regulations:

- Exempt micro-unit projects from otherwise applicable minimum unit size and unit mix requirements; and,
- Adjusts open space requirements to be calculated as a percentage of the lot rather than as a minimum square footage requirement per unit and requires common open space rather than private open space.

All other zoning regulations and development standards still apply. The Pilot Program fulfills Policy 3.11 of the 29 policy recommendations adopted by the City Council in May 2017 to support the production of affordable and workforce housing and implements Program 2.5 of the Housing Element (Micro-Unit Pilot Program). The Pilot Program and Ordinance remain in effect until a total of 500 micro-units are entitled. To date, the Planning Bureau has entitled 274 micro-units, and approval of this project will result in a total of 489 entitled micro-units. Most of these units were either affordable or in smaller buildings that are not subject to the Planning Commission's jurisdiction. Due to the fairly recent adoption of the Ordinance, these approved micro-units have not yet been constructed.

*Project Site*

The project site is located at 421 E. 4<sup>th</sup> Street, on the north side of 4<sup>th</sup> Street, between Elm Avenue to the west and Linden Avenue to the east (Attachment A – Vicinity Map). The site is bounded by 4<sup>th</sup> Street on the south and Frontenac Court on the west in PD-30. The site is comprised of three parcels that are cumulatively 11,625 square feet and are currently utilized as a commercial paid surface parking lot with no structures or major improvements (Attachment B – Site Photographs). While the site currently operates as a single parking lot, a lot merger will be required as a condition of approval for the proposed micro-unit development. Adjacent uses are typical of the downtown setting and are described in Table 1, below:

Table 1: Uses Adjacent to the Subject Site

Location	Zoning Designation	Land Use
North	PD-30	Event Venue, Historic Landmark (First Christian Church)
East	PD-30	Multi-Tenant, Commercial
South	PD-30	Commercial and Multi-Family Residential
West	PD-30	Multifamily Residential

The site is served by a variety of local and regional multi-modal transportation options. It has access from the Interstate-710 (I-710) freeway off-ramp at East Broadway, with an on-ramp located one block away on W. 3<sup>rd</sup> Street. Two local bus stops are located near the project site, one on the north side of 4<sup>th</sup> Street near its intersection with Linden Avenue and one on the southeast corner of Elm Avenue and 4<sup>th</sup> Street. The nearby Long Beach Transit (LBT) Gallery, located six blocks to the southwest, also provides access to the full range of local bus routes operated by LBT and regional bus routes operated by the Los Angeles County Metropolitan Transportation Authority (Metro). The Metro A Line maintains a light rail stop located two blocks northwest of the project site, in the Pacific Avenue median between E. 4<sup>th</sup> Street and E. 6<sup>th</sup> Street, providing regional rail service to downtown Los Angeles and the greater Los Angeles County area. Additionally, existing protected Class IV separated bike lanes are located on Broadway and W. 3<sup>rd</sup> Street, connecting to the City’s 65-mile bike route system.

The site is located within the Downtown (DT) General Plan Land Use Element (LUE) PlaceType designation. Development in the DT PlaceType is subject to the development standards of the PD-30 zoning district. The PD-30 area is divided into a Downtown Plan area and a Downtown Neighborhood Overlay district. The project site is in the height incentive area of the Downtown Plan area, which supports high intensity development featuring a combination of land uses including retail, offices, and higher density residential uses. The proposed multi-family residential project is consistent with the intent of the zoning district and the objective to develop a downtown that emphasizes a quality physical environment, a pedestrian focus, and quality architecture. Furthermore, based on the project’s location in the PD-30 area and application date, the project is subject to the City’s Inclusionary Housing Ordinance which requires 11 percent of the units in the residential development to be reserved for very low-income households. Additional housing units, including affordable units, will provide new housing opportunities to Long Beach residents

and contribute much needed housing supply to help address the acute state-wide housing shortage.

### Project Description

As discussed previously, the proposed project will replace an existing surface parking lot with a new seven story multi-family residential building and an associated parking structure. The project consists of 96 micro-units (12 of which are affordable at the very low-income level), 17 vehicular parking spaces in an at grade parking garage on the ground floor, 47 bicycle parking spaces, 3,993 square feet of common indoor amenity spaces, 4,155 square feet of common outdoor open space and 1,500 square feet of private open space area (Attachment C – Plans).

Within the PD-30 Height Incentive Area where this project is located, the maximum base floor area ratio (FAR) is 8.0. The Project's total gross building area would be approximately 63,179 square feet, including the garage on the ground floor. With the subtraction of exempt garage square footage, the FAR would be 4.78 (55,523 square feet).

