

July 18, 2024

CHAIR AND PLANNING COMMISSIONERS  
City of Long Beach  
California

**RECOMMENDATION:**

Adopt and certify the Project Environmental Impact Report, Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program (EIR-03-23, SCH# 2023100342);

Approve a Site Plan Review (SPR 23-027) and adopt the proposed findings and conditions of approval related thereto, for a project consisting of the demolition of all existing structures on the site, and the construction of a new 304,344-square-foot concrete, tilt-up industrial warehouse building, including 10,066-square-feet of office space on a 14.16-acre lot located at 5910 Cherry Avenue; and

Recommendation to request City Council approve a Zone Change (ZCHG23-002) from General Industrial (IG) to Light Industrial (IL). (District 9)

APPLICANT: Yemi Alade  
For B9 Cherry Avenue Owner, LLC  
PO Box A3879  
Chicago, IL 60690-3879  
(Application No. 2304-11)

**Discussion**

**Background**

A similar project proposal for 5910 Cherry Avenue was originally approved by the Planning Commission on October 6, 2022. At the time, a warehouse and accessory office use (SIC Code 42 as shown in Table 33-2, Section 6 of the Long Beach Municipal Code) was a permitted use within the General Industrial (IG) Zoning District and a Categorical Exemption was relied on for the environmental review at that time. The Planning Commission's approval was appealed by a third-party, citing inadequate environmental (CEQA) review. However, prior to the City Council appeal hearing, the project proposal was withdrawn by the applicant. Subsequently, the applicant resubmitted a new Site Plan Review (SPR) application for a similar but enhanced project to be supported through environmental review via an Environmental Impact Report (EIR).



Project Site

The project site is a large single lot, located along the eastside of Cherry Avenue, located within the IG Zoning District, which has a General Plan Land Use PlaceType of Neo Industrial (NI). The project site encompasses 14.16-acres (616,835 sq. ft.) and is bounded by Cherry Avenue to the west, a slice of property that abuts Union Pacific Railroad to the east, a commercial retail center to the south, and a small tank farm to the north (Attachment A – Vicinity Map). The site is in the southwest portion of a larger industrial district in Uptown/North Long Beach. The surrounding area is developed with a range of uses detailed in Table 1.

Table 1: Adjacent Uses

Direction	Address	Zoning District	Land Use
NORTH	APN: 7119-018-002	General Industrial (IG)	Tank Farm
EAST	APN: 7119-018-034	General Industrial (IG)	Railroad access for property to the north
SOUTH	5828-5898 Cherry Avenue and 2001-2323 South Street	Regional Highway (CHW)	LA County Animal Control, McDonald's, Vacant Former Grocery Store, Cube Smart Self-Storage
WEST	5901-5949 Cherry Avenue	Community Automobile-Oriented (CCA)	Residential, beauty salon, barber, and restaurants

The project site is currently developed with a single-story office building, several outbuildings, and outdoor storage. According to the Los Angeles County Assessor's Records, the buildings on the property were constructed between 1953 and 1959.

The largest of the existing structures on-site was utilized as an office use by a variety of engineering companies per the City of Long Beach's (City) Business Licensing Bureau. The smaller outbuildings on site were utilized as storage, manufacturing and repair. All of the existing structures are proposed to be demolished and the site cleared.

Project Proposal

After the demolition and site clearing, the site is proposed to be redeveloped with a single 304,344-square-foot concrete, tilt-up industrial warehouse building that is approximately 51 feet in height. Surrounding the building are parking areas including 338 at-grade parking stalls and 79 truck parking stalls. The building incorporates 44-truck high-dock doors along the south elevation facing the abutting commercial site. The building includes 10,066 square feet of office space in the southwest corner of the building along Cherry Avenue and is proposed to be located on the first floor and mezzanine levels. At this time a tenant for the future building has not been identified and the proposed project is being constructed on spec with all of the exterior improvements and a shell building.

The proposed project requires approval of a site plan review by the Planning Commission for project design of a building 50,000 square feet or greater in size. The site plan review process is intended

## CHAIR AND PLANNING COMMISSIONERS

June 20, 2024

Page 3 of 9

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 proposed warehouse use is a by-right use within the IG Zoning District.

