

October 4, 2022

H-23

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive supporting documentation into the record, conclude the public hearing, and consider two, third-party, appeals by Melinda Cotton (APL22-005) and Shemaiah Sims and Franklin Sims (APL22-006);

Determine that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1 – Existing Facilities) of the CEQA Guidelines (CE-22-113); and,

Deny the appeals and approve a Conditional Use Permit (CUP22-002) for the onsite service of alcoholic beverages (Type 41 - On-Sale Beer and Wine – Eating Place) at the Junipero Concession Stand located at 2630 East Ocean Blvd in the Park (P) Zoning District. (District 2)

DISCUSSION

On July 21, 2021, the Planning Commission held a public hearing and conditionally approved a Conditional Use Permit (CUP) request for the onsite service of alcoholic beverages (Type 41 Alcoholic Beverage Control [ABC] license - On-Sale Beer and Wine – Eating Place) at the Junipero Concession Stand located at 2630 East Ocean Boulevard in the Park (P) Zoning District (Attachment A).

The Junipero Beach Concession Stand/Restroom Building is located on the sandy beach area at the east end of the Junipero Beach parking lot (also known as Cherry Beach) within the P Zoning District (Attachment B). Vehicular access to the beach parking lot that serves the concession stand is maintained via a roadway leading from the intersection of Ocean Boulevard and Junipero Avenue (terminus). The beach bicycle and pedestrian path is located directly north of the concession stand/restroom building and serves the project site. The existing bluff areas north of the site include stair access to Ocean Boulevard for pedestrians.

The site is currently developed with a 1,574-square-foot structure featuring a concession stand, restrooms, and outdoor storage (Attachment C). The concession stand was approved for remodel in 2018, which includes portions of the project within the City of Long Beach's (City) jurisdiction of the Coastal Zone and the California Coastal Commission's (Coastal Commission) Original Permit Jurisdiction. The concession stand vendor operates under a contract with the City and is required to comply with all conditions of approval issued under the local and State approvals, including all food service through the takeout window and the stocking of relatively

inexpensive snack items. There is no full table service permitted within the dining/seating area, located within the sand and paved area between the existing palm trees and concession stand. The existing beach parking lot serves the concession stand (accessory use), and as conditioned, is required to be reserved for use of the general public and shall be available on a first-come, first-served basis (Attachment D). The operation of the concession stand at this location is consistent with the City's certified Local Coastal Program.

Conditional Use Permit

The applicant is seeking approval of a CUP to allow on-premises alcohol sales within the existing concession seating area. The applicant is requesting a Type 41 ABC license (On-Sale Beer and Wine – Eating Place) which allows the sale of beer and wine for on-site consumption in conjunction with a bona fide eating place. The proposed service of alcohol would not involve physical construction or change the use/intensity of the concession stand. The existing concession stand maintains a takeout window for the services of food and beverages (Attachment E). Only concession stand staff are permitted within the interior of the kitchen, food prep, and food service areas of the concession stand. On-site consumption would be permitted only within the designated outdoor seating on the sandy beach area. The service of alcohol in this area would not affect the special conditions related to public access issued by the Coastal Commission under Coastal Development Permit No. 5-17-0796.

The concession stand will only serve alcoholic beverages at the time when food items are available for sale. The operator proposes an operations plan that includes limiting the sale of beer and wine to patrons who purchase a food item or present a receipt of purchase of a food item (Attachment F). Conditions of approval have been included to ensure that alcoholic beverages remain within the dining area, which include alcoholic beverages served in a clear and recognizable cup, all alcoholic beverage are consumed onsite within a delineated area, and signage that reads "No Alcoholic Beverages Beyond This Point" (Attachment G). The delineation of the seating area shall be in conformance with ABC requirements but shall not include a permanent railing system without the expressed approval by the Coastal Commission. This permit does not modify public access management conditions for the seating area included in the previous approvals.

Conditions of approval have been incorporated to ensure the sale of alcoholic beverages would continue in an appropriate manner even when a change of operator occurs. As such, the conditions of approval require that the alcohol sales shall end a minimum of one hour prior to the close of business. In addition, the final operations plan shall be provided to the Development Service Department's Planning Bureau (Bureau) prior to the commencement of alcohol service. The approved operations plan and conditions of approval shall be maintained onsite at all times. Upon a change of operator/concessionaire, an updated operations plan shall be submitted to the Bureau and the updated plan shall also be maintained on-site.

In accordance with Long Beach Municipal Code (LBMC) Section 21.25.201, the purpose of a CUP is to allow the review of a proposed use to ensure that it is compatible with the adjacent uses. LBMC Section 21.52.100 establishes operating and conditions which should be considered and may be waived. This location is located within a park zone, in a high-crime area, and in a census tract that is overconcentrated (Attachment H). The existing concession

stand is an accessory use to the beach. The proposed sale of alcoholic beverages would not represent an intensification of use but would add menu items to an existing accessory use. City staff consulted with the Long Beach Police Department (LBPD) on this alcohol sales request and the LBPD expressed no opposition to approval provided the approval includes security measures including training, recognizable cups, prevention of loitering, and the incorporation of lighting and video surveillance. Conditions of approval address these concerns regarding the requested alcohol sales. City staff believe that approval of the CUP for alcohol sales would have a minimal impact on the surrounding community since the recommended conditions of approval would require the implementation of a number of operational measures designed to reduce any potential negative effects from the alcohol sales.

City staff have analyzed the project in accordance with the required findings for a CUP entitlement (Attachment I). City staff recommend approval of the CUP with conditions for the project as components of beach concession amenities that will increase and enhance active and passive beach recreational activities, based on the attached findings and subject to the attached approval conditions. As such, City staff recommends that the City Council uphold Planning Commission's approval of the Project and deny the appeal.

Public Hearing

On July 21, 2022, the Planning Commission held a public hearing and considered public testimony. Twelve pieces of correspondence were received prior to the hearing (Attachment J). Four members of the public spoke during the public hearing (Attachment K). The Planning Commission accepted the CEQA Categorical Exemption and conditionally approved (4-2) the CUP request.

Appeal

Within the ten-day appeal period, two third-party appeals were filed by Melinda Cotton (APL22-005) (Attachment L) and Shemaiah Sims and Franklin Sims (APL22-006) (Attachment M). The appellants assert concern related to the sale of alcoholic beverages on beaches or in parks in proximity to play areas for children. Appeal APL22-005 notes concerns related to high crime, ABC license concentration, and consultation with the Parks, Recreation, and Marine and the Marine Advisory Commissions.

With conditions, the proposed project would not result in a detrimental effect on the environment. Alcoholic beverage sales are permitted within beach and park areas with approval of a CUP and within areas designated by the issued ABC license. The dining area is distinctly separated from the playground and recreational areas, which would ensure that alcoholic beverages are not consumed at the Junipero Beach playground, basketball courts, or other recreational areas such as the bike or pedestrian path.

The Junipero Concession Stand is located within the tidelands portion of the Coastal Zone. The Parks and Recreation Commission's jurisdiction is limited to park and recreation facilities in the uplands areas of the City and they do not have oversight of the tidelands areas. Therefore, approval by the Parks and Recreation Commission was not required for this application.

The Marine Advisory Commission (MAC) is the panel that advises on activities and projects within the City's marinas, beaches and tidelands. The MAC received and filed presentations on the beach concessions in January and May 2021. Concessionaires selected for contract agreements were reviewed and approved by the City Council on June 8, 2021. The MAC has no role in the review of CUPs or alcohol licensing, so they were not consulted for this application.

Although the project site is in a public park, the subject site has been reviewed in light of the required findings and existing site conditions. Multiple City departments, including the Police and Parks, Recreation and Marine Departments, participated in the review of the proposed CUP and added conditions to ensure that security measures are taken for public health, safety, and welfare. The zoning code allows for the required findings to be waived within a review of the context of the project. The conditions of approval, including hours of operation and area of service, would ensure the responsible and safe consumption of alcohol only in designated areas. The beaches are regional serving, and the concession stands serve to provide food and beverages, including lower-cost options. The concession stands are located in areas that are relatively remote from commercial districts. The closest on-sale license to the project site is located at 2300 East Ocean Boulevard (Long Beach Museum of Art), which is approximately 500 feet northwest of the site. The remaining licenses are located along East Broadway, approximately 1,300 feet to the north. The onsite sale of food and beverages at the concession stand, including alcoholic beverages, enables visitors to remain at the beach, rather than departing the coastal beach areas to seek commercial areas for restaurant and retail uses. The alcohol service would be an accessory to the sale of food and non-alcoholic beverages. Within the City's built environment, it is not unusual for alcohol-serving establishments to be located near city parks and facilities.

The CUP can be amended or revoked should there be any future unanticipated impacts from the use or alcohol service. In this case, the City as the landlord and concession licensor has additional leverage and mechanisms for enforcement in the unlikely event that may be necessary.

This matter was reviewed by Assistant City Attorney Dawn McIntosh on September 6, 2022 and by Revenue Management Officer Geraldine Alejo on August 19, 2022.

PUBLIC HEARING NOTICE

Public hearing notices were distributed on September 15, 2022 in accordance with public hearing notification requirements in LBMC Section 21.21.302. Notices of this public hearing were posted onsite and mailed to the applicant, appellant, California Coastal Commission, and owners and tenants within 1,000 feet of the subject property. As of the date of preparation of this report, no written comments have been received in response to the noticing of the appeal. Any comments received prior to the City Council hearing will be provided to the City Council.

July 21, 2022

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Accept Categorical Exemption CE-22-113 and approve a Conditional Use Permit CUP22-002 for the onsite service of alcoholic beverages (Type 41 - On-Sale Beer & Wine – Eating Place) at the Junipero Concession Stand located at 2630 East Ocean Blvd in the Park (P) Zoning District. (District 2)

APPLICANT: Saltwater Deck
c/o Marvin Youssef
10805 Artesia Blvd, Unit 107
Cerritos, CA 90703
(Application No. 2201-03)

DISCUSSION

The Junipero Beach Concession Stand/Restroom Building is located on the sandy beach area at the east end of the Junipero Beach parking lot (also known as Cherry Beach) within the Park Zoning District (Attachment A - Vicinity Map). Vehicular access to the beach parking lot that serves the concession stand is maintained via a roadway leading from the intersection of Ocean Boulevard and Junipero Avenue (terminus). The beach bicycle and pedestrian path is located directly north of the concession stand/restroom building and serves the project site. The existing bluff areas north of the site include stair access to Ocean Boulevard for pedestrians.

Areas immediately adjacent to the project site include a sandy beach area, basketball courts, a playground, exercise equipment, a rinse station, existing bicycle and pedestrian path. Surrounding land uses include park and beach areas, residential uses, and a museum. The site has a 1989 General Plan Land Use designation of Land Use District (LUD) No. 11 (Open Space).¹ The project site is situated in the Coastal Zone. The concession stand building and outdoor seating area for the concession stand are located within the State's permit jurisdiction. The accessory recreation uses north of the concession stand (bicycle and pedestrian path, basketball courts, and exercise equipment) are located in the City's Appealable Area. Therefore, the final coastal permit approval

¹ The General Plan Land Use Element was updated in 2019 and has not yet been certified as part of the City's Local Coastal Program. Therefore, the 1989 General Plan Land Use Element (1989) designation LUD No. 11 remains applicable to the project site.



CHAIR AND PLANNING COMMISSIONERS

July 21, 2022

Page 2 of 6

for the service of alcoholic beverages in the existing outdoor seating area would require approval/clearance by the California Coastal Commission (Coastal Commission).

The site is currently developed with a 1,574-square-foot structure featuring a concession stand, restrooms, and outdoor storage (Attachment B – Site Photographs). The concession stand was remodeled in 2018. Within the City's jurisdiction of the coastal zone, the remodel included the installation of exercise equipment with an accessible path, two basketball courts, and wayfinding signage on an existing paved beach path (Attachment C – Concession LCDP [App. No. 1703-39]). Within the Coastal Commission's Original Permit Jurisdiction, a Coastal Development Permit (CDP) was issued for the remodel of the concession/restroom building, consisting of a new screen wall separating restrooms from concession area, lockable storage space for vendors, shade structure, new concrete boardwalk connecting the concession with the bike path, a children's playground, and other American's with Disabilities Act improvements (Attachment D – Concession CDP [No. 5-17-0796]). The concession stand vendor operates under a contract with the City of Long Beach and is required to comply with all conditions of approval issued under the local and states approvals, including all food service through the takeout window and the stocking of relatively inexpensive snack items. There is no full table service permitted within the dining/seating area, located within the sand and paved area between the existing palm trees and concession stand. The existing beach parking lot serves the concession stand (accessory use), and as conditioned, is required to be reserved for use of the general public and shall be available on a first-come, first-served basis. The operation of the concession stand at this location is consistent with the City's certified Local Coastal Program (LCP).

While parks and open space uses are the primary land uses permitted in this land use district, accessory commercial uses, such as a food and beverage concession stand, are also permitted if intended to preserve natural areas, promote the mental and physical health of the community, and improve the park/beach visitor's overall experience. The proposed project meets the intent of this goal as the project would serve visitors of the surrounding beach areas.

Conditional Use Permit

The applicant is seeking approval of a Conditional Use Permit (CUP) to allow on-premises alcohol sales within the existing concession seating area. The applicant is requesting a Type 41 Alcoholic Beverage Control (ABC) license (On-Sale Beer & Wine – Eating Place) which allows the sales of beer and wine for on-site consumption in conjunction with a bona fide eating place. The proposed service of alcohol would not involve physical construction or change the use/intensity of the concession stand. The nature of the proposed ABC license is for alcoholic beverage sales to be consumed onsite with the service of meals.

The concession stand use is considered a positive addition to beach recreational activities and enhances the visitor-serving nature of this coastal area. The existing concession stand maintains a takeout window for the services of food and beverages (Attachment E - Plans). Only concession stand staff are permitted within the interior of the kitchen, food prep, and food service areas of the concession stand. On-site consumption would be permitted only within the designated outdoor seating area on the sandy beach area. The service of alcohol in this area would not affect the special conditions related to public access issued by the Coastal Commission under CDP No. 5-17-0796.

CHAIR AND PLANNING COMMISSIONERS

July 21, 2022

Page 3 of 6

The concession stand will only serve alcoholic beverages at time when food items are available for sale. The beach concessionaire has the ability to operate within the framework of the agreements with the City, which incorporate all entitlement approvals and conditions as exhibits. The operator at this location proposes to limit alcoholic beverage sales to patrons who purchase a food item or present a receipt of purchase of a food item (Attachment F – Operations Plan). In addition, the applicant has proposed security measures and proper training for all staff for the responsible service of alcohol. Conditions of approval have been included to ensure that alcoholic beverages are served in a clear and recognizable cup and that all alcoholic beverage are consumed onsite within a delineated area (Attachment G - Conditions of Approval). The delineation of the seating area shall be in conformance with ABC requirements but shall not include a permanent railing system without the expressed approval by the Coastal Commission. As conditioned, the ABC-required enclosures around the dining areas shall be a visually open, temporary rope (or similar) enclosure that is to be removed at the close of business each day. A sign shall be posted that reads “No Alcoholic Beverages Beyond This Point”. This permit does not modify public access management conditions for the seating area included in the previous approvals.

While the operations plan does include operating parameters for hours of alcohol service (Table 1: Proposed Operating Hours), the concession stand’s hours may operate reduced hours in the off season and in response to inclement weather. As CUP approvals run with the land and concessionaires change over time, operation plans also change. Therefore, conditions of approval have been incorporated to ensure the sale of alcoholic beverages would continue in an appropriate manner even when a change of operator occurs. As such, the conditions of approval require that the alcohol sales shall end a minimum of one hour prior to the close of business. In addition, the final operations plan shall be provided to the Development Service Department’s Planning Bureau (Bureau) prior to the commencement of alcohol service. The approved operations plan and conditions of approval shall be maintained onsite at all times. Upon a change of operator/concessionaire, an updated operations plan shall be submitted to the Bureau and the updated plan shall also be maintained on-site.

Table 1: Proposed Operating Hours

Food Service	7 am – 8 pm
Alcohol Service	10 am – 7 pm

In accordance with Long Beach Municipal Code (LBMC) Section 21.25.201, the purpose of a CUP is to allow the review of a proposed use to ensure that it is compatible with the adjacent uses. In addition, LBMC 21.52.201 establishes a number of requirements for alcohol beverage sales. Required findings include compliance with the required off-street parking; that the alcohol use not be in an overconcentration of alcohol licenses within the Census Tract; that the use not be located in a reporting district with a high crime rate as reported by the Long Beach Police Department (LBPD); and the use’s proximity to parks and schools. LBMC Section 21.25.100 allows these and conditions to be waived subject to written findings.

CHAIR AND PLANNING COMMISSIONERS

July 21, 2022

Page 4 of 6

The existing concession stand is an accessory use to the beach and previous conditions of approval issued by the Coastal Commission do not permit the reservation of parking within the beach parking lot for concession stand patrons. The proposed sale of alcoholic beverages would not represent an intensification of use but would add menu items to an existing accessory use. The existing beach parking lot serves as a first-come-first-served basis and has sufficient capacity to serve the existing beach primary use and accessory park amenities, which include the concession stand and recreation areas.

The subject property is located within Census Tract 5767 ABC recommends a maximum of four on-sale alcohol licenses for this census tract based on the current population within the tract. There are currently nine active alcohol licenses for on-site consumption sales within this Census Tract (Attachment H – Map of ABC Licenses). While the census tract is currently over-concentrated and the addition of this license would further overconcentrate the census tract, the granting of the CUP would be consistent with the CUP approved for Alamitos Concession Stand Project. Alcoholic beverage sales would generate a small percentage of the overall sales as the primary use is a concession stand. The proposed alcohol license at this location would be limited to beer and wine. The outdoor seating area is subject to fluctuations in weather and seasonal trends, which is unique compared to a typical restaurant use. The closest on-sale license to the project site is located at 2300 East Ocean Boulevard (Long Beach Museum of Art), which is approximately 500 feet northwest of the site. The remaining licenses are located along East Broadway, approximately 1,300 feet to the north. Therefore, within the locational context of the site, the type of license, and the distance to other licenses locations, the overconcentration does not represent a condition that would create a nuisance with incorporation of the proposed conditions of approval.

The CUP for a Type 41 liquor license is requested as a service and convenience to the customers as an integral part of the dining experience. In considering a CUP for the sale of beer and wine at this location, staff evaluated the total number of reported crimes in the subject Police Reporting District. The site is located within Police Reporting District 433 within the East Division. The crime rate for this reporting district is 246, with the average being 97. Pursuant to Section 21.15.1338, "high crime" means a crime rate in a crime reporting district that is 20 percent above the City-wide average for all crimes. The threshold for high crime is 116. Therefore, this area is considered to be a high crime area. Section 21.52.201 of the Zoning Code requires that a new CUP for alcohol sales not be approved in a reporting district with a high crime rate as reported by the LBPD. The project site is in a high crime area. There were 17 calls for service attributed to the location from May 2021 to May 2022. Based on this information, the LBPD has included conditions of approval related to security cameras and lighting. With the proposed conditions of approval incorporated, the LBPD is not opposed to the approval of a Type 41 ABC license.

