



# CITY OF LONG BEACH

DEPARTMENT OF PLANNING & BUILDING

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • FAX (562)570-6068

## NOTICE OF FINAL ACTION

**Case No.:** 9810-13

**Project Location:** 5411 East Ocean Boulevard

**Applicant:** Department of Parks, Recreation and Marine  
c/o Dennis Eschen  
2760 Studebaker Road  
Long Beach, CA 90815

**Permit(s) Requested:** Local Coastal Development Permit

**Project Description:** A request for the construction of a patio cover/roof deck adjacent to beach concession buildings.

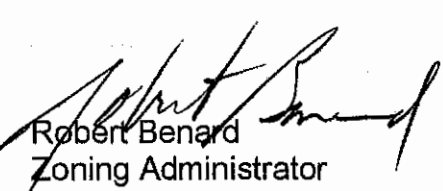
**Action was taken by the:** Zoning Administrator on:  
January 11, 1999

**Decision:** Conditionally Approved


**Action is final on:** January 21, 1999

This project is in the coastal zone, therefore, this action IS appealable to the Coastal Commission.

**See other side for City of Long Beach and California Coastal Commission appeal procedures and time limits.**



Robert Benard  
Zoning Administrator



Miguel Madrigal, Planner II  
Phone No.: (562)570-6952

Attachments

Council District: 3

## **APPEALS TO THE CITY PLANNING COMMISSION AND/OR TO THE CITY COUNCIL**

- A. Any aggrieved person may appeal a decision on a project that required a public hearing.
- B. An appeal must be filed within ten (10) calendar days after decision.
- C. An appeal shall be filed with the Department of Planning and Building on a form provided by that Department.
- D. A public hearing on an appeal shall be held within thirty (30) calendar days after the Department of Planning and Building receives a completed appeal form.
- E. A notice of the public hearing on the appeal shall be mailed by the Department of Planning and Building to the applicant and any known aggrieved person not less than ten (10) calendar days prior to the hearing.
- F. The Planning Commission shall have jurisdiction on appeals from decisions of the Zoning Administrator and the City Council shall have jurisdiction on appeals from the Planning Commission.
- G. Except for appeals to the Coastal Commission for projects located seaward of the appealable area boundary and appeals to the City Council of local coastal development permits on developments regulated under the City's Oil Code, there shall be no further appeals after a decision on an appeal.
- H. You are hereby provided notice that the time within which judicial review of the herein reported decision must be sought is governed by Section 1094.6 of the California Code of Civil Procedure.

## **APPEALS TO THE COASTAL COMMISSION**

All actions on local coastal development permits seaward of the appealable area boundary may be appealed by any aggrieved person to the Coastal Commission according to the procedures of the Coastal Commission, provided that all local appeals have been exhausted and no fee was charged the appellant for such appeal, by filing such appeal at the Coastal Commission offices, 200 Oceangate, 10th Floor, Long Beach, CA 90802-4302

**DEPARTMENT OF PLANNING AND BUILDING  
333 W. Ocean Blvd., Fifth Floor  
Long Beach, CA 90802**

**Local Coastal Permit**  
**CONDITIONS OF APPROVAL**

**Case No. 9810-13**

**January 11, 1999**

1. This permit and all rights hereunder shall terminate within one year of the effective date of the permit unless construction is commenced or a written time extension is granted, based on a written request submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
2. This approval shall be invalid if the owner(s) and applicant have failed to return the **written acknowledgment of their acceptance** of the conditions of approval on forms supplied by the Planning Bureau. This includes a revised set of plans reflecting all of the design changes set forth in the conditions of approval within 90 days from the date of approval or the Site Plan Review.
3. In the event of transfer of ownership of the property involved in this application, the new owner shall be fully informed of the use and development of said property as set forth by this permit together with all conditions which are a part thereof.
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. The Director of Planning and Building is authorized to make minor modifications to the approved preliminary plans or any of the conditions if such modifications shall achieve substantially the same results as would strict compliance with said plans and conditions.
6. 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.
7. Site development shall conform to plans approved and on file in the Department of Planning and Building.
8. Demolition, site preparation, and construction activities are limited to the hours between 7:30 a.m. and 7:00 p.m., except for the pouring of concrete, which may occur as needed.