The resubmitted project, which is similar to the approved project, was reviewed by the SPR Committee which found the overall height of the building (51-feet including the parapet) in compliance with the 65-foot maximum height allowed in the PlaceType and appropriate based on the building form, intended use, and the relationship to the surrounding uses. The primary differences between the prior submittal and the new submittal includes, greater office floor area, integrated solar panels as part of construction, and an enhanced north elevation to include pops of blue and enhanced landscaping at the vehicular entrances along Cherry Avenue. The building consists primarily of colored concrete panels in varying hues of gray along most of the building elevations, with variation at intervals in different gray tones and areas within the panels using indigo (blue) accent color and wood-like tile. The primary southwestern corner element and the Cherry Avenue elevation, which are adjacent to the public right-of-way, include pop outs and reflective glazing bisected in the form of squares or rectangles with black anodized mullions. Wood-like tile in Brazilian Walnut color is primarily located around the southern corner element main entry and along the Cherry Avenue elevation at the base of the pop outs. The northern elevation, although not facing a public right-of-way, is treated with pop outs that incorporate blue color on the upper portions of the pop outs and varying shades of gray along the entire bottom half of the elevation (Attachment B – Plans). The building design makes use of straight lines, generous floor to ceiling heights, and decorative corner elements resulting in a modern design, typical of industrial warehouse buildings.

All parking on-site is provided at grade level surrounding the building on three sides (west, south and east). Passenger vehicles take access to the site from the southerly most drive approach along Cherry Avenue and exit the site from either the same approach or the northerly most drive approach adjacent to the northwest corner of the building. However, truck access is restricted to the southerly most drive approach, closest to the overhead truck dock doors. For bicycle parking, a facility of this size shall accommodate a minimum of nine bicycle parking stalls, which is included as a condition of approval. The inclusion of nine bicycle parking stalls also meets the minimum requirement contained in the City's Transportation Demand Ordinance.

The submitted plan variations demonstrate that additional parking could be provided for future site and building reconfigurations ensuring consistency with the future NI PlaceType and allowing flexibility to accommodate more jobs-dense uses on the site. The project has demonstrated that the ability to convert building area and reconfigure parking areas to accommodate the NI PlaceType parking ratio of three spaces per 1,000-square feet of building area and the ability to retrofit the building for smaller scale light industrial and creative uses. This would allow for 559 stalls, mostly configured within the building and some reconfiguration of the exterior parking stalls (Attachment C – General Plan Parking Consistency).

Table 2: Vehicle Parking Summary

	<b>Building Size</b>	<b>Alternative Parking Plan</b>
Building Size (SF)	304,344	304,344
Warehouse	294,792	0
Mezzanine Office Area	4,816	4,816
Office Area	5,250	5,250
Manufacturing/Other use	0	174,647
Parking Spaces		
Required	331	623
Shown	336	623
Future Neo-Industrial Parking (conversion)		
Required	623	
Provided	623	
Truck Doors		
Truck Docks	44	38
Vehicle	1	1
Trailer Stalls	79	79

Although the project calls for the removal of 23 mature trees on site between the sidewalk and the existing building, trees must be replaced at least at a 2:1 ratio, and pursuant to the conditions of approval includes a tree replacement ratio of approximately 5:1 throughout the site. In fact, the new project shows a landscaped planter buffer between the parking area from the sidewalk, public right of way along Cherry Avenue. This buffer/setback is approximately ten feet wide along the entire Cherry Avenue frontage. The conceptual landscaping plan (Attachment D - Preliminary Landscape Plan) shows approximately 36 trees sized between 24-inch and 36-inch box planted within the 10-foot Cherry Avenue setback and the adjacent planters in the parking area alone. Adjacent to the building, opposite the setback, more 24-inch box and 36-inch box trees are proposed. Statement trees are shown, planted along each side of the drive approaches on site. Vertical landscaping in the form of 24-inch box trees are proposed along the northern boundary of the project and will be required per the conditions of approval along both the Cherry Avenue elevation and the northern property line to break up the façade. In total, 98 24-inch box and seven 36-inch box trees are provided throughout the project.

#### Requested Entitlements and Recommended Actions

1. Zone Change: The Applicant is requesting a Zone Change to Light Industrial (IL) which is a light industrial zoning district (Attachment E – Zone Change Map). The proposed project would rezone the parcels IG to IL, (Light Industrial) which would make the zoning consistent with the existing General Plan PlaceType, NI.

Existing zoning on the site is IG, General Industrial, which is a heavier industrial zoning district, and is inconsistent with the current General Plan PlaceType NI, Neo-Industrial. This inconsistency exists because the citywide rezoning effort to update zoning to be consistent with the General Plan is not yet complete. The NI PlaceType is generally adjacent or nearby to zoning districts that support more sensitive uses such as single-family residential districts. However, since this property is part of an older heavier industrial area, adjacent to residential areas, so a change to a lighter industrial zoning designation achieves the local planning objectives and meets goals and policies in the General Plan (see Table 3 below).