Staff consulted with the LBPD on this alcohol sales request and the LBPD expressed no opposition to approval provided the approval includes security measures including training, recognizable cups, prevention of loitering, and the incorporation of lighting and video surveillance. Conditions of approval address these concerns regarding the requested alcohol sales. Staff believes that approval of the CUP for alcohol sales would have a minimal impact on the surrounding community since this

CHAIR AND PLANNING COMMISSIONERS

July 21, 2022

Page 5 of 6

land use the recommended conditions of approval would require the implementation of a number of operational measures designed to reduce any potential negative effects from the alcohol sales.

Staff recommends approval of the CUP with conditions for the project as necessary components of beach concession amenities that will increase and enhance active and passive beach recreational activities, based on the attached findings (Attachment I - Findings) and subject to the attached approval conditions.

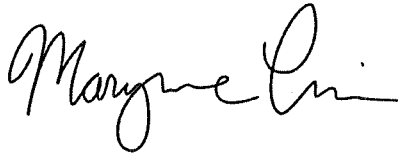
PUBLIC HEARING NOTICE

A total of 2,837 notices of public hearing were distributed within a 1,000-foot radius from the project site on July 7, 2022 in accordance with the requirements of Chapter 21.21 of the Zoning Regulations. As of the preparation of this report, one public comment has been received (Attachment J – Public Comment).

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA) this project is eligible for a categorical exemption per Section 15301 (Existing Facilities) of the CEQA Guidelines (CE-22-113). The project would not involve new physical construction and would entail the service of alcoholic beverages from an existing food and beverage concession stand.

Respectfully submitted,



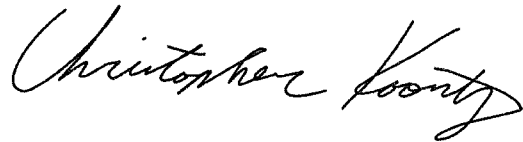
MARYANNE CRONIN
PROJECT PLANNER



ALEXIS OROPEZA
CURRENT PLANNING OFFICER



OSCAR W. ORCI
DIRECTOR OF DEVELOPMENT SERVICES



CHRISTOPHER KOONTZ, AICP
DEPUTY DIRECTOR OF DEVELOPMENT
SERVICES

OO:CK;AO:mc

Attachments:

- Attachment A - Vicinity Map
- Attachment B - Site Photographs
- Attachment C - Concession LCDP (App. No. 1703-39)
- Attachment D - Concession CDP (No. 5-17-0796)
- Attachment E - Plans
- Attachment F - Operations Plan
- Attachment G - Conditions of Approval
- Attachment H - Map of ABC Licenses
- Attachment I - Findings
- Attachment J - Public Comment

July 21, 2022

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Accept Categorical Exemption CE-22-113 and approve a Conditional Use Permit CUP22-002 for the onsite service of alcoholic beverages (Type 41 - On-Sale Beer & Wine – Eating Place) at the Junipero Concession Stand located at 2630 East Ocean Blvd in the Park (P) Zoning District. (District 2)

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Areas immediately adjacent to the project site include a sandy beach area, basketball courts, a playground, exercise equipment, a rinse station, existing bicycle and pedestrian path. Surrounding land uses include park and beach areas, residential uses, and a museum. The site has a 1989 General Plan Land Use designation of Land Use District (LUD) No. 11 (Open Space).¹ The project site is situated in the Coastal Zone. The concession stand building and outdoor seating area for the concession stand are located within the State's permit jurisdiction. The accessory recreation uses north of the concession stand (bicycle and pedestrian path, basketball courts, and exercise equipment) are located in the City's Appealable Area. Therefore, the final coastal permit approval

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CHAIR AND PLANNING COMMISSIONERS

July 21, 2022

Page 2 of 6

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The concession stand will only serve alcoholic beverages at time when food items are available for sale. The beach concessionaire has the ability to operate within the framework of the agreements with the City, which incorporate all entitlement approvals and conditions as exhibits. The operator at this location proposes to limit alcoholic beverage sales to patrons who purchase a food item or present a receipt of purchase of a food item (Attachment F – Operations Plan). In addition, the applicant has proposed security measures and proper training for all staff for the responsible service of alcohol. Conditions of approval have been included to ensure that alcoholic beverages are served in a clear and recognizable cup and that all alcoholic beverage are consumed onsite within a delineated area (Attachment G - Conditions of Approval). The delineation of the seating area shall be in conformance with ABC requirements but shall not include a permanent railing system without the expressed approval by the Coastal Commission. As conditioned, the ABC-required enclosures around the dining areas shall be a visually open, temporary rope (or similar) enclosure that is to be removed at the close of business each day. A sign shall be posted that reads “No Alcoholic Beverages Beyond This Point”. This permit does not modify public access management conditions for the seating area included in the previous approvals.

While the operations plan does include operating parameters for hours of alcohol service (Table 1: Proposed Operating Hours), the concession stand’s hours may operate reduced hours in the off season and in response to inclement weather. As CUP approvals run with the land and concessionaires change over time, operation plans also change. Therefore, conditions of approval have been incorporated to ensure the sale of alcoholic beverages would continue in an appropriate manner even when a change of operator occurs. As such, the conditions of approval require that the alcohol sales shall end a minimum of one hour prior to the close of business. In addition, the final operations plan shall be provided to the Development Service Department’s Planning Bureau (Bureau) prior to the commencement of alcohol service. The approved operations plan and conditions of approval shall be maintained onsite at all times. Upon a change of operator/concessionaire, an updated operations plan shall be submitted to the Bureau and the updated plan shall also be maintained on-site.

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CHAIR AND PLANNING COMMISSIONERS

July 21, 2022

Page 4 of 6

The existing concession stand is an accessory use to the beach and previous conditions of approval issued by the Coastal Commission do not permit the reservation of parking within the beach parking lot for concession stand patrons. The proposed sale of alcoholic beverages would not represent an intensification of use but would add menu items to an existing accessory use. The existing beach parking lot serves as a first-come-first-served basis and has sufficient capacity to serve the existing beach primary use and accessory park amenities, which include the concession stand and recreation areas.

The subject property is located within Census Tract 5767 ABC recommends a maximum of four on-sale alcohol licenses for this census tract based on the current population within the tract. There are currently nine active alcohol licenses for on-site consumption sales within this Census Tract (Attachment H – Map of ABC Licenses). While the census tract is currently over-concentrated and the addition of this license would further overconcentrate the census tract, the granting of the CUP would be consistent with the CUP approved for Alamitos Concession Stand Project. Alcoholic beverage sales would generate a small percentage of the overall sales as the primary use is a concession stand. The proposed alcohol license at this location would be limited to beer and wine. The outdoor seating area is subject to fluctuations in weather and seasonal trends, which is unique compared to a typical restaurant use. The closest on-sale license to the project site is located at 2300 East Ocean Boulevard (Long Beach Museum of Art), which is approximately 500 feet northwest of the site. The remaining licenses are located along East Broadway, approximately 1,300 feet to the north. Therefore, within the locational context of the site, the type of license, and the distance to other licenses locations, the overconcentration does not represent a condition that would create a nuisance with incorporation of the proposed conditions of approval.

The CUP for a Type 41 liquor license is requested as a service and convenience to the customers as an integral part of the dining experience. In considering a CUP for the sale of beer and wine at this location, staff evaluated the total number of reported crimes in the subject Police Reporting District. The site is located within Police Reporting District 433 within the East Division. The crime rate for this reporting district is 246, with the average being 97. Pursuant to Section 21.15.1338, "high crime" means a crime rate in a crime reporting district that is 20 percent above the City-wide average for all crimes. The threshold for high crime is 116. Therefore, this area is considered to be a high crime area. Section 21.52.201 of the Zoning Code requires that a new CUP for alcohol sales not be approved in a reporting district with a high crime rate as reported by the LBPD. The project site is in a high crime area. There were 17 calls for service attributed to the location from May 2021 to May 2022. Based on this information, the LBPD has included conditions of approval related to security cameras and lighting. With the proposed conditions of approval incorporated, the LBPD is not opposed to the approval of a Type 41 ABC license.

Staff consulted with the LBPD on this alcohol sales request and the LBPD expressed no opposition to approval provided the approval includes security measures including training, recognizable cups, prevention of loitering, and the incorporation of lighting and video surveillance. Conditions of approval address these concerns regarding the requested alcohol sales. Staff believes that approval of the CUP for alcohol sales would have a minimal impact on the surrounding community since this

land use the recommended conditions of approval would require the implementation of a number of operational measures designed to reduce any potential negative effects from the alcohol sales.

Staff recommends approval of the CUP with conditions for the project as necessary components of beach concession amenities that will increase and enhance active and passive beach recreational activities, based on the attached findings (Attachment I - Findings) and subject to the attached approval conditions.

PUBLIC HEARING NOTICE

A total of 2,837 notices of public hearing were distributed within a 1,000-foot radius from the project site on July 7, 2022 in accordance with the requirements of Chapter 21.21 of the Zoning Regulations. As of the preparation of this report, one public comment has been received (Attachment J – Public Comment).

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA) this project is eligible for a categorical exemption per Section 15301 (Existing Facilities) of the CEQA Guidelines (CE-22-113). The project would not involve new physical construction and would entail the service of alcoholic beverages from an existing food and beverage concession stand.

CHAIR AND PLANNING COMMISSIONERS

July 21, 2022

Page 6 of 6

Respectfully submitted,



MARYANNE CRONIN
PROJECT PLANNER



ALEXIS OROPEZA
CURRENT PLANNING OFFICER



OSCAR W. ORCI
DIRECTOR OF DEVELOPMENT SERVICES

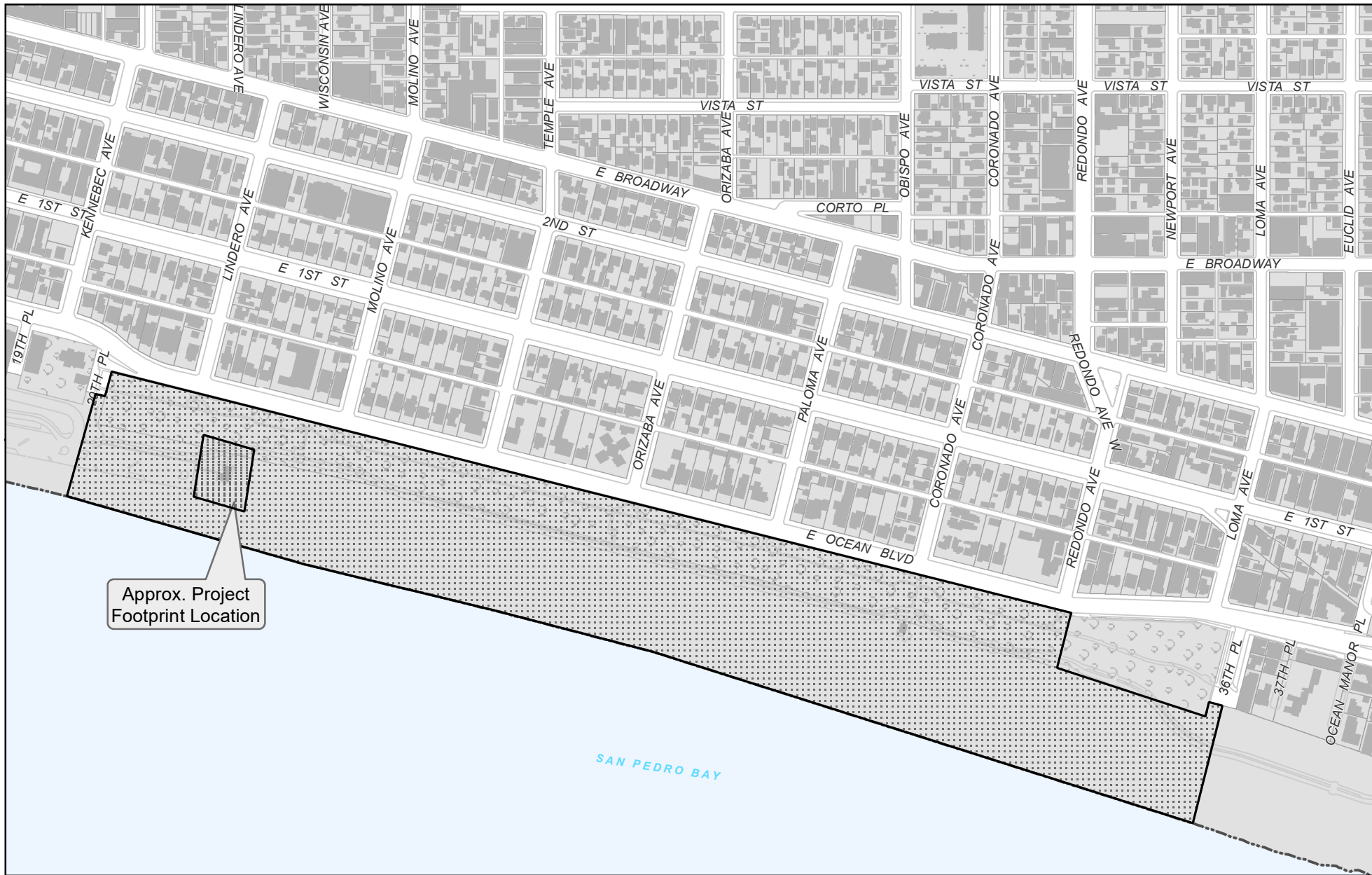


CHRISTOPHER KOONTZ, AICP
DEPUTY DIRECTOR OF DEVELOPMENT
SERVICES

OO:CK;AO:mc

Attachments:

- Attachment A - Vicinity Map
- Attachment B - Site Photographs
- Attachment C - Concession LCDP (App. No. 1703-39)
- Attachment D - Concession CDP (No. 5-17-0796)
- Attachment E - Plans
- Attachment F - Operations Plan
- Attachment G - Conditions of Approval
- Attachment H - Map of ABC Licenses
- Attachment I - Findings
- Attachment J - Public Comment



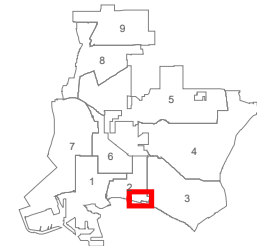
Approx. Project Footprint Location

SAN PEDRO BAY



Subject Property:
 2630 E Ocean Blvd
 Application No. 2201-03
 Council District 2
 Zoning Code: P

Attachment B





SALTWATER



ORDER HERE ↓

PICK UP HERE ↓

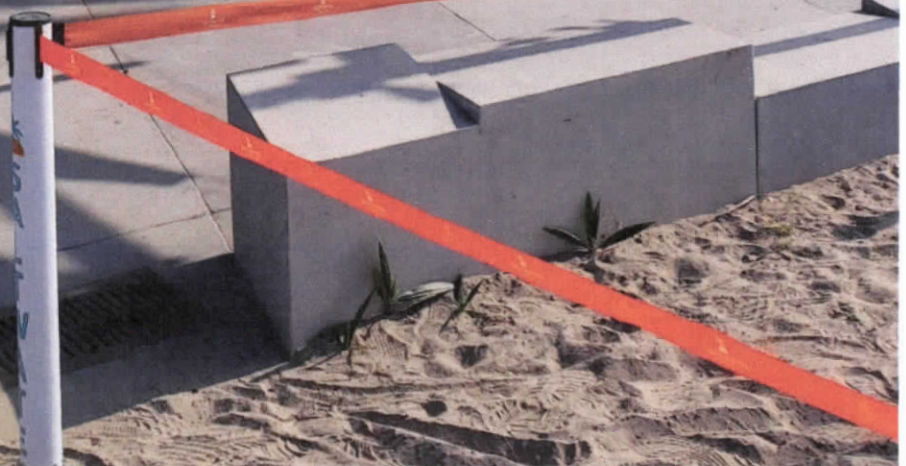
WE DON'T MAKE FAST FOOD AS GREAT AS FAST AS WE CAN.

SALTWATER DECK
SALTWATER BEACH
1100 10TH AVE

PREVENT THE SPREAD OF COVID-19

SALTWATER DECK
SALTWATER BEACH
1100 10TH AVE

WE DON'T MAKE FAST FOOD AS GREAT AS FAST AS WE CAN.









CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
301 E. OCEAN BLVD., SUITE 300
LONG BEACH, CALIFORNIA 90802-4830
PH (562) 590-5071 FAX (562) 590-5084
WWW.COASTAL.CA.GOV



Page 1

January 31, 2020

Permit Application No.: 5-17-0796

COASTAL DEVELOPMENT PERMIT

On October 10, 2018, the California Coastal Commission granted to **Joshua Hickman, City Of Long Beach** this permit subject to the attached Standard and Special conditions, for development consisting of **Remodel of concession/restroom building on Junipero Beach adjacent to bike/pedestrian path, consisting of a new screen wall separating restrooms from concession area, lockable storage space for vendors, shade structure, new concrete boardwalk connecting concession with bike path, childrens playground, and other ADA improvements.**, more specifically described in the application filed in the Commission offices.

The development is within the coastal zone at **Not Available (APN(s): 7264018902)**

Issued on behalf of the California Coastal Commission by

Sincerely,

John Ainsworth
Executive Director

A handwritten signature in blue ink that reads "Mandy Revett".

Mandy Revett
Coastal Program Analyst

ACKNOWLEDGMENT:

The undersigned permittee acknowledges receipt of this permit and agrees to abide by all terms and conditions thereof.

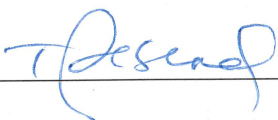
The undersigned permittee acknowledges that Government Code Section 818.4 which states in pertinent part of that: "A Public entity is not liable for injury caused by the issuance... of any permit..." applies to the issuance of this permit.

January 31, 2020

Permit Application No.: 5-17-0796

COASTAL DEVELOPMENT PERMIT

IMPORTANT: THIS PERMIT IS NOT VALID UNLESS AND UNTIL A COPY OF THE PERMIT WITH THE SIGNED ACKNOWLEDGEMENT HAS BEEN RETURNED TO THE COMMISSION OFFICE. 14 Cal. Admin. Code Section 13158(a).

Date: 2/3/20Signature **STANDARD CONDITIONS:**

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

SPECIAL CONDITIONS:

This permit is granted subject to the following special conditions:

1. **Permit Compliance.** All development must occur in strict compliance with the proposal as set forth in the permit application, subject to any special conditions. Any deviation from the approved project must be submitted for review by the Executive Director to determine whether an amendment to this coastal development permit is required.
2. **Future Development.** This permit is only for the development described in coastal development permit (CDP) 5-17-0796. Pursuant to Title 14 California Code of Regulations (CCR) Section 13253(b)(6), the exemptions otherwise provided in Public Resources Code (PRC) Section 30610(b) shall not apply to the development governed by CDP 5-17-0796. Accordingly, any future improvements to this development authorized by this permit, including

COASTAL DEVELOPMENT PERMIT

any changes to the approved plans that result from alcohol service requirements, shall require an amendment to CDP 5-17-0796 from the Commission or shall require an additional CDP from the Commission unless the Executive Director provides a written determination that no amendment is legally required for any proposed minor deviations.