The base height limit in this PD-30 Height Incentive Area is 240 feet. The total height of the building is proposed to be 80 feet above grade, which is within the base height limit for the area. The proposed project is designed to conform with all applicable development standards of PD-30 (excluding those standards modified by the Ordinance) and is consistent with the level and intensity of development intended by the planned development district.

All 96 micro units included in the project are below the PD-30 minimum unit size requirements (600 square feet); therefore, the project has been reviewed for compliance with both the Ordinance (21.45.600 of the LBMC) and PD-30 standards. The Ordinance established a Pilot Program for micro-unit projects in areas of the city that are amenity-rich and located near quality public transit systems in accordance with the City's Housing Element. This project represents the second largest micro-unit application received by the City to date under the Pilot Program with the inclusion of 96 proposed micro-units.

### Site Plan Review and Building Design

Residential uses are allowed by-right within the PD-30 District. However, proposed residential projects with more than 50 units require review by the Site Plan Review Committee (SPRC) and approval by the Planning Commission. The SPR process is intended to review projects for their consistency with community goals which are, among others:

- To ensure that the highest quality of land planning and design are incorporated into development projects;
- To ensure that new projects are compatible with existing neighborhoods in terms of scale, style, and construction materials; and,
- To ensure the maintenance, restoration, enhancement, and protection of the environment.

The project was reviewed by the SPRC, which found that the proposed building design is consistent with PD-30 and General Plan PlaceType, and is appropriate based on the building form, intended use and the relationship to the surrounding uses (Attachment D – Findings).

The building façade along E. 4<sup>th</sup> Street would be flush with the site's property line, compliant with the PD-30 requirements along the north side of E. 4<sup>th</sup> Street where there is a Zero-Foot Build-to Line requirement. However, the SPRC approved balcony projections over the front property line above the pedestrian right-of-way along E. 4<sup>th</sup> Street to allow for the provision of private open space for the units facing E. 4<sup>th</sup> Street. These balconies also provide additional articulation on the front façade along E. 4<sup>th</sup> Street, adding to the building's architectural design quality.

The ground level features a resident lobby and lounge, a leasing center/office, mail room, co-working space, restroom, and parking garage accessible from Frontenac Court along the east of the site. A bicycle parking facility, utility rooms and trash facilities are also located in the garage. A total of 17 parking spaces are provided, including seven compact spaces, two Electric Vehicle (EV) charging spaces, and one handicap accessible space. Level two includes a resident courtyard along the west property line, two indoor amenity fitness areas, one lounge/flex space and 14 residential units. The floor plans for Levels Three through Six are comprised entirely of residential units. Level Seven features 12 units, a communal clubhouse room, and two amenity deck areas at the front facing E. 4<sup>th</sup> Street. A mezzanine floor above Level Seven houses the loft spaces for the units below and their private open space terraces, access to the communal sun deck and entertainment room amenity spaces.

The project's architecture incorporates high-quality exterior building materials, architectural elements, and one mural area that vary across the proposed building elevations. The building materials and architectural design treatments, including articulation, are carried throughout all elevations. The building consists primarily of cement plaster in varying medium, color, and form across the building and complementary fiber cement panels with decorative painted steel railings and glass railings. Along the front, most of the north elevation (as seen from E. 4<sup>th</sup> Street) maintains seven stories of a façade in a blue color scheme with light blue projecting balconies to articulate building form. A blocky façade design is broken apart by architectural protrusions on portions of the east and west elevations to accent the verticality of the building and provide relief from its blue color scheme.

The ground level parking area would be constructed of poured-in-place concrete in a natural grey finish. The proposed windows, including the ground floor storefront system would maintain black vinyl windows throughout. The private balcony areas would maintain painted steel guardrails in a "Below Zero" (light blue) color to provide a pop of color from the overall blue building tone.

### Open Space

The project includes a complete proposal of 96 micro-units that do not meet the PD-30 minimum unit size requirements (600 square feet) therefore, the project is subject to the Ordinance. Pursuant to the Ordinance, ten percent of the total lot area shall be provided as the minimum common usable open space. Based on the 11,625-square-foot lot size, a minimum of 1,162.5

square feet of open space are required per the Ordinance. A micro-unit project's open space must incorporate common outdoor space at grade, podium, or roof level and shall be accessible and visible from the public right of way. Pursuant to LBMC Section 21.45.600, ten percent of the total lot area shall be provided as minimum common usable open space. The proposed project exceeds compliance through the provision of an outdoor courtyard (1,543 square feet) and lounge and two fitness studios (1,053 square feet), on the second floor, two amenity decks (1,606 square feet) and an indoor clubhouse (1,158 square feet) on Floor seven. The mezzanine amenities also include a sundeck (1,006 square feet) and an indoor entertainment room (736 square feet). Additional private balconies and terraces are provided for 26 of the 96 units that add additional open space beyond the required minimum.