9. Where feasible, incorporate energy conservation features, such as the following:
  - a. Lighting, air conditioning, and other electrical equipment, which is energy conserving;
  - b. Energy efficient construction equipment and devices; and,
  - c. Use of solar energy.
10. Any off-site improvements found damaged shall be replaced to the satisfaction of the Director of Public Works.
11. All required utility easements shall be provided for to the satisfaction of the concerned department or agency.
12. All structures shall conform to Building Code requirements. Notwithstanding this review, all required permits from the Building and Safety Bureau must be secured.
13. Site preparation and construction activities shall be conducted in a manner which minimizes dust.
14. 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. The amount of such fees shall be the amount applicable when the fee is paid.
15. All new roof top equipment shall be screened from public view by a solid parapet or equipment well.
16. This approval is required to comply with these Conditions of Approval as long as this use is on this site. As such the site shall allow periodic re-inspection is carried out, the property owner shall reimburse the city for the cost according to the special building inspection established by City Council.
17. The existing food concession stand shall remain as an accessory use to the public beach; it shall not convert to a typical fast food or dinner restaurant. Any change in the nature of the concession stand to a fast food or dinner restaurant shall necessitate the approval of a Conditional Use Permit.

18. The applicant shall remove the existing nonconforming roof sign and replace it with a conforming sign as per Chapter 21.44 of the Zoning Ordinance.
19. The applicant shall provide adequate trash receptacles for its patrons.
20. Security lighting shall be provided underneath the proposed cover. Security lighting shall also be provided atop the roof deck in the form of low level lighting no higher than 3'0" above the roof deck flooring.
21. The applicant shall provide seating and tables as part of the improvements.
22. The applicant shall submit plans for the review and approval of the Long Beach Fire Department prior to the issuance of a building permit.

**LOCAL COASTAL DEVELOPMENT**  
**PERMIT FINDINGS**

Case No. 9810-13

Date: January 11, 1999

**1. THE PROPOSED DEVELOPMENT CONFORMS TO THE CERTIFIED LOCAL COASTAL PLAN.**

The subject site is located in "Area E" of the Coastal zone. More specifically, it is on the land side of Ocean Boulevard at the start of the Peninsula, on public beach fronting Alamitos Bay, just east of 54th Place. The subject property is zoned P (Park) and is improved with roller hockey, handball, and basketball courts, a concession building, a kayak rental facility, and a boat dock serving as a gondola rental facility.

It is the applicant's intent to build a patio cover/roof deck over an existing slab adjacent to the concession building. The intent is to provide an improved seating area for patrons of the existing concession stand while providing shelter from the elements and an enhanced view of the bay from atop the roof deck. This proposed project is consistent with the Certified Local Coastal Plan in that the project will not change the character or usage of this portion of the public beach. Because of the existing improvements, mentioned above, this portion of the beach serves as an activity node for residents and the public. The proposed project will further encourage access to the beach by creating another unique opportunity for an enhanced view of Alamitos Bay to the public.

**2. FOR THE DEVELOPMENT SEAWARD OF THE NEAREST PUBLIC HIGHWAY TO THE SHORELINE: THE PROPOSED DEVELOPMENT CONFORMS TO THE PUBLIC ACCESS AND RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT.**

The proposed project is consistent with the public access and recreation policies of Chapter 3 of the Coastal Act. The proposed patio cover/deck will positively improve the subject site by enhancing the beach experience. Access to the site is not impeded in any way. In fact, access is encouraged by the proposed project in that it will provide a covered area for beach users. Additionally, it will provide a unique view opportunity of Alamitos Bays from atop the deck.