- 3. Conditions Imposed by Local Government.** This action has no effect on conditions imposed by the City of Long Beach (**Exhibit 3**) pursuant to an authority other than the Coastal Act. The permittee shall be responsible for satisfying all terms and conditions of this coastal development permit in addition to any other requirements imposed by other local government permit conditions. In the event of a conflict between terms and conditions imposed by the local government and those of this coastal development permit, the terms and conditions of this coastal development permit shall prevail.
- 4. Submittal of Final Revised Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT the applicant shall submit, for the review and written approval of the Executive Director, two full-size sets of revised final plans that conform with the plans submitted to the Commission and received in the South Coast District offices on September 13, 2018. The permittee shall undertake development in conformance with the approved final plans unless the Commission amends this permit or the Executive Director provides a written determination that no amendment is legally required for any proposed minor deviations.
- 5. Timing of Construction and Public Access.** By acceptance of this permit, the applicant agrees to minimize adverse impacts to public use of the public beach or public parking lot resulting from construction activities as required below:

 - A. No construction shall occur during the “peak use” beach season, defined as the period starting the day before the Memorial Day weekend and ending the day after the Labor Day weekend of any year.
 - B. The majority of construction work will take place between the hours of 7am and 5pm. The beach will be open to the public between sunrise and 10pm except in construction zones for public safety purposes.
- 6. Public Areas Management Program.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT the applicant shall submit a public areas management program, subject to the review and approval of the Executive Director, that protects the rights of the public to enter and use the concession area and associated amenities. That program shall incorporate the following:

 - A. **Public Access Signage Plan.** The signage plan shall clearly describe, at a minimum, the dimensions, material(s), text, and font of each sign and/or stencil and a site plan depicting the location of each sign and/or stencil consistent with **Special Condition 4**. The signs shall facilitate, manage, and provide public access to the approved project, including identification of all public features that will be provided on the site (public tables, play area, etc.) and allowable uses of the public areas. The signs shall be conspicuously sited to maximize visibility from the regional bicycle and pedestrian

COASTAL DEVELOPMENT PERMIT

route, and the Junipero public beach parking lot and be designed to provide clear information to beach goers, park visitors, and bike path and pedestrian path users without adversely impacting public views and visual resources.

The final plans shall provide a mechanism for the Executive Director to review and approve minor sign changes. Changes may only be granted if such changes will not adversely impact, and/or will enhance coastal resources, including coastal access (e.g., modifying the signage to be clearer to the public and/or more aesthetically pleasing).

- B. Concession hours. The concession stand shall be:
- i. Open weekends year-round from morning until evening (exact timing guided by peak use hours)
 - ii. Open weekdays through the summer months
 - iii. Open to the greatest extent feasible during weekdays through the winter and spring months
- C. Parking Requirements.
- i. All parking spaces within the public beach parking lots shall be reserved for the use of the general public and shall be available for use on a first-come, first-served basis. There shall be no exclusive use of parking spaces or reserved parking spaces within a public beach parking lot by any person or group other than the general public (handicapped and electric vehicle spaces excluded). This condition does not prohibit the City from requiring a City-issued parking permit, available to the general public.
 - ii. No parking validations, or any other preferences not available to the general public, shall be granted to customers or employees of the commercial uses.
- D. Menu. The concession stand shall provide and maintain a take-out window, shall offer food items that can be easily carried out, and shall stock relatively inexpensive snack items as proposed by the applicants.
- E. Seating. The general public shall be allowed to visit and picnic at all seating areas on site. There shall be no full-table service in these areas.
1. PRIOR TO COMMENCEMENT OF CONSTRUCTION the applicant and its contractor(s) shall provide for the review and approval of the Executive Director final plans and plan notes that conform with the requirements of item A above. No work shall take place until the Executive Director approves the plans in writing.
 2. Conformance with plans. All work shall take place consistent with the plans submitted in compliance with A above.
7. **Landscape Requirements.** Landscaping of the site shall be consistent with the following:

COASTAL DEVELOPMENT PERMIT

- A. Vegetated landscaped areas shall consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a “noxious weed” by the State of California or the U.S. Federal Government shall be utilized within the property. All plants shall be low water use plants as identified by California Department of Water Resources (See: <http://www.water.ca.gov/wateruseefficiency/docs/wucols00.pdf>).
- B. Use of reclaimed water for irrigation is encouraged. If using potable water for irrigation, only drip or microspray irrigation systems may be used. Other water conservation measures shall be considered, such as weather based irrigation controllers.

8. Construction and Pollution Prevention Plan

- A. PRIOR TO CONSTRUCTION, the applicant shall submit, for the review and written approval of the Executive Director, a final Construction and Pollution Prevention Plan prepared and certified by a qualified licensed professional, that demonstrates that all construction, including, but not limited to, clearing, grading, staging, storage of equipment and materials, or other activities that involve ground disturbance; building, reconstructing, or demolishing a structure; and creation or replacement of impervious surfaces, complies with the following requirements:
1. Construction Site Map and Narrative Description. The Construction and Pollution Prevention Plan shall include a construction site map and a narrative description addressing, at a minimum, the following required components:
 - i. A map delineating the construction site, construction phasing boundaries, and the location of all temporary construction-phase BMPs (such as silt fences, inlet protection, and sediment basins).
 - ii. A description of the measures that will be implemented to ensure that bike and pedestrian access along the east-west regional bicycle and pedestrian route is maintained during construction activities. If temporary closure of the bicycle and pedestrian path is necessary during construction, a 5-minute interruption of traffic on the pedestrian and bicycle route is authorized with a flag-person to stop bicycle and pedestrian traffic.
 - iii. A description of the BMPs that will be implemented to minimize land disturbance activities, minimize the project footprint, minimize soil compaction, and minimize damage or removal of non-invasive vegetation. Include a construction phasing schedule, if applicable to the project, with a description and timeline of significant land disturbance activities.

COASTAL DEVELOPMENT PERMIT

- iv. A description of the BMPs that will be implemented to minimize erosion and sedimentation, control runoff and minimize the discharge of other pollutants resulting from construction activities. Include calculations that demonstrate proper sizing of BMPs.
 - v. A description of the BMPs that will be implemented to minimize energy use and minimize light spillage onto adjacent areas resulting from construction activities.
 - vi. A description and schedule for the management of all construction-phase BMPs (including installation and removal, ongoing operation, inspection, maintenance, and training). Identify any temporary BMPs that will be converted to permanent post-development BMPs.
2. Minimize Erosion and Sediment Discharge. During construction, erosion and the discharge of sediment off-site or to coastal waters shall be minimized through the use of appropriate Best Management Practices (BMPs), including:
- i. Land disturbance during construction (e.g., clearing, grading, and cut-and-fill) shall be minimized, and grading activities shall be phased, to avoid increased erosion and sedimentation.
 - ii. Erosion control BMPs (such as mulch, soil binders, geotextile blankets or mats, or temporary seeding) shall be installed as needed to prevent soil from being transported by water or wind. Temporary BMPs shall be implemented to stabilize soil on graded or disturbed areas as soon as feasible during construction, where there is a potential for soil erosion to lead to discharge of sediment off-site or to coastal waters.
 - iii. Sediment control BMPs (such as silt fences, fiber rolls, sediment basins, inlet protection, sand bag barriers, or straw bale barriers) shall be installed as needed to trap and remove eroded sediment from runoff, to prevent sedimentation of coastal waters.
 - iv. Tracking control BMPs (such as a stabilized construction entrance/exit, and street sweeping) shall be installed or implemented as needed to prevent tracking sediment off-site by vehicles leaving the construction area.
 - v. Runoff control BMPs (such as a concrete washout facility, dewatering tank, or dedicated vehicle wash area) that will be implemented during construction to retain, infiltrate, or treat stormwater and non-stormwater runoff.
3. Minimize Discharge of Construction Pollutants. The discharge of other pollutants resulting from construction activities (such as chemicals, paints, vehicle fluids, petroleum products, asphalt and cement compounds, debris, and trash) into runoff or coastal waters shall be minimized through the use of appropriate BMPs, including:

COASTAL DEVELOPMENT PERMIT

- i. Covering stockpiled construction materials, soil, and other excavated materials to prevent contact with rain, and protecting all stockpiles from stormwater runoff using temporary perimeter barriers.
 - ii. Cleaning up all leaks, drips, and spills immediately; having a written plan for the clean-up of spills and leaks; and maintaining an inventory of products and chemicals used on site.
 - iii. Proper disposal of all wastes; providing trash receptacles on site; and covering open trash receptacles during wet weather.
 - iv. Prompt removal of all construction debris from the beach.
 - v. Detaining, infiltrating, or treating runoff, if needed, prior to conveyance off-site during construction.
4. Fueling and maintenance of construction equipment and vehicles shall be conducted off site if feasible. Any fueling and maintenance of mobile equipment conducted on site shall not take place on the beach, and shall take place at a designated area located at least 50 feet from coastal waters, drainage courses, and storm drain inlets, if feasible (unless those inlets are blocked to protect against fuel spills). The fueling and maintenance area shall be designed to fully contain any spills of fuel, oil, or other contaminants. Equipment that cannot be feasibly relocated to a designated fueling and maintenance area (such as cranes) may be fueled and maintained in other areas of the site, provided that procedures are implemented to fully contain any potential spills.
5. Minimize Other Impacts of Construction Activities. Other impacts of construction activities shall be minimized through the use of appropriate BMPs, including:
- i. Soil compaction due to construction activities shall be minimized, to retain the natural stormwater infiltration capacity of the soil.
 - ii. The use of temporary erosion and sediment control products (such as fiber rolls, erosion control blankets, mulch control netting, and silt fences) that incorporate plastic netting (such as polypropylene, nylon, polyethylene, polyester, or other synthetic fibers) shall be avoided, to minimize wildlife entanglement and plastic debris pollution.
6. A delineation of the areas to be disturbed by grading or construction activities including any temporary trenches, staging, and stockpile areas. No construction equipment or materials (including debris) shall be allowed at any time on the sandy beach.

COASTAL DEVELOPMENT PERMIT

7. The plan shall include source control Best Management Practices as part of a written plan designed to control dust, concrete, demolition pavement, or pipe removed during construction, and/or construction materials, and standards for interim control and for clean-up. Tarps or other devices shall be used to capture debris, dust, oil, grease, rust, dirt, fine particles, and spills to protect the quality of coastal waters. All sediment waste and debris should be retained on-site unless removed to an appropriate approved dumping location. If the disposal site is located within the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place. Contractors shall monitor and contain oil or fuel leaks from vehicles and equipment.
 8. The plan shall also include temporary erosion control measures should grading or site preparation cease for a period of more than 30 days, including but not limited to: filling or covering all holes in roadways such that traffic can continue to pass over disturbed areas, disturbed soils and trenches with shoring, sand bag barriers, silt fencing, temporary drains and swales, and sediment basins and stabilization of all stockpiled fill. These temporary erosion control measures shall be monitored and maintained at least on a weekly basis until grading or construction operations resume.
- B. PRIOR TO COMMENCEMENT OF CONSTRUCTION the applicant and its contractor(s) shall provide for the review and approval of the Executive Director final plans and plan notes that conform with the requirements of item A above. No work shall take place until the Executive Director approves the plans in writing.
- C. Conformance with plans. All work shall take place consistent with the plans submitted in compliance with A above.
9. **Post-Development Runoff Plan.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the permittee shall submit, for the review and written approval of the Executive Director, a final Post-Development Runoff Plan that demonstrates that the project complies with the following requirements:
- A. Low Impact Development Strategies. The project shall comply with the following Low Impact Development standards:
 1. Maintain or enhance appropriate on-site infiltration of runoff to the greatest extent feasible. Use strategies such as amending soil if needed to enhance infiltration and installing an infiltration Best Management Practice (BMP) (e.g., a vegetated swale, rain garden, or bio retention system).
 2. Where feasible, increase the area of pervious surfaces in re-development. Use strategies such as minimizing the footprint of impervious pavement; and installing a permeable pavement system where pavement is required.

COASTAL DEVELOPMENT PERMIT

- B. Disconnect impervious surface areas from the storm drain system, by interposing permeable areas between impervious surfaces and the storm drain system. Design curbs, berms, and similar structures to avoid isolation of vegetative landscaping and other permeable areas, and allow runoff to flow from impervious pavement to permeable areas for infiltration. Use strategies such as directing roof-top runoff into permeable landscaped areas; directing runoff from impervious pavement into distributed permeable areas (e.g., turf, medians, or parking islands); installing a vegetated swale or filter strip to intercept runoff sheet flow from impervious surfaces; and installing a rain barrel or cistern to capture and store roof-top runoff for later use in on-site irrigation.
- C. Where on-site infiltration is not appropriate or feasible, use alternative BMPs to minimize post-development changes in runoff flows, such as installing an evapotranspiration BMP that does not infiltrate into the ground but uses evapotranspiration to reduce runoff (e.g., a vegetated “green roof,” flow-through planter, or retention pond); directing runoff to an off-site infiltration facility; or implementing BMPs to reduce runoff volume, velocity, and flow rate before directing runoff to the storm drain system.
- D. Implement Source Control BMPs. Appropriate and feasible long-term Source Control BMPs, which may be structural features or operational practices, shall be implemented to minimize the transport of pollutants in runoff from the development by controlling pollutant sources and keeping pollutants segregated from runoff. Use strategies such as covering outdoor storage areas; using efficient irrigation; proper application and clean-up of potentially harmful chemicals and fertilizers; and proper disposal of waste.
- E. Avoid Adverse Impacts from Stormwater and Dry Weather Runoff. The adverse impacts of discharging stormwater or dry weather runoff flows to coastal waters, intertidal areas, beaches, bluffs, or stream banks shall be avoided, to the greatest extent feasible. The project shall comply with the following requirements:
1. Runoff shall be conveyed off-site or to drainage systems in a non-erosive manner.
 2. The discharge of dry weather runoff to coastal waters shall be minimized, to the greatest extent feasible. Use strategies such as efficient irrigation techniques that minimize off-site runoff.
- F. Manage BMPs for the Life of the Development. Appropriate protocols shall be implemented to manage BMPs (including ongoing operation, maintenance, inspection, and training) to keep the water quality provisions effective for the life of the development.
- G. Use the following kitchen BMPs.
1. Control Outdoor Washing Activities. All equipment, including floor mats, shall be washed indoors to ensure the wastewater is collected via floor drains or sinks and

COASTAL DEVELOPMENT PERMIT

disposed of in the sanitary sewer. On a weekly basis, the applicant shall, sweep impervious surfaces to remove litter, sediment, and other debris.

2. Sweep Sidewalks and Parking Lots. Restaurant parking lots and sidewalks should be swept regularly. Hose or pressure wash water shall be collected and discharged into the sanitary sewer.
 3. Kitchen Grease. Kitchen Grease shall be handled using a grease trap or interceptor. Grease traps and interceptors shall be cleaned and inspected regularly for leaks and replaced, if necessary. Tallow bins, grease traps and interceptors shall be pumped by a grease hauler on a regular schedule.
 4. Seal and Maintain Trash/Recycling Containers. Lids shall be provided for trash, recycling cans, and other outdoor containers. Outdoor trash and recycling containers shall be inspected before it rains to make sure the lids are closed, and dumpsters shall be inspected regularly for leaks and for trash piling up around the dumpsters. The amount of liquids disposed of in dumpsters shall be minimized.
 5. Oversee All Cleaning Service Contractors. Contractors shall be prohibited from disposing of cleaning solvents or waste into a storm drain. Contractors shall be tasked with cleaning floor mats, exhaust filters, garbage cans, carts, and/or tray racks.
 6. Prevent Spills. Spill containment kits shall be kept in convenient locations, such as near dumpsters and unloading areas in case of a spill. Rags or absorbents shall be disposed of in the trash, and spills shall not be hosed into the storm drain. Employees shall be trained in the proper use of spill clean-up materials. Any spills that could enter a storm drain shall be reported to the City's Stormwater Pollution Prevention Service at (562) 570-3867.
- H. Site Plan and Narrative Description. The Post-Development Runoff Plan shall include a site plan and a narrative description addressing, at a minimum, the following required components:
1. A site plan, drawn to scale, showing the property boundaries, building footprint, runoff flow directions, relevant drainage features, structural BMPs, impervious surfaces, permeable pavements, and landscaped areas.
 2. Identification of pollutants potentially generated by the proposed development that could be transported off the site by runoff.
 3. An estimate of the proposed changes in (1) impervious surface areas on the site, including pre-project and post-project impervious coverage area and the percentage of the property covered by impervious surfaces; (2) the amount of impervious areas that drain directly into the storm drain system without first flowing

COASTAL DEVELOPMENT PERMIT

across permeable areas; and (3) site coverage with permeable or semi-permeable pavements.

4. A description of the BMPs that will be implemented, and the Low Impact Development approach to stormwater management that will be used. Include a schedule for installation or implementation of all post-development BMPs.

5. A description and schedule for the ongoing management of all post-development BMPs (including operation, maintenance, inspection, and training) that will be performed for the life of the development, if required for the BMPs to function properly.

The permittee shall undertake development in accordance with the approved Post-Development Runoff Plan, unless the Commission amends this permit or the Executive Director determines issues a written determination that no amendment is legally required for any proposed minor deviations.

10. Assumption of Risk, Waiver of Liability and Indemnity. BY ACCEPTANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant acknowledges and agrees: (i) that the site may be subject to hazards, including but not limited to storms, flooding, landslide, erosion, and earth movement, many of which will worsen with future sea level rise; (ii) to assume the risks to the permittee and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

11. No Future Shoreline Protection Device

A. By acceptance of this Permit, the applicant agrees, on behalf of itself and all successors and assigns, that no bluff or shoreline protective device(s) shall be constructed to protect the development approved pursuant to Coastal Development Permit No. CDP 5-17-0796 including, but not limited to remodel of concession/restroom adjacent to bike/pedestrian path, consisting of a new screen wall separating restrooms from concession area, lockable storage space for vendors, shade structures, new concrete boardwalk connecting concession with bike path, children's playground, and other ADA improvements, including in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions, liquefaction, bluff retreat, landslides, or other coastal hazards in the future, and as may be exacerbated by sea level rise. By acceptance of this Permit, the applicant acknowledges that the project is new development for which there is no right to construct shoreline protective devices and hereby waives, on behalf of itself and all successors and assigns, any rights to construct such devices that may exist under applicable law.

COASTAL DEVELOPMENT PERMIT

- B. By acceptance of this Permit, the applicant further agrees, on behalf of itself and all successors and assigns, that the landowner(s) shall remove the development authorized by this Permit if: (a) any government agency has ordered that the structures are not to be occupied due to any of the hazards identified above, or if any public agency requires the structures to be removed; (b) essential services to the site can no longer feasibly be maintained (e.g., utilities, roads); (c) removal is required pursuant to Local Coastal Program policies regarding sea level rise adaptation planning; (d) the development would require a shoreline protective device to prevent (a)-(c) above. The approved project may be constructed and used consistent with the terms and conditions of this permit for only as long as it remains safe for occupancy. The permittee shall obtain a coastal development permit for removal of approved development unless the Executive Director provides a written determination that no coastal development permit is legally required.
- C. Prior to removal/relocation, the permittee shall submit two copies of a Removal/Relocation Plan to the Executive Director for the review and written approval. The Removal/Relocation Plan shall clearly describe the manner in which such development is to be removed/relocated and the affected area restored so as to best protect coastal resources, including the Pacific Ocean.