### Unit Size

A "micro-unit" is a dwelling unit that is not subject to the density limitations or minimum unit size and unit mix requirements of the underlying zoning, and which contains a full bathroom, kitchen facilities, and built-in storage within the micro-unit. The project includes 96 units that meet this definition, with unit sizes ranging between 325 square feet and 505 square feet. The size and distribution of the residential units are provided in Table 2. The 12 units designated as affordable are located throughout the project and reflect a range of the units available.

Table 2: Unit Breakdown

Unit Type	Unit Description	Unit Size Range (square feet [sf])	Total
Micro-Unit	Studio A	334 sf	50
Micro-Unit	Studio A w/ Mezz	433 sf	7
Micro-Unit	Studio A1	399 sf	5
Micro-Unit	Studio A2	444 sf	5
Micro-Unit	Studio A3	327 sf	10
Micro-Unit	Studio A4	325 sf	6
Micro-Unit	Studio B	344 sf	2
Micro-Unit	Studio C	505 sf	5
Micro-Unit	Studio D	402 sf	5
Micro-Unit	Studio D1	362 sf	1
<b>TOTAL</b>		<b>34,524 sf</b>	<b>96 units</b>

While the unit mix provides units that are smaller in size and bedroom count than provided for in the PD-30 standards, the Pilot Program implements recommendations in the Housing Element to address the housing crisis in areas of the city that are amenity-rich and located near quality public transit systems through the allowance of smaller units with appropriate amenities. The unit floor plans include walk-in bedroom closets with closet organizers and additional built-in storage to help maximize and streamline space. Full-size bathrooms and full-size galley kitchens are also provided in every unit, including features such as in-unit washer and dryer, counter depth fridges, and built-in counter height dining tables.

The undersized units have been designed to enhance livability within the smaller unit size. It is worth noting, however, that while each unit contains a closet and/or alcove space for storage, many of these spaces do not meet the minimum area noted in the PD-30 plan (25 square feet in area, not less than 175 cubic feet). City staff attempted to work with the applicant to increase the provided storage space, but were unsuccessful due to a technicality in the way the requirement related to storage is written in the current plan, which as written may not be considered an objective standard. City staff will be addressing this issue as part of the PD-30 update.

Private open space balconies are provided for some units, in addition to required common open space areas under the Ordinance.

### Vehicular Access and Parking

Vehicular ingress and egress to the parking area is provided by an access point from the rear alley at north Frontenac Court. The existing 16-foot-wide alley would be widened to 18-feet in width with the incorporation of a two-foot dedication for the entire length of the alley, subsequently making the lot 11,325 square feet.

Seventeen vehicle parking spaces are provided at the ground level behind the lobby, rental office, and other resident amenity areas. The site is located within proximity to high-quality transit under the provisions of Assembly Bill (AB) 2097, and therefore, a local agency cannot impose parking minimums for residential uses. The provided 17 parking spaces are not required but comply with the development standards outlined in Chapter 21.41 of the LBMC for off-street parking.

PD-30 requires a minimum of 20 bicycle parking spaces. The project exceeds the minimum required amount of bicycle parking and provides 47 bicycle parking spaces in a secured bicycle storage room at the ground level. The bicycle parking area features a point of access along the east alleyway elevation along North Frontenac Court, which allows for ease of access to the public right-of-way abutting the project site.

The subject site is comprised of two parcels, for a total of 11,625 square feet, and is currently used as a parking lot. The project site is not on the site inventory in the City's 6<sup>th</sup> Cycle Housing Element (HE) of the General Plan. The proposed project is a residential development project that would facilitate 96 residential, micro-units, of which 12 units would be restricted to very-low-income households. Therefore, the project would result in 12 more very-low-income units and 84 more market rate units than projected outside of the site inventory. Therefore, the proposed project includes both more affordable units and more market-rate units than was projected in the site inventory and is consistent with the certified HE. The project is also important to balance other sites across the city where projects were approved with fewer units or a different mix of units than found on the sites inventory; projects such as the one under consideration by the Planning Commission are critical to maintaining overall compliance with Senate Bill 330 and the HE as well as more broadly meeting the City residents' housing needs.

### General Plan Conformity

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The proposed rental housing development is in alignment with the Land Use, Urban Design, and Housing Elements of the General Plan, including objective design standards, as well as architectural and green building standards.

The LUE identifies goals and policies along with PlaceType descriptions to guide the use of land and urban form. The goals, strategies and policies outlined in the LUE describe how the City will continue to pursue innovative land use practices aimed at maintaining the small town feel of neighborhoods while also capitalizing on big city attributes. The proposed project includes infill residential development in the downtown area within walking distance to multiple modes of transportation, including the Metro A Line Pacific Avenue Station and LBT bus stops (LU Policies 1-2, 7-9, and 13-2). The development of high-density residential uses in proximity to transit furthers the City's goal to develop the Downtown into a city center that provides compact development, accommodates new growth and creates a walkable urban environment accessible to surrounding neighborhoods and regional facilities (LU Policy 7-7).