City staff supports the Zone Change request, as it is bringing consistency between the General Plan PlaceType and zoning and allows for the redevelopment of a property with an industrial use that could increase the property tax base and create jobs for the north Long Beach area. Justification for the Zone Change is discussed in detail in the Zone Change findings (Attachment F – Zone Change Findings). The Zone Change must be adopted by ordinance, which requires City Council approval.

2. Site Plan Review: SPR is required for all new construction projects with a building floor of 5,000 square feet or greater. The SPR entitlement considers general design objectives and guidelines and consistency with the General Plan and Zoning. City staff supports this site plan review request as all of the applicable objectives and requirements are met by the proposed project design, which are discussed in detail in the SPR findings. Off-site construction improvements are required with this approval and include street, sidewalk, and other pedestrian improvements (Attachment G – Conditions of Approval).

The proposed demolition of the existing building on-site and the construction of a new industrial warehouse building support the SPR Findings (Attachment H – SPR Findings) demonstrating that the project proposal prescribes a remedy which will replace outdated buildings and construct a new building with ancillary improvements that are consistent with the zoning district and compatible with the surrounding area. City staff recommends that the Planning Commission approve the SPR based on the findings and subject to the recommended conditions of approval.

The proposed project is consistent with the following Goals within the City's General Plan:

Table 3: - Consistency with General Plan Goals and Policies

Identification Number	Goal/Policy	Explanation
LU Policy 3-4	Promote and attract a mix of commercial and industrial uses by emphasizing the flexibility of PlaceType designations	As shown in the attached plans, the proposed building is designed for the ability to be reused as a commercial use which has a higher rate of parking than a manufacturing or warehouse use.
LU Policy 6-9	Encourage the redevelopment of parcels with poor land utilization such as single use commercial structures on parcels over 5,000 square feet.	<p>The overall property size is 14.16 acres in area and currently developed with a single-story, 32,815 square foot office building (constructed in the late 1950's), several outbuildings (totaling 11,025 square feet) with unknown uses, and approximately 308,000 square feet of outside storage.</p> <p>The existing use and buildings will be replaced with one 304,344 square foot building similar to others in the area including 2400 E. Artesia Boulevard and one proposed at 5860 Paramount Boulevard. It is anticipated that numerous construction jobs will be created by the proposed project, as well as permanent jobs based on the future use of the property.</p>
IM-9 and  IM-10	<p>Implement midblock crossings and traffic calming as needed in the more suburban locations of the City where larger blocks and wider streets inhibit pedestrians.</p> <p>Design safer streets by using traffic-calming techniques and by providing more frequent and innovative crosswalks, pedestrians signals and clearly marked bicycle lanes.</p>	There is an active, mid-block northbound Long Beach Transit bus stop adjacent to the subject project, which is patronized by individuals from the residential neighborhood across Cherry Avenue. Cherry Avenue is designated a Major Avenue in the Mobility Element and is an approximate 80-wide right-of-way. The conditions of approval require that the Applicant work with the Public Works Department and Long Beach Transit to facilitate and construct a mid-block pedestrian crossing so that pedestrians can safely cross Cherry Avenue to reach the transit stop.
UD 13-3 and  UD25-1	<p>Encourage new development projects to provide safe pedestrian access to public sidewalks, bus and rail transit facilities and the bicycle network.</p> <p>Develop the Neo-Industrial PlaceType as a buffer between existing industrial and residential neighborhoods.</p>	<p>Access from the public sidewalk to the primary building entry will be via a pedestrian path which is heavily landscaped. The landscaping is continued northbound along Cherry Avenue adjacent to the subject property and also abuts the adjacent Long Beach Transit bus stop.</p> <p>The proposed building is setback from the street approximately 80 feet and is over 300 feet away from the nearest residentially zoned property. Pedestrians on the sidewalk adjacent to the project will experience a 10-foot-wide sidewalk and a 10 foot wide setback landscaped with 24-inch box trees, ground cover and accent shrubs.</p>

## **PUBLIC HEARING NOTICE**

This item had a total of 855 Public Hearing notices that were distributed on June 6, 2024, in accordance with the requirements of Chapter 21.21 of the Zoning Regulations. At the time this report was written no public comments were received.

Although not required, prior to the public hearing notice, the applicant connected with local neighborhood associations, including Cherry Manor and Neyham Neighborhood Associations. Representatives of the Neyham Neighborhood Association have worked closely with the Applicant regarding the landscaping along the frontage of Cherry Avenue in addition to a grant partnership for funds allocated toward improvements of a historic fire station in North Long Beach.