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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

NOTICE OF FINAL ACTION

Application No.: 1703-39 (LCDP17-023)

Project Location: 2630 E. Ocean Boulevard

Applicant: Tony Resendez, Public Works
333 W. Ocean Blvd, 9th Floor
Long Beach, CA 90802

Permit(s) Requested: Local Coastal Development Permit

Project Description: A Local Coastal Development Permit for construction of site improvements associated with Junipero/Coronado Concession building, which consists of the installation of exercise equipment with an accessible path, two (2) basketball courts, and wayfinding signage on an existing paved beach path.


Action was taken by the: Zoning Administrator:
January 22, 2018


Decision: Conditionally Approved

Action is final on: February 2, 2018

This project is in the Coastal Zone and is in the Appealable Area.

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


Carrie Tai, AICP
Current Planning Officer


Steven Valdez, Planner
Phone No.: (562) 570-6571

District: 3

LOCAL COASTAL DEVELOPMENT PERMIT
2630 E. Ocean Boulevard
Case No. 1703-39 – LCDP17-023
January 22, 2018

1. This request is a Local Coastal Development Permit request to allow the construction of site improvements associated with the Junipero/Coronado concession building, which consists of the installation of exercise equipment with an accessible path, two (2) basketball courts, and wayfinding signage on an existing paved beach path in the Park (P) zoning district.
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 Acknowledgement 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).

Special Conditions:

4. The letter "J" shown on the northeast elevation of the conceptual plans, shall be incorporated on the south building wall.
5. No fences shall be installed around the basketball courts or exercise areas.
6. New directional signage shall be installed along the pedestrian pathway to identify the entrances to the basketball courts and play areas, to the satisfaction of the Zoning Administrator.
7. No publicly accessible telephones shall be maintained on the exterior of the premises, and any existing publicly accessible telephones shall be removed.
8. The changes to the concession stands shall be as shown on the plans on file, dated March 20, 2017.

Standard Conditions:

9. 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.

10. This approval is required to comply with these conditions of approval as long as the use is on the subject site. As such, the site shall allow periodic re-inspections, at the discretion of city officials, to verify compliance. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by City Council (Sec. 21.25.412, 21.25.212).
11. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Department of Development Services. These conditions must be printed on the site plan or a subsequent reference page.
12. The Director of Development Services is authorized to make minor modifications to the approval design plans or the any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project. Any major modifications shall be reviewed by the Zoning Administrator or Planning Commission, respectively.
13. 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).
14. Any graffiti found on site must be removed within 24 hours of its appearance.
15. As a condition of any City approval, the applicant shall defend, indemnify, and hold harmless the City and its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul the approval of the City concerning the processing of the proposal/entitlement or any action relating to, or arising out of, such approval. At the discretion of the City and with the approval of the City Attorney, a deposit of funds by the applicant may be required in an amount sufficient to cover the anticipated litigation costs.

**LOCAL COASTAL DEVELOPMENT PERMIT
FINDINGS**

App. No. 1703-39 -LCDP17-023

Date: January 22, 2018

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

The site is located in Area B (Bixby Park /Bluff Park Neighborhood), of the Local Coastal Plan, which extends from Cherry Avenue on the west to Redondo Avenue on the east and from Broadway south to the waterline. Area B also borders on several major regional recreational resources: Bixby Park, Bluff Park, and the beach. Area B was divided into three sub-areas – the project site is in Sub-Area 3, which encompasses Bixby Park, Bluff Park, and the Beaches. This request is for construction of site improvements associated with the Junipero/Coronado Concession building, which consists of the installation of exercise equipment with an accessible path, two (2) basketball courts, and wayfinding signage on an existing paved beach path. The LCP specifically allows for the placement of basketball courts between the eastern arm of the parking lot and the bluff. The applicant is proposing to place the basketball courts and fitness areas between this area, which conforms to the Certified Coastal Program. This request includes approval of a Categorical Exemption. No low and moderate-income housing will be removed as a result of the development.

2. THE PROPOSED DEVELOPMENT CONFORMS TO THE PUBLIC ACCESS AND RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT.

Chapter 3 of the Coastal Act deals with the public's right to use the beach and water resources for recreational purposes. The chapter provides the basis for state and local governments to require beach access dedications and prohibit development, which restricts public access to the beach and water resources.

The development proposed will not impede public access to the coast, given that the proposed changes will lead to improvements to existing recreational facilities located at on the beach. The improvements being proposed were specifically proposed as part of the plan, therefore, the proposed development conforms to the public access and recreation policies of Chapter 3 of the Coastal Act.

**LOCAL COASTAL DEVELOPMENT PERMIT
FINDINGS**

App. No. 1703-39 -LCDP17-023

Date: January 22, 2018

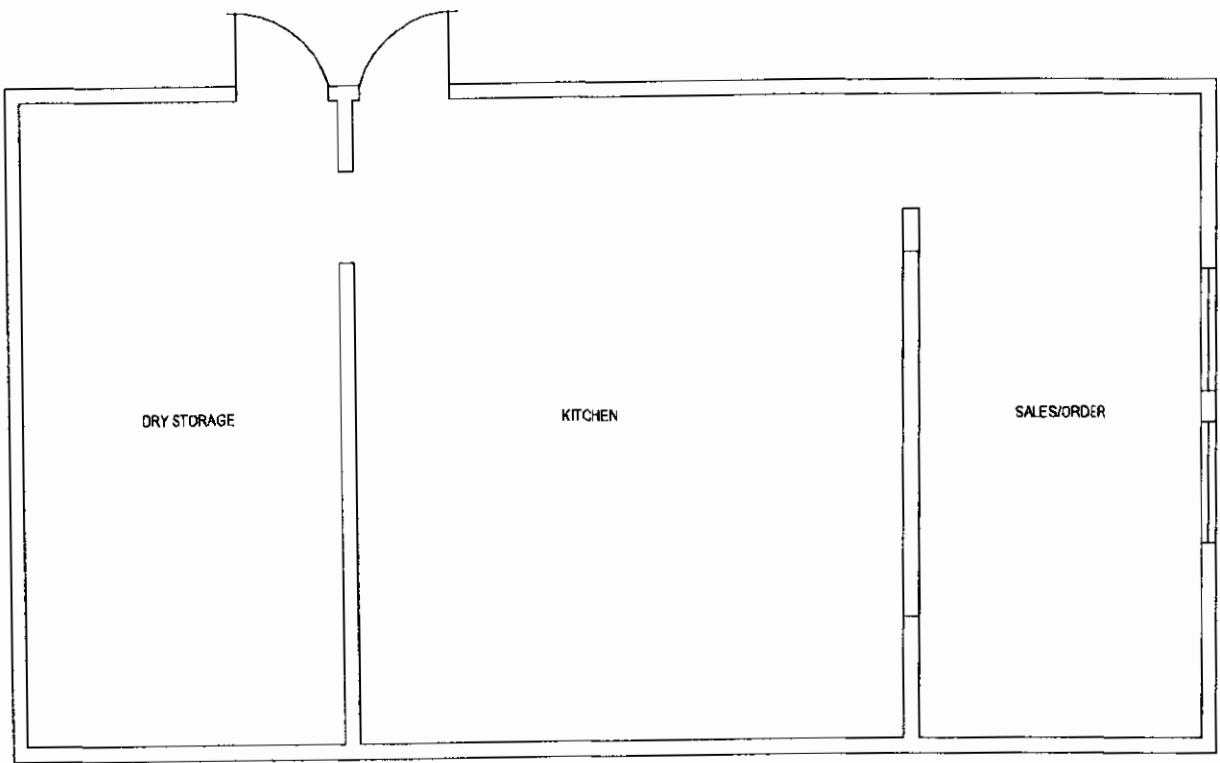
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EXISTING FLOOR PLAN

SCALE - 1/4" = 1'-0"

REVISIONS

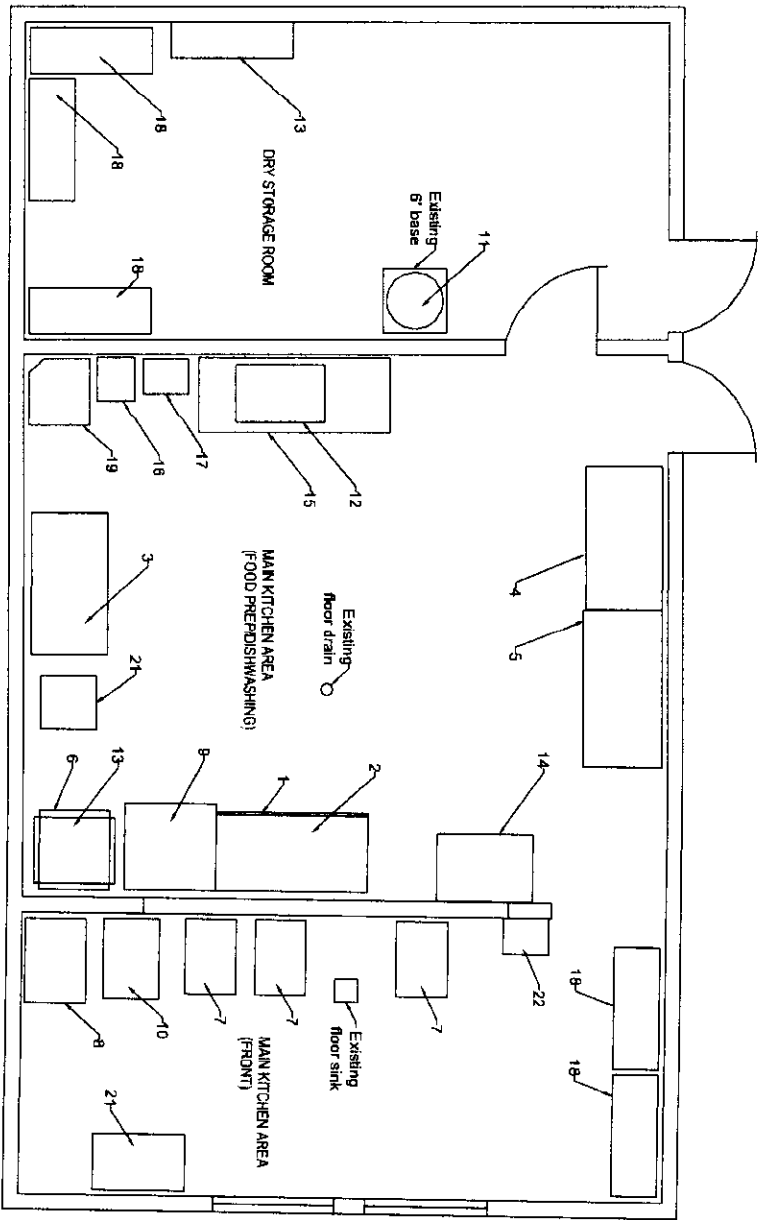
2M
DESIGNS
10400 W. PETER BLVD
SUITE 107
CHICO, CA 95923

SALTWATER DECK
2530 EAST OCEAN BLVD, LONG BEACH, CA 90803

DATE: 07/22/2021

F1

FLOOR PLAN



EQUIPMENT PLAN
SCALE - 1/4" = 1'-0"

KEY

- 1. DBL FIELD CHEF BASE
- 2. MINERAL GRID/LE
- 3. TRUE T49 FREEZER
- 4. TRUE T49 REFRIGERATOR
- 5. TRUE COLDLINE
- 6. TRUE UNDERCOUNTER FREEZER
- 7. JCBTROWELL SPRING SORT/SERVE (3)
- 8. SCOTSMAN ICE MACHINE
- 9. VULCAN GAS RANGE
- 10. CORNELLUS SODE DISPENSER
- 11. BMAUFORD WHITE WATER HEATER (30 GAL)
- 12. DORMONT GREASE INTERCEPTOR
- 13. QUICK N CRISPY TOASTER OVEN
- 14. FOOD PREP SINK
- 15. THREE COMPARTMENT SINK
- 16. MOP SINK
- 17. HAND WASHING SINK
- 18. SIX TIER WIRE RACKS (5)
- 19. FOUR TIER WIRE RACK
- 20. DELI SLICER
- 21. BEVERAGE REFRIGERATOR
- 22. HAND WASHING SINK (SEE EQUIPMENT SCHEDULE)

REVISIONS

2M
DESIGNS
3015 ARTIST BLDG
SANTA MONICA
CALIF 90405

SALTWATER DECK

2830 EAST OCEAN BLVD, LONG BEACH, CA 90803

DATE: 08/25/2021

E1
EQUIPMENT PLAN

TYPE 41 ABC LICENCE OPERATIONS PLAN



SALTWATER DECK

2630 E OCEAN BLVD.
LONG BEACH, CA 90803

562-341-0549
Saltwaterdeck@gmail.com

MISSION STATEMENT

Saltwater Deck strives to create a safe, fun, responsible, and family-oriented environment where all beach patrons can enjoy an amazing Long beach experience.

HOURS OF FOOD AND ALCOHOL SERVICE

- Food service 7AM-8PM
- Alcohol service 10AM-7PM

TYPE OF ALCOHOL TO BE SERVED

- We will have a small menu that consists of beer, wine, champagne and wine-based cocktail drinks.
- Menu still to be finalized.

POLICIES FOR THE PURCHASE OF FOOD WITH ALCOHOL

- All customers will be required to purchase food or show receipt of food purchased in order to obtain alcohol.

LOCATION OF AREA FOR ONSITE CONSUMPTION

- Location of area will be within the roped/stanchion seating area at Saltwater Deck. (Please reference photo attached)
- All proper signage will be posted/attached according to City of Long Beach and ABC state requirements.

SECURITY PROVISIONS

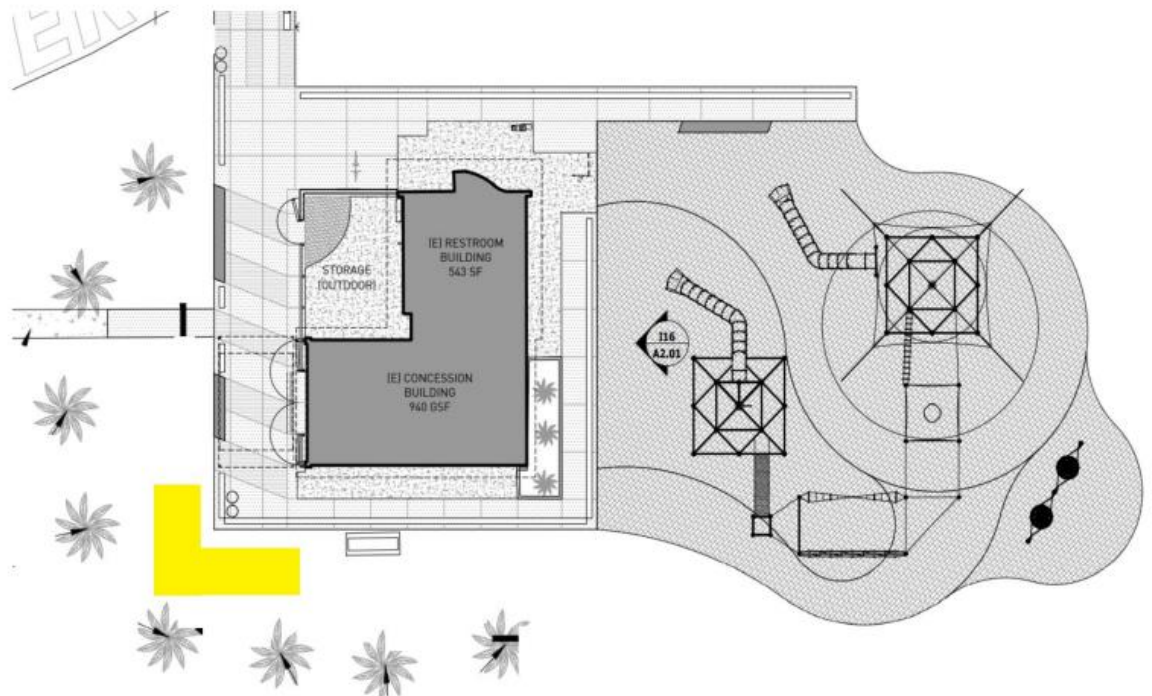
- We will have an employee always outside to monitor all customers as well as security on weekends or during busy times if need be.
- More provisions will be given to us from our ABC agent assigned to our license. Saltwater will comply fully to all rules and regulations pertaining to our license.

ABC TRAINING OF EMPLOYEES

- All Managers, Owners, and staff serving alcohol will all have their California Responsible Beverage Service (RBS CERTIFICATION). All of which will be additionally trained on the requirements specific for Saltwater Deck.

SIGNAGE

- We will have all proper signage that states where alcoholic beverages can be consumed on site.
- We will have extra safety, age requirement, and responsibility signage posted.
- If the City of Long Beach or California ABC requires any additional signage we will comply with all requirements.



**CONDITIONAL USE PERMIT AND
LOCAL COASTAL DEVELOPMENT PERMIT
CONDITIONS OF APPROVAL**

**2630 East Ocean Boulevard
Application No. 2201-03 (CUP2202-002)
September 20, 2022**

1. Conditional Use Permit to allow on-site alcohol sales (Type 41 - On-Sale Beer and Wine – Eating Place) at an existing concession stand located at 2630 East Ocean Boulevard within the Park (P) Zoning District.
2. This permit and all development rights hereunder shall terminate three years from the effective date of this permit unless operation/construction is commenced, or a time extension is granted, based on a written and approved request submitted prior to the expiration of the three-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 Acknowledgement 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).

Special Conditions:

4. All previous entitlement approvals (LCDP App. No. 1703-39 and CDP No. 5-17-0796) and conditions shall remain in full force and effect, unless explicitly amended herein. The granting of this Conditional Use Permit shall not restrict public access to dining areas at the approved concession stand.
5. The proposed project shall conform to the site plan, as shown on plans reviewed by the Planning Commission on July 21, 2022; except as modified by the conditions of approval.
6. Prior to commencement of alcohol service under this application, the applicant shall obtain approval/clearance from the California Coastal Commission.
7. Any expansion of the alcohol sales area shall be subject to a modification to the Conditional Use Permit.
8. This approval is for the onsite consumption of beer and wine within designated seating areas. The sale of alcoholic beverages for consumption off the premises is strictly prohibited.
9. The ABC-required enclosures around the dining areas shall be a visually open, temporary rope (or similar) enclosure that is to be removed at the close of business

each day. This permit does not permit the construction of a permanent railing system to enclose the dining areas.

10. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of licensee.
11. Alcoholic beverages shall be dispensed, sold, and served in a clear plastic container with an identifiable marking (logo) specific to the concessionaire's business operation. The containers shall be easily distinguishable from non-alcoholic beverage containers.
12. All sales or service of alcoholic beverages in the licensed premises shall be made only from the concession counter. No deliveries of alcoholic beverages shall be permitted. The sale of alcoholic beverages for consumption off-premises is strictly prohibited.
13. The applicant shall post and maintain professional quality signs measuring 12 inches by 12 inches with lettering no smaller than 2 inches in height that read "No Alcoholic Beverages Beyond This Point" at all building and/or outdoor dining exits.
14. The hours of operation shall be at the discretion of the Director of Development Services. The sale of alcoholic beverages shall stop one hour prior to the close of the business.
15. The applicant shall install signage at the outdoor dining areas to enforce smoke-free dining ordinance.
16. Windows shall not be obscured by placement of signs, dark window tinting, shelving, racks or similar obstructions.
17. There shall be no exterior advertising or signage of any kind, including advertising directed to or visible from the exterior of the establishment, promoting or indicating the availability of alcoholic beverages.
18. The applicant shall maintain full compliance with all applicable laws, Alcoholic Beverage Control (ABC) regulations, ordinance and stated conditions. In the event of a conflict between this permit and ABC license requirements, the more stringent regulation shall apply.
19. Exterior security lighting shall be installed and maintained to the satisfaction of the Long Beach Police Chief and the Director of Development Services.
 - a) Exterior lighting should clearly illuminate the seating areas in front of the building including but not limited to the entrance and exit doors, as well as the business address. Lighting shall also be positioned in such a way to discourage loitering.
20. The operator of the approved use shall prevent loitering in the project site,

including landscaping areas serving the use, during and after hours of operation. The operator must clean all walkway areas of trash and debris on a daily basis. Failure to comply with this condition shall be grounds for permit revocation. If loitering and/or noise problems develop, the Director of Development Services may require additional preventative measures such as, but not limited to, additional security lighting and video surveillance.