The proposed project would eliminate a surface parking lot with access on North Frontenac Court, which reduces vehicle and pedestrian/bicycle conflicts along the E. 4<sup>th</sup> Street public right-of-way. The new residential building would include a residential lobby and bicycle storage with direct access to North Frontenac Court to activate the building frontage, while also providing convenient access to the public realm along the improved right-of-way. In addition, the project is comprised completely of micro-units, which provides a variety of housing typology that can be an affordable rental housing solution for single-person households (LU Policy 12-1). The provision of 12 affordable housing units to very-low-income households exceeds the projections for this site identified in the site inventory in the City's 6<sup>th</sup> Cycle HE of the General Plan. Therefore, the project achieves the City's intent to encourage the provision of housing opportunities for all income levels and household types (LU Policy 12-2).

The project is consistent with and helps to implement the HE of the City's General Plan. The City's Housing Plan of the HE, organized by goals, policies and programs was adopted as part of the City's housing strategy for the 6<sup>th</sup> Cycle planning period (2021-2029). The Housing Plan describes the City's directions on housing related needs. In reviewing this project, City staff found that increased opportunities for the construction of high-quality housing (Housing Plan Goal 1) was achieved. In accordance with HE Policy 1.2, 1.5, 1.7, 1.11, 1.12 and 1.13 the approval process was streamlined, high-quality materials were encouraged, development aligned with the City's Climate Action and Plan was encouraged downtown, inclusionary housing, enhanced density bonuses and incentives were applied to promote mixed income and/or mixed generation housing. Furthermore, City staff mitigated government constraints on housing investment and affordability (Housing Plan Goal 2).

Specially, HE Policies 2.2, 2.5, 2.7 and Program 2.5 were met via speedy review of applications, reduction in minimum unit size, streamlined environmental review and application of the Pilot Program. The parcel(s) (APN: 7281-007-081 and 7281-007-065) of the subject site are not identified on the site inventory in the City's 6<sup>th</sup> Cycle Housing Element of the General Plan, so the development of housing at this site could help to counter-balance future development of inventory sites that may be approved with fewer units than was projected.



PUBLIC HEARING NOTICE

A total of 482 notices of public hearing were distributed on October 3, 2024, and one poster placed onsite in accordance with the requirements of Chapter 21.21 of the Zoning Regulations. As of the time of report preparation, City staff is in receipt of zero written comments in response to the project noticing.

ENVIRONMENTAL REVIEW

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, the project is exempt per Section 15192 and 15195 - Infill Development, as the project consists of a new seven story, 96 micro unit development project (Attachment E - Statutory Exemption 24-153).

Additionally, the project is consistent with and within the scope previously analyzed as part of the PD-30 Program Environmental Impact Report (EIR) (EIR-04-08) (SCH No. 2009071006) (Attachment F- Downtown Plan Program Environmental Impact Report), the LUE Program EIR (SCH No. 2015051054) (Attachment G – Land Use Element Program Environmental Impact Report), and the Downtown Plan Program EIR Land Use Equivalency Program and EIR Addendum (EIRA-06-20) (PECC-06-22). The project is subject to both the PD-30 Mitigation Monitoring and Reporting Program (MMRP) (Attachment H – Downtown Plan Mitigation Monitoring and Reporting Program) and the LUE MMRP (Attachment I – LUE Mitigation Monitoring and Reporting Program).

The introduction of the new multi-family residential project will contribute to the documented need for additional supply of housing units, including income-restricted affordable units, in the Downtown area with direct connection to local and regional transit options. This project would work towards the General Plan and HE recommendations to seek innovative ways to encourage housing production near quality public transit systems. City staff has analyzed the project in accordance with the required findings for an SPR entitlement and finds that positive findings can be made. As such, in conformance with the required findings, staff recommends that the Planning Commission approve the requested entitlement, subject to conditions of approval (Attachment J – Conditions of Approval), including but not limited to inclusionary housing, electrification, and operational requirements.

Respectfully submitted,



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PROJECT PLANNER



DONOVAN COLON  
PROJECT PLANNER

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Attachments:

- Attachment A – Vicinity Map
- Attachment B – Site Photographs
- Attachment C – Plans
- Attachment D – Findings
- Attachment E – Statutory Exemption 24-153
- Attachment F – Downtown Plan Program Environmental Impact Report
- Attachment G – Land Use Element Program Environmental Impact Report
- Attachment H - Downtown Plan Mitigation Monitoring and Reporting Program
- Attachment I – LUE Mitigation Monitoring and Reporting Program
- Attachment J – Conditions of Approval