

July 18, 2024

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Accept Categorical Exemption CE24-097; and

Approve Conditional Use Permit CUP24-002 and adopt the proposed findings and conditions of approval thereto, for the operation of a daycare facility (over 14 children) within three existing commercial buildings (16,697 square feet) addressed as 1208-1250 Pacific Avenue and 135-141 West 12th Street in the Downtown Plan Planned Development District (PD-30). The project includes the replacement of the installation of 4,429 square feet of playground equipment on former paved onsite areas. (District 1)

APPLICANT: Kamus Keller – Roxanne Valencia
3760 Kilroy Airport Way, Suite 100,
Long Beach, CA 90806
(Application No. 2402-08)

DISCUSSION

The subject site is a 1.31-acre site located on the northeast corner of Pacific Avenue and West 12th Street. The site is comprised of six lots (APN's: 7273-004-037, -001, -004, -005, -006, -007) addressed as 1208-1250 Pacific Avenue and 135-141 West 12th Street (Attachment A - Vicinity Map). The site measures approximately 280 feet in length and 140 feet in width and totals 37,961 square feet in area. The northern portion of the subject site (APN: 7273-004-037 and 7273-004-004) abuts the intersection of two alleys (Solana Court and Regal Way) along the eastern property line. Solana Court is a 16-foot-wide named alley (north-south) and Regal Way is a 20-foot-wide (east-west) alley.

The site is located within the Downtown Plan Planned Development District (PD-30) and is designated as Downtown (DT) Placetype in the General Plan Land Use Element. The surrounding land uses include commercial uses to the north; multi-family residential uses to the south across West 12th Street; single-family residential and religious assembly uses to the west across Pacific Avenue; and multi-family residential uses to the east.



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The site is developed with three detached buildings and surface parking. The larger of the buildings is a two-story office building (addressed as 1250 Pacific Avenue) that totals 14,273 square feet in size (Attachment B – Site Photographs). This two-story building has been used as a medical office use since 1992. The two detached single-story buildings (addressed as 1218 Pacific Avenue and 135 West 12th Street) were originally constructed for residential use. The single-story building addressed as 1218 Pacific Avenue totals 1,138 square feet and the single-story building addressed as 135 West 12th Street totals 1,286 square feet. According to records maintained by the Building and Safety Bureau, all three buildings onsite are permitted for office use. There are 26 existing parking spaces within the paved parking lot.

Project Proposal

The applicant is requesting a Conditional Use Permit (CUP) to establish a daycare facility daycare facility (over 14 children) in the PD-30 District. The project entails the modification of the existing site and three onsite buildings to facilitate a change in use to child daycare facility (Attachment C – Plans). The two-story building (1250 Pacific Avenue) will be used for the care of older children (one to five years old). The two smaller buildings (1218 Pacific Avenue and 135 West 12th Street) will be used for care of infants aged (0 to 12 months). The ground floor of the two-story building will be modified to create eight new classrooms/activity rooms, new offices, restrooms, kitchen facilities and dining space. No physical changes are proposed to the second floor of the office building or the two detached office buildings. A 4,429-square-foot playground area will be constructed in the paved area between the two-story building (1250 Pacific Avenue) and the single-story building (1218 Pacific Avenue).

Site improvements include the installation of a 4,429-square-foot outdoor play area consisting of two playgrounds with children's climbing equipment. The parking lot improvements would include restriping 25 parking spaces and two loading spaces, removal of shrubs and perimeter fencing, and installation of new wrought iron fencing and drought tolerate plants.

A four-foot-wide landscape planter extends across the lots along the Pacific Avenue and West 12th Street frontages. The planter is currently planted with tall evergreen shrubs. These shrubs will be removed, and the landscape planter will be replanted with drought tolerant plants as part of this project. New perimeter fencing will be installed behind the landscape planter. The new low wrought iron fence will be decorative featuring colorful "cutout" images of children.

The applicant is requesting a CUP for the operation of a daycare facility with a maximum of 30 children on-site. In the PD-30 District, a CUP is required for the operation of a daycare facility with 14 or more children. Precious Lamb Pre-School provides faith-based, full-day education and care for children 0-months to five years of age, specifically for families experiencing homelessness (Attachment D – Operation Plan). The day care facility offers care at no cost to the parents. The daycare facility will provide care for approximately 30

children and will operate Monday through Friday from 7:30 am to 4:00 pm. The facility will employ six full-time and three part-time employees.