21. The operator shall install exterior video security cameras and adequate video surveillance to the surrounding area. The cameras shall record video for a minimum of 30 days and made available to the Long Beach Police Department (LBPd) upon request. A Public Internet Protocol (IP) address and user name/password to allow LBPd to view recorded video from the cameras over the Internet. The operator shall also provide LBPd the ability to view live stream video surveillance. All video security cameras shall be installed to the satisfaction of the LBPd Police Chief, Director of Technology Services, and Director of Development Services.
22. No exterior recycling center or exterior vending machines shall be permitted on the project site.
23. There shall be no live entertainment, dancing, disc jockey and no amplified music or stereo systems permitted on the premises at any time.
24. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. The licensee shall at all times maintain records which reflect separately the gross sales of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the City on demand.
25. Full and complete meals must be offered and made available at all times the premises is exercising the privileges of its alcoholic beverage license, with the exception of the last ½ hour of operation each day.
26. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.
27. Peace officers, as listed in Section 830.1 of the California Penal Code, and the Director and other persons employed by the Department of Alcoholic Beverage Control for the administration and enforcement of the Alcoholic Beverage Control Act are hereby authorized to visit and inspect the proposed premises as outlined in red on the most recently certified ABC-257, at any time the undersigned is exercising the privileges authorized by the license on such premises.
28. The operable window system shall be for food and/or beverage passthrough service only. This area shall not support a service area for direct food or beverage service to restaurant patrons.

29. Prior to commencement of alcohol service under this application, a final operations plan related to alcohol service, dining area, and security measures shall be submitted to the Planning Bureau for review and approval. The contents of this operations plan shall include procedures for maintaining onsite security and ensuring compliance with regulations pertaining to alcohol service, noise standards, and occupancy. A copy of the approved operations plan shall be maintained on-site at all times.
 - a) Upon a change of operator/concessionaire, an updated operations plan shall be submitted to the Planning Bureau and maintained on-site at all times.
30. Prior to commencement of alcohol service under this application, the Applicant shall submit a plan for approval by the Director of Development Services regarding an employee alcohol awareness program and policies. The plan shall outline a mandatory alcohol awareness training program for all employees having contact with the public and shall state management's policies addressing alcohol consumption and inebriation. The program shall require all employees having contact with the public to complete a California Department of Alcoholic Beverage Control (ABC) sponsored alcohol training program (e.g., "Leadership and Education in Alcohol and Drugs" (LEAD)) within 90 days of the effective date of the Conditional Use permit. In the case of new employees, the employee shall attend and complete the alcohol awareness program within 90 days of hiring. In the event ABC no longer sponsors an alcohol training program, all employees having contact with the public shall complete an alternative program as approved by the Director of Development Services. The Applicant shall provide the City with an annual report regarding compliance with this condition. This project shall be subject to any future citywide alcohol awareness training program condition affecting similar establishments.
31. The ABC-licensed proprietors shall have confirmed with the Development Services Department within 15 days of the final approval of the Conditional Use Permit or within 15 days of the opening to the subject establishment, whichever is later, that a date certain has been scheduled with the local ABC office for said prospective employees to take the LEAD program course; and within 30 days of taking said course the employee(s) or responsible employer shall deliver to the Planning Bureau each required LEAD Program Certificate evidencing completion of said course.
32. No sales to any persons appearing to be or actually being intoxicated shall be permitted.
33. All sales of alcohol shall be directly supervised by an authorized employee of the licensee, aged at least 21 years, including inspection of identification to verify age of purchaser, and observation of purchase to ensure no sales to intoxicated person.

34. A numbering address shall be located at the front of the concession stand, to the satisfaction of the Long Beach Police Department.
35. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.

Police Department Conditions

36. The applicant shall provide for all CPTED (crime prevention through environmental design) recommendations issued for the project by the Long Beach Police Department, in the memo dated May 4, 2022, attached to these conditions of approval and by this reference made a part hereof.

Standard Conditions:

37. No publicly accessible telephones shall be maintained on the exterior of the premises. Any existing publicly accessible telephones shall be removed.
38. The establishment shall comply with the provisions of the City's Noise Ordinance as contained in Title 8 of the LBMC.
39. The operation shall be conducted in a manner not detrimental to surrounding properties or residents by reason of lights, noise, activities, parking (if any) or other actions. Applicant shall prevent loitering in the parking area (if any) and shall control noisy patrons leaving the establishment.
40. There shall be no outdoor cleaning of the property with pressurized or mechanical equipment during the hours of 9:00 pm to 7:00 am daily. Trash containers shall be secured with locks.
41. Any graffiti found on site must be removed within 24 hours of its appearance.
42. The applicant shall be responsible for maintaining the premises and adjoining sidewalks free of debris and litter.
43. 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.
44. 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 that are a part thereof. These specific requirements must be recorded with all title conveyance documents at time of closing escrow.

45. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Department of Development Services. These conditions must be printed on the site plan or subsequent reference page.
46. This approval is required to comply with these conditions of approval as long as the use is on the subject site. As such, the site shall allow periodic re-inspections, at the discretion of City officials, to verify compliance. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by City Council (Sec. 21.25.412, 21.25.212).
47. The Director of Long Beach Development Services is authorized to make minor modifications to the approved plans or to any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project. Any major modifications shall be reviewed by the Zoning Administrator or Planning Commission, respectively.
48. 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).
49. As a condition of any City approval, the applicant shall defend, indemnify, and hold harmless City and its agents, officers, and employees from any claim, action, or proceeding against City or its agents, officers, and employees to attack, set aside, void, or annul the approval of City concerning the processing of the proposal/entitlement or any action relating to, or arising out of, such approval. At the discretion of the City and with the approval of the City Attorney, a deposit of funds by the applicant may be required in an amount sufficient to cover the anticipated litigation costs.

**CONDITIONAL USE PERMIT
FINDINGS
Application No. 2201-03 (CUP22-002)
2630 East Ocean Blvd
September 20, 2022**

Pursuant to Section 21.56.206 of the Zoning Ordinance, a Conditional Use Permit shall not be approved unless the following findings, in addition to any findings applicable under Chapter 21.25, are made. These findings and staff analysis are presented for consideration, adoption, and incorporation into the record of proceedings.

A. THE APPROVAL IS CONSISTENT WITH AND CARRIES OUT THE GENERAL PLAN, ANY APPLICABLE SPECIFIC PLANS SUCH AS THE LOCAL COASTAL PROGRAM AND ALL ZONING REGULATIONS OF THE APPLICABLE DISTRICT;

The project site is in General Plan Land Use District (LUD) No. 11, Open Space and Park District.¹ While parks and open space uses are the primary land uses permitted in this LUD, commercial and commercial recreation uses are also permitted if intended to preserve natural areas, promote the mental and physical health of the community, and improve the park visitor's overall experience. The proposed project meets the intent of this General Plan LUD as the project would serve visitors of the surrounding park and beach areas.

The project site is in the Park (P) zoning district, which is a district established to set aside and preserve publicly owned natural and open areas for active and passive public use for recreational, cultural and community service activities. Such areas are characterized by landscaped open space, beaches or inland bodies of water.

The project site is situated in the California Coastal Zone, specifically the concession building and seating area is in the area of the Coastal Zone under the State's permit jurisdiction. Therefore, the project would require final approval/clearance by the California Coastal Commission.

The proposed project includes one land use that requires a Conditional Use Permit approval: alcoholic beverage sales at the existing concession stand. The conditionally permitted land use would enhance the coastal recreational opportunities of local residents and beach visitors. The project is consistent with the intent of General Plan LUD No. 11 and the Park zoning district to encourage active and passive public use of the project site and surrounding park and beach areas. Project approval would include conditions of approval to prevent nuisances and minimize potential negative impacts to surrounding areas.

¹ The General Plan Land Use Element was updated in 2019 and has not yet been certified as part of the City's Local Coastal Program. Therefore, the 1989 General Plan Land Use Element (1989) designation of Land Use District (LUD) No. 11 remains applicable to the project site.

B. THE PROPOSED USE WILL NOT BE DETRIMENTAL TO THE SURROUNDING COMMUNITY INCLUDING PUBLIC HEALTH, SAFETY OR GENERAL WELFARE, ENVIRONMENTAL QUALITY OR QUALITY OF LIFE; AND

As conditioned, the sale of alcoholic beverages for on-site consumption at a concession stand is not expected to be detrimental to the surrounding community. Conditions of approval are included to ensure minimization of any negative impacts associated with the operation of the proposed project. All service of alcoholic beverages would be limited to the existing service area. Conditions include security measures requiring video cameras, alcohol training, measures to identify alcoholic beverage containers, prevent loitering, and to ensure safe operations of the facility.

C. THE APPROVAL IS IN COMPLIANCE WITH THE SPECIAL CONDITIONS FOR SPECIFIC CONDITIONAL USES, AS LISTED IN CHAPTER 21.52.

Section 21.52.201 states that the following conditions shall apply to all alcoholic beverages sales uses requiring a Conditional Use Permit:

- a. The operator of the use shall provide parking for the use equivalent to the parking required for new construction regardless of the previous use as to legal nonconforming rights.**

The project site is the Junipero Beach Concession Stand/Restroom Building which is located on the sandy beach area at the east end of the Junipero Beach parking lot (also known as Cherry Beach). Local vehicular access to the beach parking lot that serves the concession stand is maintained via a roadway leading from the intersection of Ocean Boulevard and Junipero Avenue (terminus). Furthermore, the project site is served by multiple modes of transportation, including the beach bike and pedestrian paths and the bluff stairs that connect to Ocean Boulevard.

The existing concession stand is an accessory use to the beach and previous conditions of approval issued by the Coastal Commission do not permit the reservation of parking within the beach parking lot for concession stand patrons. The proposed sale of alcoholic beverages within the existing outdoor seating area would not represent an intensification of use but would add menu items to an existing accessory use.

As conditioned under the Coastal Development Permit for Concession Stand (CDP No. 5-17-0796), the existing beach parking lot serves as a first-come-first-served basis and has sufficient capacity to serve the existing beach primary use and accessory park amenities, which include the concession stand and recreation areas. The existing parking conditions and

alternate modes of transportation provide adequate opportunities to access the concession stand and associated dining areas.

b. The operator of the use shall provide night lighting and other security measures to the satisfaction of the Chief of Police;

The existing concession stand maintains onsite security lighting on the building. The project Conditions of Approval include a requirement to provide appropriate security lighting with light and glare shields to avoid light intrusion onto adjacent beach areas and the surrounding areas in accordance with Long Beach Municipal Code and specifies that other security measures may be required to the satisfaction of the Long Beach Police Department. In addition, conditions of approval require exterior video security cameras and adequate video surveillance of the surrounding area to the satisfaction of the Police Department.

c. The operator of the use shall prevent loitering or other activity in the parking lot that would be a nuisance to adjacent uses and/or residential neighborhoods;

The conditions of approval require the operator to prevent loitering and other related nuisances.

d. The use shall not be in a reporting district with more than the recommended maximum concentration of the applicable on or off-premises sales use, as recommended by the State of California Alcoholic Beverage Control Board, nor with a high crime rate as reported by the Long Beach Police Department, except: (1) locations in the greater downtown area; or (2) stores of more than twenty thousand (20,000) square feet floor area, and also providing fresh fruit, vegetables and meat, in addition to canned goods; and

In consideration of a Conditional Use Permit application for the sale of alcoholic beverages, staff evaluates the number of existing alcohol licenses in the subject Census Tract. The subject property is located within Census Tract 5767 ABC recommends a maximum of four (4) on-sale alcohol licenses for this census tract based on the current population within the tract. There are currently nine (9) active alcohol licenses for on-site consumption sales within this Census Tract. The site is located within Police Reporting District 433 within the East Division. The crime rate for this reporting district is 246, with the average being 97. Pursuant to Section 21.15.1338, "high crime" means a crime rate in a crime reporting district that is twenty percent (20%) above the City-wide average for all crimes. The threshold for high crime is 116. Therefore, this area is considered to be a

high crime area. Based on this information, the police department has included conditions of approval related to security cameras and lighting. With the proposed conditions of approval incorporated, the LBPD does not have opposition to the approval of a Type 41 ABC license.

While the census tract is currently over-concentrated and within the high-crime area, The granting of the CUP would be consistent with the CUP approved for Alamitos Concession Stand Project in allowing beach patrons to enjoy the public beach amenities without having to depart the beach to travel to commercial districts in order to purchase and consume food and beverages, including beer and wine. Alcoholic beverage sales would generate a small percentage of the overall sales as the primary use is a concession stand. The proposed alcohol license at this location would be limited to beer and wine. The outdoor seating area is subject to fluctuations in weather and seasonal trends, which is unique compared to a typical restaurant use. The closest on-sale license to the project site is located at 2300 East Ocean Boulevard (Long Beach Museum of Art), which is approximately 500 feet northwest of the site. The remaining licenses are located along East Broadway, approximately 1,300 feet to the north. Therefore, within the locational context of the site, the type of license, and the distance to other licenses locations, the overconcentration does not represent a condition that would create a nuisance with incorporation of the proposed conditions of approval.

- e. **The use shall not be located within five hundred feet (500') of a public school, or public park, except: (1) locations in the greater downtown area; or (2) stores of more than twenty thousand (20,000) square feet, and also providing fresh fruit, vegetables, and meat in addition to canned goods.**

Although the project site is in a public park, the subject site has been conditioned to ensure that security measures are taken for public health, safety, and welfare. The beaches are regional serving, and the concession stands serve to provide food and beverages, including lower-cost options. The concession stands are located in areas that are relatively remote from commercial districts. The nearest commercial zone to the project site is along East Broadway, which is at a distance from the concession stand location. The onsite sale of food and beverages at the concession stand, including alcoholic beverages, enables visitors to remain at the beach, rather than departing the coastal beach areas to seek commercial areas for restaurant and retail uses. The alcohol service would be an accessory to the sale of food and non-alcoholic beverages.

D. THE RELATED DEVELOPMENT APPROVAL, IF APPLICABLE, IS CONSISTENT WITH THE GREEN BUILDING STANDARDS FOR PUBLIC AND PRIVATE DEVELOPMENT, AS LISTED IN SECTION 21.45.400.

The project does not include the construction of new building area. The existing concession stand is in conformance with the green building standards applicable to the scope of the 2018 remodel.

Maryanne Cronin

From: Nancy Berkoff [REDACTED] >
Sent: Sunday, July 10, 2022 1:31 PM
To: Maryanne Cronin; PlanningCommissioners
Cc: Council District 3
Subject: Application #2201-03 (CUP22-002) Conditional Use Permit: invitation to more crime

-EXTERNAL-

Greetings!

Am responding to 2201-03 (CUP22-002) 2630 E. Ocean Blvd (APN: 7264-018-902, Saltwater Deck c/o Marvin Youssef) Conditional Use Permit.

The Junipero Beach parking lot is infamous in our neighborhood for disorderly conduct, noise violations, domestic violence and heated confrontations, This would affect not only the immediate parking lot area, but the Bluff Park neighborhood adjacent to it. Saltwater Deck customers could obtain alcohol in the parking lot area, then walk up the beach stairs to Bluff Park and "party" there. The Junipero Beach playground is used by adults, especially after 4pm for noisy and contentious gatherings. This happens on a continual basis.

Issuing an alcohol license would be a step in the wrong direction. My neighbors and I (we live in a building directly across the street from Saltwater Deck) have the need to call the police nonemergency number on a regular basis. Last week alone, there were calls placed on at least five days due to excessive noise and criminal activity beginning in the Junipero Beach lot and often spreading to the Bluff Park area.

Imagine that this was your home. Please do not provide additional "fuel" to an already simmering fire.

Thank you for your attention and reply. If I may supply additional information, please do not hesitate to contact me.

Best regards,
Nancy Berkoff
Robert Zeit

--

Nancy Berkoff, RD, EdD
[REDACTED]
[REDACTED]

Dionne Bearden

From: a [REDACTED]
Sent: Thursday, July 14, 2022 3:31 PM
To: PlanningCommissioners
Subject: application#2201-03 saltwater deck

-EXTERNAL-

I object to approving the allowance of on-site sale of alcoholic beverages at the concession stand at 2620 E. Ocean Blvd, Long Beach.

Alcohol consumption contributes to discipline problems and crime. Keep Beaches and parks a safe place for all to enjoy.

Annette Fruehan

[REDACTED]
Long Beach CA 90803

Maryanne Cronin

From: Monica English [REDACTED]
Sent: Tuesday, July 19, 2022 11:04 AM
To: Maryanne Cronin; PlanningCommissioners
Subject: Saltwater Deck Alcohol Permit

-EXTERNAL-

I support the on-site sale of alcoholic beverages at 2630 E. Ocean Blvd.

I am a Long Beach local that frequents Junipero Beach regularly. I believe that the sale of alcoholic beverages (obviously with reasonable limits) would be beneficial to the Long Beach community. It will bring good business and more money for the city, as well as more positive traffic.

I routinely clean up the area to help make a difference in the community. Regulating the sale of alcoholic beverages will incentivize more people and authorities to keep our beaches clean. Many would love to enjoy mimosas on the beach and the majority of people are respectful.

Best regards,
Monica English

Maryanne Cronin

From: Joanne Culverhouse [REDACTED]
Sent: Tuesday, July 19, 2022 6:18 PM
To: Maryanne Cronin; PlanningCommissioners
Subject: Salt Water Deck Application Use Permit - GREAT for the Community

-EXTERNAL-

To Ms. Cronin and Members of the Planning Commissioner,

My name is Joanne Culverhouse and I recently retired as the Superintendent of La Habra City School District and I am a homeowner at 1400 East Ocean Blvd. I have lived in the community since 2014 and having Salt Water Deck establish themselves in this community has been a huge addition to the beach community. The owners and patrons participate in Beach Cleanups and provide wonderful community support. Salt Water Deck is where I take my family and friends when they visit from out of town or out of state.

I have spent hours at the restaurant during the afternoon and evening hours and having a liquor license would be an asset. The restaurant closes early and most of the disturbances occur late at night and Salt Water Deck has no control over the evening hours. I have heard the arguments against this and they are unreliable and untrue. Salt Water Deck having the ability to serve alcohol should be granted. It would be a controlled environment and would not be a detriment to the Junipero Playground.