## **ENVIRONMENTAL REVIEW**

In accordance with CEQA and the CEQA Guidelines, an EIR (EIR-03-23) was prepared for the proposed industrial building at 5910 Cherry Avenue (SCH# 2023100342) and the proposed zone change pursuant to Public Resources Code Section 21100 and 21100.1, and CEQA Guidelines Section 15161 (Attachment I – Project EIR and Appendices). A Notice of Preparation (NOP) for this EIR was distributed to public agencies and made available for public review and comment for a NOP review period that started on October 12, 2023, and ended on November 13, 2023. The City received seven written comments during this NOP review period. A Scoping Meeting was held during this review period, on November 1, 2023, to further solicit public comment on the scope and content of the EIR.

Only one significant and unavoidable impact was identified through the EIR. The Transportation Section of the Draft EIR (DEIR) shows that the project would have significant and unavoidable impact regarding the second threshold titled, “Would the project conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?” Which reads:

*Qualitative Analysis. If existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project’s vehicle miles traveled qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. For many projects, a qualitative analysis of construction traffic may be appropriate.*

For this threshold, seven different potential future tenant options were qualitatively analyzed using four different Vehicle Miles Traveled (VMT) Scenarios. The **Tenant Use Option Total VMT per Service Population** model was run for each of the tenant options utilizing a formula that included the service population and the Total VMT for each of the seven Tenant Use Option Scenarios. The maximum Regional VMT per Service Population is 30.6 for each of the Tenant Use Options, and each Tenant Use Option exceeds the maximum allowable 30.6 Regional VMT per Population between 29.7 percent and 106.9 percent (Page 4.18-10 of the DEIR). Since the VMT exceeds the maximum allowable Total VMT per Service Population, there is a significant and unavoidable

impact. Therefore, even with the implementation of mitigation measures TRA-1 and TRA-2, which include commute reduction and employer paid transit passes, transportation impacts would remain significant and unavoidable.

Since there are significant and unavoidable impacts, a Statement of Overriding Considerations is required which documents that the environmental impacts are outweighed by the following benefits:

1. Replacing underutilized buildings with a new state of the art building that meets the current building code and California Green Building Code;
2. Redeveloping an underutilized parcel with a new industrial building that will attract increased business, contributing to the City's taxbase;
3. Encouraging high quality development that derives benefit from the local transportation network and the close proximity to the Ports of Long Beach and Los Angeles;
4. Aligns with the City General Plan PlaceType and Policies;
5. Generates property tax and new employment opportunities; and,
6. New and improved infrastructure improvements which include but are not limited to
  - a. Restriping for turn lanes;
  - b. Installation of stop controls; and,
  - c. Construction of new sidewalks, curb-and-gutter and installation of new landscaping in the public right of way.

The DEIR was distributed to public agencies and made available for public review and comment for a 45-day EIR review period that started on March 15, 2024, and ended on April 29, 2024. The City received six written comments on the DEIR during this review period. These comments and the City's responses to these comments are provided in the Final EIR. The Final EIR also includes edits and clarifications to the DEIR text based on public comments including but not limited to, routes to schools and State Route 91 and VMT analysis, expert advice, and the Mitigation Monitoring and Reporting Program (MMRP) (Attachment J – Final EIR). Text edits provided in the Final EIR did not substantially alter the DEIR environmental analysis or change the conclusions of the Draft EIR regarding potential project environmental impacts. The Final EIR maintained the determination that the project, even in compliance with all recommended mitigation measures, would result in one significant and unavoidable impact which is **Impact TRA-2**: Would the project conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b) relating to VMT per Service Population for each of the seven different tenant options.

The project will be subject to the MMRP prepared for the EIR, which establishes mitigation measures that apply to the project (Attachment K – Mitigation, Monitoring, and Reporting Program). These mitigation measures pertain to air quality, cultural resources, noise, and tribal cultural resources.

The preparation and public availability of this EIR has been carried out in compliance with the provisions of CEQA and the CEQA Guidelines. City staff therefore recommends that the Planning Commission recommend that the City Council certify EIR-03-23.



CHAIR AND PLANNING COMMISSIONERS

June 20, 2024

Page 9 of 9

Respectfully submitted,



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ATTACHMENTS:

- A - VICINITY MAP
- B - PLANS
- C – GENERAL PLAN PARKING CONSISTENCY
- D – PRELIMINARY LANDSCAPE PLANS
- E – ZONE CHANGE MAP
- F – ZONE CHANGE FINDINGS
- G - CONDITIONS OF APPROVAL
- H – SITE PLAN REVIEW FINDINGS
- I – PROJECT EIR AND APPENDICES
- J – FINAL EIR
- K – MITIGATION MONITORING AND REPORTING PROGRAM