Conditional Use Permit

In accordance with Section 21.25.201 of the Zoning Regulations, the purpose of a CUP is to allow the review of a proposed use to determine if it is compatible with the adjacent uses or can be made compatible with the surrounding uses, with the imposition of conditions. The purpose of conditioning day care/preschool facilities is to ensure compatibility and provide adequate spaces for learning, activities, and on-site circulation. Section 21.52.249 of the Zoning Regulations establishes a number of specific requirements apply to daycare uses that require a CUP. These standards require a minimum outdoor play area for each child, minimum distance from other similar facilities when located in residential districts, limits hours of operation, and provision of adequate off-street loading parking spaces. Section 21.25.209 of the Zoning Regulations allows these conditions to be waived subject to written findings.

Pursuant to the operational standards outlined in Section 21.52.249 of the Zoning Regulations, the maximum number of students the daycare facility can enroll is determined by the amount of outdoor play area provided per student. A minimum of 75 square feet of outdoor play area per child shall be provided on the site. A total of 4,429 square feet of outdoor play area will be provided onsite, whereas only 2,250 square feet of play area is required based on the proposed 30 children maximum. Based on the size of the outdoor area, a maximum of 59 children could be allowed in the facility. As conditioned, the proposed facility could be permitted for a maximum of 59 children onsite with a modification of an approved permit (Attachment E – Conditions of Approval).

Daycare facilities requiring a CUP require one parking space for every 10 children plus two loading and unloading spaces for daycare facilities. Based on the proposed 30 children, a total of three parking spaces plus two for loading and unloading is required by this code requirement. The site plan illustrates that 25 parking stalls are provided, which include two spaces for loading and unloading, which complies with the parking required to grant the CUP. In addition, the site is located within an Assembly Bill 2097 area, which prohibits local jurisdictions from imposing parking minimums on uses when located in high-quality transit areas. The site is located 1,610 feet from the Los Angeles County Metropolitan Transportation Authority (Metro) Anaheim Street A-Line Transit Station and 245 feet from the Anaheim and Pacific bus stop served by Long Beach Transit. These transit stops are within half mile of the site and are considered high quality transit. Therefore, the site complies with parking requirements.

As conditioned, the proposed hours of operation would be within the allowable hours of operation for preschools under Section 21.52.249 of the Zoning Regulations. The subject site is not within a residential zoning district, therefore, the distancing requirements from other daycare facilities do not apply. The recommended conditions of approval are intended to ensure the use operates in compliance with these requirements and ensures the daycare

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facility will operate in a manner compatible with the surrounding area (Attachment F - Findings).

The subject site consists of six lots that would be developed as a single project. As a result, a condition of approval for the project will be placed to require the lots to be merged together into one lot through a tentative parcel map.

The proposed project is consistent with the general plan and zoning ordinance, and all special development standards for day care/preschool facilities. Additionally, the project is consistent with the City Council's 2018 Everyone Home Initiative. This plan outlines goals and recommended actions that can be taken to support unhoused, individuals and families who are experiencing housing insecurity. Supporting families and children who are at-risk of experiencing homelessness is identified as an essential component to addressing the housing crisis. Goal 5 of the plan is to increase childcare opportunities for low-income and homeless families particularly infants and toddlers, including at provider sites to support family access to services. The granting of the CUP to permit a daycare facility would help fill this community need by providing tuition free childcare to qualifying families.

City staff has reviewed the submitted CUP request to operate the proposed day care facility and has determined that with the incorporation of the recommended conditions of approval, will not cause any substantial adverse effects to the surrounding community and land uses. Therefore, City staff recommends that the Planning Commission accept categorical exemption CE-24-097 and approve the CUP subject to conditions of approval.

PUBLIC HEARING NOTICE

A total of 376 Public Hearing notices were distributed on July 3, 2024, for the Planning Commission hearing in accordance with the requirements of Chapter 21.21 of the Zoning Regulations. No comments were received at the time the report was prepared.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA) this project is eligible for a categorical exemption of Sections 15301 (Existing Facilities), 15304 (Minor Alterations to Land), and 15311, (Accessory Structures) of the CEQA Guidelines (CE-24-097). The project consists of the change in building use from office to day care, where physical construction is limited to the ground floor of the building at 1250 Pacific Avenue, and minor grading to accommodate the accessory playground area in between existing structures.

Respectfully submitted,

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COMMUNITY DEVELOPMENT DIRECTOR

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Attachments:

- Attachment A – Vicinity Map
- Attachment B – Site Photographs
- Attachment C – Plans
- Attachment D – Operation Plan
- Attachment E – Conditions of Approval
- Attachment F – Findings