Individuals causing the disturbances in the late evening hours are going to bring alcohol with them even if Salt Water Deck allows patrons to enjoy a meal with alcohol. The owners have no control over the disruptions. I am forced to call the authorities on a regular basis and Salt Water Deck or any restaurant who serves alcohol is not to blame and Salt Water Deck should not be penalized.

Please, please grant the ability for this wonderful establishment to serve us.

I would be very happy to provide additional information to support this request.

Sincerely,

Joanne Culverhouse Ed.D.

[REDACTED]

[REDACTED]

[REDACTED]

Maryanne Cronin

From: John Batsakis [REDACTED]
Sent: Wednesday, July 20, 2022 9:43 AM
To: Maryanne Cronin; PlanningCommissioners
Subject: Saltwater Deck alcohol permit

-EXTERNAL-

I frequent saltwater deck weekly and I believe that allowing the business to sell alcohol would be a great benefit to the community, with rules in place of course. I believe it will draw more crowds to the beach, bringing in more money for the city and nearby business establishments.

I believe the crowds would force more enforcement and push away the bad crowds. Selling alcohol on the beach works out for the best in other countries. Why not us? I assume that there might be incidents but i believe 99% of the people would be respectful. There are bad people on this earth, but the good people can't be punished for the assumption of what someone bad may or may not do.

Best,
John Batsakis

Maryanne Cronin

From: Glennis Dolce [REDACTED]
Sent: Wednesday, July 20, 2022 3:38 PM
To: Maryanne Cronin; Christopher Koontz; Alison Spindler-Ruiz; PlanningCommissioners; Dionne Bearden
Cc: Ann Cantrell; Melinda Cotton
Subject: Re: Oppose - Alcohol License CUP Application for Junipero Beach Concession Stand - Planning Commission July 21, 2022

-EXTERNAL-

Dear Commissioners et al,

I completely agree with the statements submitted by both Ann Cantrell and Melinda Cotton.

Please keep parks and beaches alcohol free. Alcohol is readily available most everywhere! No need to add it to any park or beach locations.

Families and children need to have public spaces like parks and beaches free of alcohol. The revenue is minimal and I imagine any oversight will either be problematic and costly.

Parks and beaches are for recreating! Let non-alcoholic beverages at the parks and beaches be enough!

Let common sense reign here.

Thank you.

Glennis Dolce

On Jul 20, 2022, at 3:25 PM, [REDACTED] wrote:

Thank you, Melinda, for sharing your comments. I wholeheartedly agree and would add these comments.

Dear Decision Makers:

Alcohol has its place, but it is not in parks or beaches. There are many good reasons why Long Beach has long prohibited alcohol in these places. Granting an alcohol license to a concession stand which is on the beach, with a "new concrete boardwalk connecting the concession with **the bike path and a children's playground**" is most unwise.

Staff states: "While parks and open space uses are the primary land uses permitted in this land use district, accessory commercial uses, such as a food and beverage concession stand, are also permitted **if** intended to preserve natural areas, **promote the mental and physical health of the community**, and improve the park/beach visitor's overall experience". I have never heard that alcohol promotes mental and physical health--in fact just the opposite.

You Commissioners are being asked to grant a Conditional Use Permit (CUP) because:

1. The city ordinance that no alcohol can be served within **500 feet of a public park** except: (1) locations in the greater downtown area; or (2) stores of more than twenty thousand (20,000) square feet, . . .

This concession stand has no full table service permitted within the dining/seating area, located on the sand and customers get their orders at a take-out window. It is doubtful that signs will prevent them from taking the food and drink out to the beach. (Be sure to look at the "dining area" photos). When seeing that alcohol is being sold on the beach, most beach goers will question why only those who can afford to pay are allowed to drink wine and beer in a no alcohol area.

2. *The subject property is located within Census Tract 5767 ABC recommends a maximum of **four** on-sale alcohol licenses for this census tract based on the current population within the tract. There are currently **nine** active alcohol licenses for on-site consumption sales within this Census Tract (Attachment H – Map of ABC Licenses). There is no need for another license in an already over-concentrated area.*

3. *"The site is located within Police Reporting District 433 within the East Division. The crime rate for this reporting district is **246, with the average being 97**. Pursuant to Section 21.15.1338, "high crime" means a crime rate in a crime reporting district that is 20 percent above the City-wide average for all crimes. **The threshold for high crime is 116**. Therefore, **this area is considered to be a high crime area. Section 21.52.201 of the Zoning Code requires that a new CUP for alcohol sales not be approved in a reporting district with a high crime rate as reported by the LBPD. The project site is in a high crime area.**" No need to worry--according to staff, lights and cameras will solve the high crime problem!*

Staff states: "Alcoholic beverage sales would generate a small percentage of the overall sales as the primary use is a concession stand. The proposed alcohol license at this location would be limited to beer and wine." Sales will be permitted between 10 a.m. and 7 p.m. I can see no good reason why beach goers cannot go for 9 hours without alcohol, especially if spending the day at the beach with family.

This CUP will allow alcohol where it is now prohibited, in a Census Tract with an excess of 5 licenses and in a high crime area. Any one of these would be reason to deny. Please do not allow this prescient-setting permit.

Sincerely,
Ann Cantrell

-----Original Message-----

From: Melinda Cotton [REDACTED]
To: Maryanne Cronin <Maryanne.Cronin@longbeach.gov>; Christopher Koontz <Christopher.Koontz@longbeach.gov>
Cc: Dionne.Bearden@longbeach.gov <Dionne.Bearden@longbeach.gov>; Alison Spindler <alison.spindler@longbeach.gov>; southcoast@coastal.ca.gov <SouthCoast@coastal.ca.gov>
Sent: Wed, Jul 20, 2022 11:46 am
Subject: Oppose - Alcohol License CUP Application for Junipero Beach Concession Stand - Planning Commission July 21, 2022

Hello Maryanne and Christopher,

I just came across this Application for an Alcohol License at the Junipero Beach Concession Stand on the July 21st Planning Commission Agenda, and this seems like a very bad idea. Alcohol consumption on Long Beach beaches is NOT ALLOWED and introducing alcohol sales and drinking at this location is counter to the City's existing Codes and existing signage on our beaches.

I just read through the Staff Report and see no reference to rules for drinking alcohol on the beach. The Parks and Recreation Department says drinking alcohol on the beaches is not allowed - and there are prominent signs on the beach saying NO Alcohol allowed. Shouldn't the current rules be presented to Planning Commission in the Staff Report. Isn't it going to be confusing to beach visitors that the City allows Alcohol Sales on the beach, but it's illegal and subject to Police action if a beachgoer consumes alcohol? Shouldn't the Planning Commission know this?

It appears that neither the Parks and Recreation Commission nor the Marine Advisory Commission were asked via an Agenda item for their opinion on having a CUP for Alcohol sales on the beach. Weren't these Commissions created to have input on these matters?

The CUP requires no Security Officer to be on hand to monitor rules and warn police if there are violations. It seems this location and the way the Concession Stand is run there will be no way to control and implement the rules. We're already short of

Police Officers and Marine Safety to implement rules over drinking alcohol - this seems a significant additional burden.

I believe the Planning Commission should reject this application for Alcohol Service at this location - it's a bad idea and a bad precedent.

Thank you for your attention.

Sincerely,
Melinda Cotton

Maryanne Cronin

From: [REDACTED]
Sent: Wednesday, July 20, 2022 3:25 PM
To: [REDACTED]; Maryanne Cronin; Christopher Koontz
Cc: Dionne Bearden; Alison Spindler-Ruiz; PlanningCommissioners
Subject: Re: Oppose - Alcohol License CUP Application for Junipero Beach Concession Stand - Planning Commission July 21, 2022

-EXTERNAL-

Thank you, Melinda, for sharing your comments. I wholeheartedly agree and would add these comments.

Dear Decision Makers:

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Staff states: "While parks and open space uses are the primary land uses permitted in this land use district, accessory commercial uses, such as a food and beverage concession stand, are also permitted **if** intended to preserve natural areas, **promote the mental and physical health of the community**, and improve the park/beach visitor's overall experience". I have never heard that alcohol promotes mental and physical health--in fact just the opposite.

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Sincerely,
Ann Cantrell

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From: Melinda Cotton [REDACTED]
To: Maryanne Cronin <Maryanne.Cronin@longbeach.gov>; Christopher Koontz <Christopher.Koontz@longbeach.gov>
Cc: Dionne Bearden@longbeach.gov <Dionne.Bearden@longbeach.gov>; Alison Spindler <alison.spindler@longbeach.gov>; southcoast@coastal.ca.gov <SouthCoast@coastal.ca.gov>
Sent: Wed, Jul 20, 2022 11:46 am
Subject: Oppose - Alcohol License CUP Application for Junipero Beach Concession Stand - Planning Commission July 21, 2022

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I believe the Planning Commission should reject this application for Alcohol Service at this location - it's a bad idea and a bad precedent.

Thank you for your attention.

Sincerely,
Melinda Cotton

Maryanne Cronin

From: Melinda Cotton [REDACTED]
Sent: Wednesday, July 20, 2022 11:46 AM
To: Maryanne Cronin; Christopher Koontz
Cc: Dionne Bearden; Alison Spindler-Ruiz; southcoast@coastal.ca.gov
Subject: Oppose - Alcohol License CUP Application for Junipero Beach Concession Stand - Planning Commission July 21, 2022
Attachments: PC Hearing Junipero Alcohol Permit 7-21-22 Staff Report.pdf

-EXTERNAL-

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Thank you for your attention.

Sincerely,
Melinda Cotton

July 21, 2022

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Accept Categorical Exemption CE-22-113 and approve a Conditional Use Permit CUP22-002 for the onsite service of alcoholic beverages (Type 41 - On-Sale Beer & Wine – Eating Place) at the Junipero Concession Stand located at 2630 East Ocean Blvd in the Park (P) Zoning District. (District 2)

APPLICANT: Saltwater Deck
c/o Marvin Youssef
10805 Artesia Blvd, Unit 107
Cerritos, CA 90703
(Application No. 2201-03)

DISCUSSION

The Junipero Beach Concession Stand/Restroom Building is located on the sandy beach area at the east end of the Junipero Beach parking lot (also known as Cherry Beach) within the Park Zoning District (Attachment A - Vicinity Map). Vehicular access to the beach parking lot that serves the concession stand is maintained via a roadway leading from the intersection of Ocean Boulevard and Junipero Avenue (terminus). The beach bicycle and pedestrian path is located directly north of the concession stand/restroom building and serves the project site. The existing bluff areas north of the site include stair access to Ocean Boulevard for pedestrians.

Areas immediately adjacent to the project site include a sandy beach area, basketball courts, a playground, exercise equipment, a rinse station, existing bicycle and pedestrian path. Surrounding land uses include park and beach areas, residential uses, and a museum. The site has a 1989 General Plan Land Use designation of Land Use District (LUD) No. 11 (Open Space).¹ The project site is situated in the Coastal Zone. The concession stand building and outdoor seating area for the concession stand are located within the State's permit jurisdiction. The accessory recreation uses north of the concession stand (bicycle and pedestrian path, basketball courts, and exercise equipment) are located in the City's Appealable Area. Therefore, the final coastal permit approval

¹ The General Plan Land Use Element was updated in 2019 and has not yet been certified as part of the City's Local Coastal Program. Therefore, the 1989 General Plan Land Use Element (1989) designation LUD No. 11 remains applicable to the project site.



CHAIR AND PLANNING COMMISSIONERS

July 21, 2022

Page 2 of 6

for the service of alcoholic beverages in the existing outdoor seating area would require approval/clearance by the California Coastal Commission (Coastal Commission).

The site is currently developed with a 1,574-square-foot structure featuring a concession stand, restrooms, and outdoor storage (Attachment B – Site Photographs). The concession stand was remodeled in 2018. Within the City's jurisdiction of the coastal zone, the remodel included the installation of exercise equipment with an accessible path, two basketball courts, and wayfinding signage on an existing paved beach path (Attachment C – Concession LCDP [App. No. 1703-39]). Within the Coastal Commission's Original Permit Jurisdiction, a Coastal Development Permit (CDP) was issued for the remodel of the concession/restroom building, consisting of a new screen wall separating restrooms from concession area, lockable storage space for vendors, shade structure, new concrete boardwalk connecting the concession with the bike path, a children's playground, and other American's with Disabilities Act improvements (Attachment D – Concession CDP [No. 5-17-0796]). The concession stand vendor operates under a contract with the City of Long Beach and is required to comply with all conditions of approval issued under the local and states approvals, including all food service through the takeout window and the stocking of relatively inexpensive snack items. There is no full table service permitted within the dining/seating area, located within the sand and paved area between the existing palm trees and concession stand. The existing beach parking lot serves the concession stand (accessory use), and as conditioned, is required to be reserved for use of the general public and shall be available on a first-come, first-served basis. The operation of the concession stand at this location is consistent with the City's certified Local Coastal Program (LCP).

While parks and open space uses are the primary land uses permitted in this land use district, accessory commercial uses, such as a food and beverage concession stand, are also permitted if intended to preserve natural areas, promote the mental and physical health of the community, and improve the park/beach visitor's overall experience. The proposed project meets the intent of this goal as the project would serve visitors of the surrounding beach areas.

Conditional Use Permit

The applicant is seeking approval of a Conditional Use Permit (CUP) to allow on-premises alcohol sales within the existing concession seating area. The applicant is requesting a Type 41 Alcoholic Beverage Control (ABC) license (On-Sale Beer & Wine – Eating Place) which allows the sales of beer and wine for on-site consumption in conjunction with a bona fide eating place. The proposed service of alcohol would not involve physical construction or change the use/intensity of the concession stand. The nature of the proposed ABC license is for alcoholic beverage sales to be consumed onsite with the service of meals.

The concession stand use is considered a positive addition to beach recreational activities and enhances the visitor-serving nature of this coastal area. The existing concession stand maintains a takeout window for the services of food and beverages (Attachment E - Plans). Only concession stand staff are permitted within the interior of the kitchen, food prep, and food service areas of the concession stand. On-site consumption would be permitted only within the designated outdoor seating area on the sandy beach area. The service of alcohol in this area would not affect the special conditions related to public access issued by the Coastal Commission under CDP No. 5-17-0796.

The concession stand will only serve alcoholic beverages at time when food items are available for sale. The beach concessionaire has the ability to operate within the framework of the agreements with the City, which incorporate all entitlement approvals and conditions as exhibits. The operator at this location proposes to limit alcoholic beverage sales to patrons who purchase a food item or present a receipt of purchase of a food item (Attachment F – Operations Plan). In addition, the applicant has proposed security measures and proper training for all staff for the responsible service of alcohol. Conditions of approval have been included to ensure that alcoholic beverages are served in a clear and recognizable cup and that all alcoholic beverage are consumed onsite within a delineated area (Attachment G - Conditions of Approval). The delineation of the seating area shall be in conformance with ABC requirements but shall not include a permanent railing system without the expressed approval by the Coastal Commission. As conditioned, the ABC-required enclosures around the dining areas shall be a visually open, temporary rope (or similar) enclosure that is to be removed at the close of business each day. A sign shall be posted that reads “No Alcoholic Beverages Beyond This Point”. This permit does not modify public access management conditions for the seating area included in the previous approvals.

While the operations plan does include operating parameters for hours of alcohol service (Table 1: Proposed Operating Hours), the concession stand’s hours may operate reduced hours in the off season and in response to inclement weather. As CUP approvals run with the land and concessionaires change over time, operation plans also change. Therefore, conditions of approval have been incorporated to ensure the sale of alcoholic beverages would continue in an appropriate manner even when a change of operator occurs. As such, the conditions of approval require that the alcohol sales shall end a minimum of one hour prior to the close of business. In addition, the final operations plan shall be provided to the Development Service Department’s Planning Bureau (Bureau) prior to the commencement of alcohol service. The approved operations plan and conditions of approval shall be maintained onsite at all times. Upon a change of operator/concessionaire, an updated operations plan shall be submitted to the Bureau and the updated plan shall also be maintained on-site.

Table 1: Proposed Operating Hours

Food Service	7 am – 8 pm
Alcohol Service	10 am – 7 pm

In accordance with Long Beach Municipal Code (LBMC) Section 21.25.201, the purpose of a CUP is to allow the review of a proposed use to ensure that it is compatible with the adjacent uses. In addition, LBMC 21.52.201 establishes a number of requirements for alcohol beverage sales. Required findings include compliance with the required off-street parking; that the alcohol use not be in an overconcentration of alcohol licenses within the Census Tract; that the use not be located in a reporting district with a high crime rate as reported by the Long Beach Police Department (LBPD); and the use’s proximity to parks and schools. LBMC Section 21.25.100 allows these and conditions to be waived subject to written findings.

CHAIR AND PLANNING COMMISSIONERS

July 21, 2022

Page 4 of 6

The existing concession stand is an accessory use to the beach and previous conditions of approval issued by the Coastal Commission do not permit the reservation of parking within the beach parking lot for concession stand patrons. The proposed sale of alcoholic beverages would not represent an intensification of use but would add menu items to an existing accessory use. The existing beach parking lot serves as a first-come-first-served basis and has sufficient capacity to serve the existing beach primary use and accessory park amenities, which include the concession stand and recreation areas.

The subject property is located within Census Tract 5767 ABC recommends a maximum of four on-sale alcohol licenses for this census tract based on the current population within the tract. There are currently nine active alcohol licenses for on-site consumption sales within this Census Tract (Attachment H – Map of ABC Licenses). While the census tract is currently over-concentrated and the addition of this license would further overconcentrate the census tract, the granting of the CUP would be consistent with the CUP approved for Alamitos Concession Stand Project. Alcoholic beverage sales would generate a small percentage of the overall sales as the primary use is a concession stand. The proposed alcohol license at this location would be limited to beer and wine. The outdoor seating area is subject to fluctuations in weather and seasonal trends, which is unique compared to a typical restaurant use. The closest on-sale license to the project site is located at 2300 East Ocean Boulevard (Long Beach Museum of Art), which is approximately 500 feet northwest of the site. The remaining licenses are located along East Broadway, approximately 1,300 feet to the north. Therefore, within the locational context of the site, the type of license, and the distance to other licenses locations, the overconcentration does not represent a condition that would create a nuisance with incorporation of the proposed conditions of approval.

The CUP for a Type 41 liquor license is requested as a service and convenience to the customers as an integral part of the dining experience. In considering a CUP for the sale of beer and wine at this location, staff evaluated the total number of reported crimes in the subject Police Reporting District. The site is located within Police Reporting District 433 within the East Division. The crime rate for this reporting district is 246, with the average being 97. Pursuant to Section 21.15.1338, "high crime" means a crime rate in a crime reporting district that is 20 percent above the City-wide average for all crimes. The threshold for high crime is 116. Therefore, this area is considered to be a high crime area. Section 21.52.201 of the Zoning Code requires that a new CUP for alcohol sales not be approved in a reporting district with a high crime rate as reported by the LBPD. The project site is in a high crime area. There were 17 calls for service attributed to the location from May 2021 to May 2022. Based on this information, the LBPD has included conditions of approval related to security cameras and lighting. With the proposed conditions of approval incorporated, the LBPD is not opposed to the approval of a Type 41 ABC license.

Staff consulted with the LBPD on this alcohol sales request and the LBPD expressed no opposition to approval provided the approval includes security measures including training, recognizable cups, prevention of loitering, and the incorporation of lighting and video surveillance. Conditions of approval address these concerns regarding the requested alcohol sales. Staff believes that approval of the CUP for alcohol sales would have a minimal impact on the surrounding community since this

land use the recommended conditions of approval would require the implementation of a number of operational measures designed to reduce any potential negative effects from the alcohol sales.

Staff recommends approval of the CUP with conditions for the project as necessary components of beach concession amenities that will increase and enhance active and passive beach recreational activities, based on the attached findings (Attachment I - Findings) and subject to the attached approval conditions.

PUBLIC HEARING NOTICE

A total of 2,837 notices of public hearing were distributed within a 1,000-foot radius from the project site on July 7, 2022 in accordance with the requirements of Chapter 21.21 of the Zoning Regulations. As of the preparation of this report, one public comment has been received (Attachment J – Public Comment).

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA) this project is eligible for a categorical exemption per Section 15301 (Existing Facilities) of the CEQA Guidelines (CE-22-113). The project would not involve new physical construction and would entail the service of alcoholic beverages from an existing food and beverage concession stand.

CHAIR AND PLANNING COMMISSIONERS

July 21, 2022

Page 6 of 6

Respectfully submitted,



MARYANNE CRONIN
PROJECT PLANNER



ALEXIS OROPEZA
CURRENT PLANNING OFFICER



OSCAR W. ORCA
DIRECTOR OF DEVELOPMENT SERVICES



CHRISTOPHER KOONTZ, AICP
DEPUTY DIRECTOR OF DEVELOPMENT
SERVICES

OO:CK;AO:mc

Attachments:

- Attachment A - Vicinity Map
- Attachment B - Site Photographs
- Attachment C - Concession LCDP (App. No. 1703-39)
- Attachment D - Concession CDP (No. 5-17-0796)
- Attachment E - Plans
- Attachment F - Operations Plan
- Attachment G - Conditions of Approval
- Attachment H - Map of ABC Licenses
- Attachment I - Findings
- Attachment J - Public Comment

July 19, 2022

To whom it may concern:

It is my privilege to attest to the quality of the service and food at Saltwater Deck on Ocean Blvd. near the Junipero junction in Long Beach, CA. I am a local business operator in adjacent Wilmington, CA and often take my customers and other visitors for business lunches to Saltwater Deck and have been doing so for about a year now. My customers are largely in the marine, long shoring and stevedoring industry right here in the Long Beach Harbor, and we all really enjoy the time spent at Saltwater Deck. We would certainly be very much obliged if they were to carry beer or other alcoholic beverages that can also be enjoyed (mostly by my customers) while we soak in the sunrays on the beach. I think this would be a very welcome addition to an already successful eatery and would certainly be appreciated by local business operators like myself.

Please feel free to contact me any time if you have any questions or if I can be of further assistance to you.

Warm regards,

David Mikhael

David A. Mikhael
Chief Engineer & Branch Manager
Certex Wilmington



Vanessa S.
Long Beach, CA 90801

July 20, 2022

To Whom It May Concern,

It is a pleasure to share my personal experience pertaining to the quality of service at Saltwater Deck. Upon the opening of Saltwater Deck, I noticed the staff members to be very warm and welcoming. I began noticing this pattern of excellent service each time I would visit the beachfront restaurant. Of the number of times I visited, I felt certain Saltwater Deck established a value system that encompasses employee satisfaction and exceptional customer service.

Within the last year, Saltwater Deck always displayed a safe and welcoming environment for all. Moreover, I have found the atmosphere to be safe, social, inclusive, and family-friendly which I value as a Long Beach resident. I really enjoy inviting my loved ones to the restaurant when the opportunity presents itself. Overall, it's such a wonderful experience being a customer at Saltwater Deck.

Based on my observations in lieu of my personal experience at Saltwater Deck, I support their interest in distributing beer and wine beverages to pair with their food menu. I am confident that management will establish parameters and adequately prepare their team if this were in effect. Moreover, I find Saltwater Deck to have unquestionably sensible judgement if granted the opportunity to distribute alcoholic beverages, such as beer and wine.

In closing, I hope you take my feedback into consideration in support of Saltwater Deck. Thank you for your time!

Warm Regards,

Vanessa S.



Resident

Maryanne Cronin

From: PlanningCommissioners
Sent: Thursday, July 21, 2022 10:14 AM
To: Maryanne Cronin
Subject: FW: Oppose - Alcohol License CUP Application for Junipero Beach Concession Stand - Planning Commission July 21, 2022
Attachments: PC Hearing Junipero Alcohol Permit 7-21-22 Staff Report.pdf

Thank you,
Heather Flores
Secretary

Long Beach Development Services

411 W. Ocean Blvd., 3rd Fl. | Long Beach, CA 90802
Office: 562.570.7170 | Fax: 562.570.6068



From: Melinda Cotton [REDACTED]
Sent: Wednesday, July 20, 2022 1:57 PM
To: PlanningCommissioners <PlanningCommissioners@longbeach.gov>
Subject: Oppose - Alcohol License CUP Application for Junipero Beach Concession Stand - Planning Commission July 21, 2022

-EXTERNAL-

Please share with the Planning Commissioners - I have included the menu for Saltwater Deck at the bottom of my e-mail - their Menu seems quite expensive to me - the Staff Report says the concessioners were to feature "...the stocking of relatively inexpensive snack items" but the menu shows the prices for what they offer.

From: Melinda Cotton [REDACTED]
Sent: Wednesday, July 20, 2022 11:46 AM
To: Maryanne Cronin <Maryanne.Cronin@longbeach.gov>; Christopher Koontz <Christopher.Koontz@longbeach.gov>
Cc: Dionne.Bearden@longbeach.gov <Dionne.Bearden@longbeach.gov>; Alison Spindler <alison.spindler@longbeach.gov>; southcoast@coastal.ca.gov <SouthCoast@coastal.ca.gov>
Subject: Oppose - Alcohol License CUP Application for Junipero Beach Concession Stand - Planning Commission July 21, 2022

Hello Maryanne and Christopher,

I just came across this Application for an Alcohol License at the Junipero Beach Concession Stand on the July 21st Planning Commission Agenda, and this seems like a very bad idea. Alcohol consumption on Long Beach

beaches is NOT ALLOWED and introducing alcohol sales and drinking at this location is counter to the City's existing Codes and existing signage on our beaches.

I just read through the Staff Report and see no reference to rules for drinking alcohol on the beach. The Parks and Recreation Department says drinking alcohol on the beaches is not allowed - and there are prominent signs on the beach saying NO Alcohol allowed. Shouldn't the current rules be presented to Planning Commission in the Staff Report. Isn't it going to be confusing to beach visitors that the City allows Alcohol Sales on the beach, but it's illegal and subject to Police action if a beachgoer consumes alcohol? Shouldn't the Planning Commission know this?

It appears that neither the Parks and Recreation Commission nor the Marine Advisory Commission were asked via an Agenda item for their opinion on having a CUP for Alcohol sales on the beach. Weren't these Commissions created to have input on these matters?

The CUP requires no Security Officer to be on hand to monitor rules and warn police if there are violations. It seems this location and the way the Concession Stand is run there will be no way to control and implement the rules. We're already short of Police Officers and Marine Safety to implement rules over drinking alcohol - this seems a significant additional burden.

I believe the Planning Commission should reject this application for Alcohol Service at this location - it's a bad idea and a bad precedent.

Thank you for your attention.

Sincerely,
Melinda Cotton

Saltwater Deck Menu below



BREAKFAST (until 11 am)

Breakfast Burrito 11.45

1 cage free eggs, roasted potatoes, bacon, cheddar cheese, wrapped in a flour tortilla, served with a side of house made salsa (775 cal)

Ultimate Vegan Burrito 11.45

Soyito, organic tofu scramble, roasted potatoes, vegan cheese, cilantro, wrapped in a flour tortilla, served with a side of house made salsa (879 cal)

Egg Sandwich 8.25

1 cage free eggs, cheddar cheese, lettuce, tomato, mayo, served on telera roll, add bacon \$3 (593 cal)

Pastrami Breakfast Sandwich 10.25

In house sliced pastrami, fried eggs, cheddar cheese, served on a telera roll (671 cal)

BEACH BITES

Polish Hot Dog with Chips 7.50

1/4 pound all beef, sliced and served on a telera roll (720 cal)

Nut Butter & Jelly 5

Served on a telera roll (560 cal)

Garlic Grilled Cheese with Chips 6.75

Three cheese blend on a fresh garlic telera roll (598 cal)

Snack Pack 5

Cheddar cheese, kettle chips, carrots and ranch (360 cal)

Soft Serve Ice Cream 5

Gelato, Frozen Custard, and Sorbet. Ask us about flavors! (250 - 390 cal)



Vegan

All deli meats are sliced in house

Produce locally sourced

Menu items subject to change

ALL DAY BITES

Served on freshly baked telera roll. Choice of kettle cooked chips (220 cal) or mixed greens (35 cal)

Grass-fed Cheeseburger 12.95

Grass-fed beef, lettuce, tomato, onion, pickles, secret sauce (740 cal)

Plant-based Cheeseburger 12.95

Beyond patty, vegan cheese, lettuce, tomato, pickles, onion, vegan secret sauce (695 cal)

Philly Cheesesteak 12.95

Top sirloin beef, provolone cheese, grilled onions (649 cal)

Pastrami 12.95

Thinly sliced pastrami, mustard, pickles (640 cal)

Chipotle Turkey 11.95

Turkey, chipotle mayo, lettuce, tomato, pickled onions, served on a telera roll (610 cal)

Italian Sandwich 11.95

Mortadella, salami, capicola, provolone, lettuce, Italian dressing, served on a telera roll (685 cal)

Tofu Banh Mi 11.75

Grilled marinated tofu, pickled carrots and daikon, fresh herbs, vegan mayo, served on a telera roll (489 cal)

Chicken Caesar Wrap 11.95

Chicken breast, lettuce, parmesan cheese, Caesar dressing, wrapped in a flour tortilla (854 cal)

Buffalo Chicken Wrap 11.95

Chicken breast, lettuce, white cheddar cheese, buffalo ranch dressing, wrapped in a flour tortilla (892 cal)

Wild Caught Bluefin

Poke Salad 14.25 (Seasonal)

Bluefin tuna, black sesame, white sesame, sesame oil, lime juice, garlic, soy sauce, pickled onions, over mixed greens (490 cal)

BEVERAGES

Fountain Drinks 3

Serving Stubborn soda made with 100% real cane sugar

Draft Cola (251 cal)

Draft Cola Zero Sugar (0 cal)

Lemon Berry Acai (293 cal)

Pineapple Cream (290 cal)



Black Cherry (265 cal)

Bubbly Orange (0 cal)

Unsweetened Black Tea (0 cal)

Pink Lemonade (295 cal)

Bottled Drinks

LIFEWTR Water (0 cal) 2.50

Tropicana Premium Orange Juice (165 cal) 3

Organic Hot or Iced Coffee 3

2,000 Calories a day is used for general nutrition advice, but calorie needs vary.

July 21, 2022

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Accept Categorical Exemption CE-22-113 and approve a Conditional Use Permit CUP22-002 for the onsite service of alcoholic beverages (Type 41 - On-Sale Beer & Wine – Eating Place) at the Junipero Concession Stand located at 2630 East Ocean Blvd in the Park (P) Zoning District. (District 2)

APPLICANT: Saltwater Deck
c/o Marvin Youssef
10805 Artesia Blvd, Unit 107
Cerritos, CA 90703
(Application No. 2201-03)

DISCUSSION

The Junipero Beach Concession Stand/Restroom Building is located on the sandy beach area at the east end of the Junipero Beach parking lot (also known as Cherry Beach) within the Park Zoning District (Attachment A - Vicinity Map). Vehicular access to the beach parking lot that serves the concession stand is maintained via a roadway leading from the intersection of Ocean Boulevard and Junipero Avenue (terminus). The beach bicycle and pedestrian path is located directly north of the concession stand/restroom building and serves the project site. The existing bluff areas north of the site include stair access to Ocean Boulevard for pedestrians.

Areas immediately adjacent to the project site include a sandy beach area, basketball courts, a playground, exercise equipment, a rinse station, existing bicycle and pedestrian path. Surrounding land uses include park and beach areas, residential uses, and a museum. The site has a 1989 General Plan Land Use designation of Land Use District (LUD) No. 11 (Open Space).¹ The project site is situated in the Coastal Zone. The concession stand building and outdoor seating area for the concession stand are located within the State's permit jurisdiction. The accessory recreation uses north of the concession stand (bicycle and pedestrian path, basketball courts, and exercise equipment) are located in the City's Appealable Area. Therefore, the final coastal permit approval

¹ The General Plan Land Use Element was updated in 2019 and has not yet been certified as part of the City's Local Coastal Program. Therefore, the 1989 General Plan Land Use Element (1989) designation LUD No. 11 remains applicable to the project site.



CHAIR AND PLANNING COMMISSIONERS

July 21, 2022

Page 2 of 6

for the service of alcoholic beverages in the existing outdoor seating area would require approval/clearance by the California Coastal Commission (Coastal Commission).

The site is currently developed with a 1,574-square-foot structure featuring a concession stand, restrooms, and outdoor storage (Attachment B – Site Photographs). The concession stand was remodeled in 2018. Within the City’s jurisdiction of the coastal zone, the remodel included the installation of exercise equipment with an accessible path, two basketball courts, and wayfinding signage on an existing paved beach path (Attachment C – Concession LCDP [App. No. 1703-39]). Within the Coastal Commission’s Original Permit Jurisdiction, a Coastal Development Permit (CDP) was issued for the remodel of the concession/restroom building, consisting of a new screen wall separating restrooms from concession area, lockable storage space for vendors, shade structure, new concrete boardwalk connecting the concession with the bike path, a children’s playground, and other American’s with Disabilities Act improvements (Attachment D – Concession CDP [No. 5-17-0796]). The concession stand vendor operates under a contract with the City of Long Beach and is required to comply with all conditions of approval issued under the local and states approvals, including all food service through the takeout window and the stocking of relatively inexpensive snack items. There is no full table service permitted within the dining/seating area, located within the sand and paved area between the existing palm trees and concession stand. The existing beach parking lot serves the concession stand (accessory use), and as conditioned, is required to be reserved for use of the general public and shall be available on a first-come, first-served basis. The operation of the concession stand at this location is consistent with the City’s certified Local Coastal Program (LCP).

While parks and open space uses are the primary land uses permitted in this land use district, accessory commercial uses, such as a food and beverage concession stand, are also permitted if intended to preserve natural areas, promote the mental and physical health of the community, and improve the park/beach visitor's overall experience. The proposed project meets the intent of this goal as the project would serve visitors of the surrounding beach areas.

Conditional Use Permit

The applicant is seeking approval of a Conditional Use Permit (CUP) to allow on-premises alcohol sales within the existing concession seating area. The applicant is requesting a Type 41 Alcoholic Beverage Control (ABC) license (On-Sale Beer & Wine – Eating Place) which allows the sales of beer and wine for on-site consumption in conjunction with a bona fide eating place. The proposed service of alcohol would not involve physical construction or change the use/intensity of the concession stand. The nature of the proposed ABC license is for alcoholic beverage sales to be consumed onsite with the service of meals.

The concession stand use is considered a positive addition to beach recreational activities and enhances the visitor-serving nature of this coastal area. The existing concession stand maintains a takeout window for the services of food and beverages (Attachment E - Plans). Only concession stand staff are permitted within the interior of the kitchen, food prep, and food service areas of the concession stand. On-site consumption would be permitted only within the designated outdoor seating area on the sandy beach area. The service of alcohol in this area would not affect the special conditions related to public access issued by the Coastal Commission under CDP No. 5-17-0796.

The concession stand will only serve alcoholic beverages at time when food items are available for sale. The beach concessionaire has the ability to operate within the framework of the agreements with the City, which incorporate all entitlement approvals and conditions as exhibits. The operator at this location proposes to limit alcoholic beverage sales to patrons who purchase a food item or present a receipt of purchase of a food item (Attachment F – Operations Plan). In addition, the applicant has proposed security measures and proper training for all staff for the responsible service of alcohol. Conditions of approval have been included to ensure that alcoholic beverages are served in a clear and recognizable cup and that all alcoholic beverage are consumed onsite within a delineated area (Attachment G - Conditions of Approval). The delineation of the seating area shall be in conformance with ABC requirements but shall not include a permanent railing system without the expressed approval by the Coastal Commission. As conditioned, the ABC-required enclosures around the dining areas shall be a visually open, temporary rope (or similar) enclosure that is to be removed at the close of business each day. A sign shall be posted that reads “No Alcoholic Beverages Beyond This Point”. This permit does not modify public access management conditions for the seating area included in the previous approvals.

While the operations plan does include operating parameters for hours of alcohol service (Table 1: Proposed Operating Hours), the concession stand’s hours may operate reduced hours in the off season and in response to inclement weather. As CUP approvals run with the land and concessionaires change over time, operation plans also change. Therefore, conditions of approval have been incorporated to ensure the sale of alcoholic beverages would continue in an appropriate manner even when a change of operator occurs. As such, the conditions of approval require that the alcohol sales shall end a minimum of one hour prior to the close of business. In addition, the final operations plan shall be provided to the Development Service Department’s Planning Bureau (Bureau) prior to the commencement of alcohol service. The approved operations plan and conditions of approval shall be maintained onsite at all times. Upon a change of operator/concessionaire, an updated operations plan shall be submitted to the Bureau and the updated plan shall also be maintained on-site.

Table 1: Proposed Operating Hours

Food Service	7 am – 8 pm
Alcohol Service	10 am – 7 pm

In accordance with Long Beach Municipal Code (LBMC) Section 21.25.201, the purpose of a CUP is to allow the review of a proposed use to ensure that it is compatible with the adjacent uses. In addition, LBMC 21.52.201 establishes a number of requirements for alcohol beverage sales. Required findings include compliance with the required off-street parking; that the alcohol use not be in an overconcentration of alcohol licenses within the Census Tract; that the use not be located in a reporting district with a high crime rate as reported by the Long Beach Police Department (LBPD); and the use’s proximity to parks and schools. LBMC Section 21.25.100 allows these and conditions to be waived subject to written findings.

CHAIR AND PLANNING COMMISSIONERS

July 21, 2022

Page 4 of 6

The existing concession stand is an accessory use to the beach and previous conditions of approval issued by the Coastal Commission do not permit the reservation of parking within the beach parking lot for concession stand patrons. The proposed sale of alcoholic beverages would not represent an intensification of use but would add menu items to an existing accessory use. The existing beach parking lot serves as a first-come-first-served basis and has sufficient capacity to serve the existing beach primary use and accessory park amenities, which include the concession stand and recreation areas.

The subject property is located within Census Tract 5767 ABC recommends a maximum of four on-sale alcohol licenses for this census tract based on the current population within the tract. There are currently nine active alcohol licenses for on-site consumption sales within this Census Tract (Attachment H – Map of ABC Licenses). While the census tract is currently over-concentrated and the addition of this license would further overconcentrate the census tract, the granting of the CUP would be consistent with the CUP approved for Alamitos Concession Stand Project. Alcoholic beverage sales would generate a small percentage of the overall sales as the primary use is a concession stand. The proposed alcohol license at this location would be limited to beer and wine. The outdoor seating area is subject to fluctuations in weather and seasonal trends, which is unique compared to a typical restaurant use. The closest on-sale license to the project site is located at 2300 East Ocean Boulevard (Long Beach Museum of Art), which is approximately 500 feet northwest of the site. The remaining licenses are located along East Broadway, approximately 1,300 feet to the north. Therefore, within the locational context of the site, the type of license, and the distance to other licenses locations, the overconcentration does not represent a condition that would create a nuisance with incorporation of the proposed conditions of approval.

The CUP for a Type 41 liquor license is requested as a service and convenience to the customers as an integral part of the dining experience. In considering a CUP for the sale of beer and wine at this location, staff evaluated the total number of reported crimes in the subject Police Reporting District. The site is located within Police Reporting District 433 within the East Division. The crime rate for this reporting district is 246, with the average being 97. Pursuant to Section 21.15.1338, "high crime" means a crime rate in a crime reporting district that is 20 percent above the City-wide average for all crimes. The threshold for high crime is 116. Therefore, this area is considered to be a high crime area. Section 21.52.201 of the Zoning Code requires that a new CUP for alcohol sales not be approved in a reporting district with a high crime rate as reported by the LBPD. The project site is in a high crime area. There were 17 calls for service attributed to the location from May 2021 to May 2022. Based on this information, the LBPD has included conditions of approval related to security cameras and lighting. With the proposed conditions of approval incorporated, the LBPD is not opposed to the approval of a Type 41 ABC license.

Staff consulted with the LBPD on this alcohol sales request and the LBPD expressed no opposition to approval provided the approval includes security measures including training, recognizable cups, prevention of loitering, and the incorporation of lighting and video surveillance. Conditions of approval address these concerns regarding the requested alcohol sales. Staff believes that approval of the CUP for alcohol sales would have a minimal impact on the surrounding community since this

land use the recommended conditions of approval would require the implementation of a number of operational measures designed to reduce any potential negative effects from the alcohol sales.

Staff recommends approval of the CUP with conditions for the project as necessary components of beach concession amenities that will increase and enhance active and passive beach recreational activities, based on the attached findings (Attachment I - Findings) and subject to the attached approval conditions.

PUBLIC HEARING NOTICE

A total of 2,837 notices of public hearing were distributed within a 1,000-foot radius from the project site on July 7, 2022 in accordance with the requirements of Chapter 21.21 of the Zoning Regulations. As of the preparation of this report, one public comment has been received (Attachment J – Public Comment).

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA) this project is eligible for a categorical exemption per Section 15301 (Existing Facilities) of the CEQA Guidelines (CE-22-113). The project would not involve new physical construction and would entail the service of alcoholic beverages from an existing food and beverage concession stand.

CHAIR AND PLANNING COMMISSIONERS

July 21, 2022

Page 6 of 6

Respectfully submitted,



MARYANNE CRONIN
PROJECT PLANNER



ALEXIS OROPEZA
CURRENT PLANNING OFFICER



OSCAR W. ORCA
DIRECTOR OF DEVELOPMENT SERVICES



CHRISTOPHER KOONTZ, AICP
DEPUTY DIRECTOR OF DEVELOPMENT
SERVICES

OO:CK;AO:mc

Attachments:

- Attachment A - Vicinity Map
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- Attachment C - Concession LCDP (App. No. 1703-39)
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- Attachment F - Operations Plan
- Attachment G - Conditions of Approval
- Attachment H - Map of ABC Licenses
- Attachment I - Findings
- Attachment J - Public Comment

Maryanne Cronin

From: [REDACTED]
Sent: Thursday, July 21, 2022 1:13 PM
To: PlanningCommissioners; CityClerk; Maryanne Cronin; Christopher Koontz; Alison Spindler-Ruiz; PlanningCommissioners; Dionne Bearden
Subject: comments Planning Commission agenda item 1 7/21/22 22-036pl

-EXTERNAL-

RE: agenda item 1 7/21/22 22-036PL

Commissioners,
Please deny an alcohol permit on Junipero Beach - or any beach for that matter.

Public spaces should remain an appropriate venue for families and be as free from stress and mishap as possible.

While alcohol is legal, we all know that there are many individuals that cannot manage drinking responsibly. Children (and the rest of us) should not be subjected to scenes of drunken behavior while on an outing to enjoy nature at the beach. Alcohol is known to impair judgement and we can count on it to require police response. Driving and parking can create a disaster with individuals under the influence.

I ask that you deny this CUP request and also that you maintain a policy of denying alcohol permits at the beach and our parks.

Respectfully,

Corliss Lee
President Eastside Voice
[REDACTED]

**CITY OF LONG BEACH
PLANNING COMMISSION
MINUTES**

**THURSDAY, JULY 21, 2022
411 W. OCEAN BOULEVARD
CIVIC CHAMBERS
AND TELECONFERENCE, 5:00 PM**

Dr. Joni Ricks-Oddie, Chair
Erick Verduzco-Vega, Vice Chair
Alvaro Castillo, Commissioner
Mark Christoffels, Commissioner



Josh LaFarga, Commissioner
Richard Lewis, Commissioner
Jane Templin, Commissioner

Special Meeting

FINISHED AGENDA AND MINUTES

CALL TO ORDER

Chair Ricks-Oddie called the meeting to order at 5:04 p.m.

ROLL CALL

Also Present: Oscar Orci, Director of Development Services; Christopher Koontz, Deputy Director of Development Services; Dawn McIntosh, Assistant City Attorney; Alexis Oropeza, Current Planning Officer; Andréa Urbas, Acting Advance Planning Officer; Gina Casillas, Project Planner; Maryanne Cronin, Project Planner; Cynthia de la Torre, Project Planner; Elise Roberts, Planning Analyst; Bernice Guzman, Clerk; Heather Flores, Secretary.

Commissioners Alvaro Castillo, Mark Christoffels, Richard Lewis, Jane Templin,
Present: Erick Verduzco-Vega and Joni Ricks-Oddie

Commissioners Josh LaFarga
Absent:

FLAG SALUTE

Commissioner Castillo led the flag salute.

MINUTES

[22-037PL](#)

Recommendation to receive and file the Planning Commission meeting minutes of July 7, 2022.

Chair Ricks-Oddie spoke.

A motion was made by Vice Chair Verduzco-Vega, seconded by Commissioner Templin, to approve recommendation. The motion carried by the following vote:

Yes: 6 - Alvaro Castillo, Mark Christoffels, Richard Lewis, Jane Templin, Erick Verduzco-Vega and Joni Ricks-Oddie

Absent: 1 - Josh LaFarga

DIRECTOR'S REPORT

Chair Ricks-Oddie spoke.

Christopher Koontz, Deputy Director of Development Services, spoke.

Chair Ricks-Oddie spoke.

SWEARING OF WITNESSES

REGULAR AGENDA

1. [22-036PL](#) Recommendation to accept Categorical Exemption CE-22-113 and approve a Conditional Use Permit CUP22-002 for the onsite service of alcoholic beverages (Type 41 - On-Sale Beer & Wine - Eating Place) at the Junipero Concession Stand located at 2630 East Ocean Blvd in the Park (P) Zoning District. (District 2)

Alexis Oropeza, Current Planning Officer, introduced Maryanne Cronin, Project Planner, who presented the staff report.

Chair Ricks-Oddie spoke.

Commissioner Templin spoke.

Maryanne Cronin, Project Planner, spoke.

Commissioner Templin spoke.

Chair Ricks-Oddie spoke.

Vice-Chair Verduzco-Vega spoke.

Maryanne Cronin, Project Planner, spoke.

Vice-Chair Verduzco-Vega spoke.

A dialogue ensued between Commissioner Lewis and Maryanne Cronin, Project Planner.

A dialogue ensued between Commissioner Lewis and Alexis Oropeza, Current Planning Officer.

Christopher Koontz, Deputy Director of Development Services, spoke.

Commissioner Lewis spoke.

Alexis Oropeza, Current Planning Officer, spoke.

Commissioner Lewis spoke.

Alexis Oropeza, Current Planning Officer, spoke.

Commissioner Lewis spoke.

Chair Ricks-Oddie spoke.

Amy Kolb, Applicant, spoke.

Marvin Youssef, Applicant, spoke.

Chair Ricks-Oddie spoke.

Marvin Youssef, Applicant, spoke.

Chair Ricks-Oddie spoke.

Martin Youssef, Applicant, spoke.

Amy Kolb, Applicant, spoke.

Chair Ricks-Oddie spoke.

Elise Roberts, Planning Analyst, spoke.

Franklin Sims provided public comment.

Chair Ricks-Oddie spoke.

Shemaiah Joy Sims provided public comment.

Chair Ricks-Oddie spoke.

Elise Roberts, Planning Analyst, spoke.

Melinda Cotton provided public comment.

Chair Ricks-Oddie spoke.

Melinda Cotton provided public comment.

Chair Ricks-Oddie spoke.

Elise Roberts, Planning Analyst, spoke.

Ann Cantrell provided public comment.

Chair Ricks-Oddie spoke.

Elise Roberts, Planning Analyst, spoke.

Chair Ricks-Oddie spoke.

Vice-Chair Verduzco-Vega spoke.

Christopher Koontz, Deputy Director of Development Services, spoke.

Chair Ricks-Oddie spoke.

A dialogue ensued between Commissioner Templin and Christopher Koontz, Deputy Director of Development Services.

Chair Ricks-Oddie spoke.

Commissioner Castillo spoke.

Chair Ricks-Oddie spoke.

Commissioner Lewis spoke.

A dialogue ensued between Chair Ricks-Oddie and Maryanne Cronin, Project Planner.

Christopher Koontz, Deputy Director of Development Services, spoke.

Chair Ricks-Oddie spoke.

Maryanne Cronin, Project Planner, spoke.

Chair Ricks-Oddie spoke.

Alexis Oropeza, Current Planning Officer, spoke.

Commissioner Lewis spoke.

Christopher Koontz, Deputy Director of Development Services, spoke.

Commissioner Lewis spoke.

Chair Ricks-Oddie spoke.

Commissioner Templin spoke.

Chair Ricks-Oddie spoke.

Commissioner Templin spoke.

Chair Ricks-Oddie spoke.

Christopher Koontz, Deputy Director of Development Services, spoke.

Chair Ricks-Oddie spoke.

Commissioner Lewis spoke.

Chair Ricks-Oddie spoke.

Commissioner Castillo spoke.

Chair Ricks-Oddie spoke.

Commissioner Templin spoke.

Commissioner Lewis spoke.

Vice Chair Verduzco-Vega spoke.

Chair Ricks-Oddie spoke.

Amy Kolb, Applicant, spoke.

Chair Ricks-Oddie spoke.

Amy Kolb, Applicant, spoke.

Chair Ricks-Oddie spoke.

Christopher Koontz, Deputy Director of Development Services, spoke.

Chair Ricks-Oddie spoke.

Commissioner Templin spoke.

Christopher Koontz, Deputy Director of Development Services, spoke.

Chair Ricks-Oddie spoke.

A motion was made by Commissioner Lewis, seconded by Commissioner Castillo, to approve recommendation. The motion carried by the following vote:

Yes: 4 - Alvaro Castillo, Richard Lewis, Erick Verduzco-Vega and Joni Ricks-Oddie

No: 2 - Mark Christoffels and Jane Templin

2. [22-039PL](#)

Recommendation to accept Categorical Exemption CE-22-111 and approve: 1) a Site Plan Review (SPR21-068) for the exterior remodel of an existing locally designated historic landmark building (Bank of Belmont

Shore) in conjunction with a change of use from a bank and office use to a restaurant and office use with site improvements; 2) a Conditional Use Permit (CUP21-022) for on-site alcohol sales (Type 47 - On-Sale General - Eating Place) within a restaurant establishment; and 3) a Local Coastal Development Permit (LCDP21-070) for outdoor dining on the public sidewalk at 5354 E. 2nd Street, located in the Neighborhood Pedestrian (CNP) Zoning District. (District 3)

Alexis Oropeza, Current Planning Officer, introduced Gina Casillas, Project Planner, who presented the staff report.

Chair Ricks-Oddie spoke.

Commissioner Templin spoke.

Maryanne Cronin, Project Planner, spoke.

Commissioner Templin spoke.

A dialogue ensued between Chair Ricks-Oddie and Aaron Tofani, Applicant.

Elise Roberts, Planning Analyst, spoke.

Austin Yellen provided public comment.

Chair Ricks-Oddie spoke.

Austin Yellen provided public comment.

Chair Ricks-Oddie spoke.

Elise Roberts, Planning Analyst, spoke.

Jeannette Santage provided public comment.

Chair Ricks-Oddie spoke.

Elise Roberts, Planning Analyst, spoke.

Tamara Haddad provided public comment.

Chair Ricks-Oddie spoke.

Elise Roberts, Planning Analyst, spoke.

Ryan Hofman provided public comment.

Chair Ricks-Oddie spoke.

Elise Roberts, Planning Analyst, spoke.

Nathan Holthouser provided public comment.

Chair Ricks-Oddie spoke.

Elise Roberts, Planning Analyst, spoke.

Joel Merrick provided public comment.

Chair Ricks-Oddie spoke.

Elise Roberts, Planning Analyst, spoke.

Ed Guillen provided public comment.

Chair Ricks-Oddie spoke.

Elise Roberts, Planning Analyst, spoke.

Michelle Lagos provided public comment.

Chair Ricks-Oddie spoke.

Elise Roberts, Planning Analyst, spoke.

Noel Massey provided public comment.

Chair Ricks-Oddie spoke.

Elise Roberts, Planning Analyst, spoke.

Itzel Meynard provided public comment.

Chair Ricks-Oddie spoke.

Elise Roberts, Planning Analyst, spoke.

Ernie Rivas provided public comment.

Chair Ricks-Oddie spoke.

Elise Roberts, Planning Analyst, spoke.

Hayley Cox provided public comment.

Chair Ricks-Oddie spoke.

Elise Roberts, Planning Analyst, spoke.

Chair Ricks-Oddie spoke.

Commissioner Castillo spoke.

Alexis Oropeza, Current Planning Officer, spoke.

Commissioner Castillo spoke.

Chair Ricks-Oddie spoke.

Chair Lewis spoke.

Maryanne Cronin, Project Planner, spoke.

Commissioner Lewis spoke.

Commissioner Castillo spoke.

Alexis Oropeza, Current Planning Officer, spoke.

Commissioner Richard Lewis spoke.

Aaron Tafoni, Applicant, spoke.

Chair Ricks-Oddie spoke.

Alexis Oropeza, Current Planning Officer, spoke.

Commissioner Lewis spoke.

A motion was made by Commissioner Templin, seconded by Commissioner Castillo, to approve recommendation with modified conditions. The motion carried by the following vote:

Yes: 6 - Alvaro Castillo, Mark Christoffels, Richard Lewis, Jane Templin, Erick Verduzco-Vega and Joni Ricks-Oddie

3. [22-038PL](#)

Recommendation to accept revised findings into the record to uphold Appeal APL22-004 to overturn the Zoning Administrator's approval of a tandem parking configuration affiliated with a Local Coastal Development Permit to demolish and replace an existing residential duplex with a new duplex and attached four car garage and Standards Variances for: 1) a four-foot garage setback in lieu of the required 20-foot setback; and 2) two tandem parking spaces on a property located at 5925 E Seaside Walk in the R-2-I (Two-Family Residential District with Intensified Development on the Lots) Zoning District. (District 3)

Alexis Oropeza, Current Planning Officer, spoke.

Chair Ricks-Oddie spoke.

Christopher Koontz, Deputy Director of Development Services, spoke.

Chair Ricks-Oddie spoke.

Elise Roberts, Planning Analyst, spoke.

Braden Phillips provided public comment.

Chair Ricks-Oddie spoke.

Elise Roberts, Planning Analyst, spoke.

Edward Guillen provided public comment.

Chair Ricks-Oddie spoke.

Edward Guillen provided public comment.

Chair Ricks-Oddie spoke.

Christopher Koontz, Deputy Director of Development Services, spoke.

Chair Ricks-Oddie spoke.

Elise Roberts, Planning Analyst, spoke.

A motion was made by Commissioner Christoffels, seconded by Vice Chair Verduzco-Vega, to approve recommendation. The motion carried by the following vote:

Yes: 6 - Alvaro Castillo, Mark Christoffels, Richard Lewis, Jane Templin, Erick Verduzco-Vega and Joni Ricks-Oddie

4. [22-040PL](#)

Recommendation to accept Categorical Exemption CE-22-114; and, approve a Local Coastal Development Permit to demolish and replace an existing residential duplex with a new duplex and attached four-car garage and Standards Variances for: 1) a four-foot garage setback in lieu of the required 20-foot setback; and 2) an oversized curb cut (36 feet where 20 feet maximum is allowed) on 60th Place to accommodate four (4) side by side garage parking spaces on a property located at 5925 E Seaside Walk in the R-2-I (Two-Family Residential District with Intensified Development on the Lots) Zoning District. (District 3)

Chair Ricks-Oddie spoke.

Christopher Koontz, Deputy Director of Development Services, spoke.

Commissioner Christoffels spoke.

Christopher Koontz, Deputy Director of Development Services, spoke.

Commissioner Lewis spoke.

Commissioner Christoffels spoke.

Chair Ricks-Oddie spoke.

Braden Phillips provided public comment.

Chair Ricks-Oddie

Elise Roberts, Planning Analyst, spoke.

A motion was made by Commissioner Lewis, seconded by Vice Chair Verduzco-Vega, to continue item to a date certain of August 18, 2022. The motion carried by the following vote:

Yes: 6 - Alvaro Castillo, Mark Christoffels, Richard Lewis, Jane Templin, Erick Verduzco-Vega and Joni Ricks-Oddie

STUDY SESSION

5. [22-041PL](#) Recommendation to Conduct a study session regarding the Zone In zoning code updates.

Christopher Koontz, Deputy Director of Development Services, introduced Cynthia de la Torre, Project Planner, who presented the study session.

Chair Ricks-Oddie spoke.

Commissioner Christoffels spoke.

Cynthia de la Torre, Project Planner, spoke.

Commissioner Christoffels spoke.

Christopher Koontz, Deputy Director of Development Services, spoke.

Commissioner Christoffels spoke.

Chair Ricks-Oddie spoke.

Commissioner Templin spoke.

Cynthia de la Torre, Project Planner, spoke.

Commissioner Templin spoke.

Chair Ricks-Oddie spoke.

A dialogue ensued between Vice Chair Verduzco-Vega and Christopher Koontz, Deputy Director of Development Services.

Commissioner Lewis spoke.

Cynthia de la Torre, Project Planner, spoke.

A dialogue ensued between Commissioner Castillo and Christopher Koontz, Deputy Director of Development Services.

Chair Ricks-Oddie spoke.

Christopher Koontz, Deputy Director of Development Services, spoke.

Commissioner Lewis spoke.

Cynthia de la Torre, Project Planner, spoke.

Chair Ricks-Oddie spoke.

Christopher Koontz, Deputy Director of Development Services, spoke.

Cynthia de la Torre, Project Planner, spoke.

Chair Ricks-Oddie spoke.

Cynthia de la Torre, Project Planner, spoke.

Chair Ricks-Oddie spoke.

Christopher Koontz, Deputy Director of Development Services, spoke.

Commissioner Lewis spoke.

A dialogue ensued between Chair Ricks-Oddie and Christopher Koontz, Deputy Director of Development Services.

Commissioner Templin spoke.

Christopher Koontz, Deputy Director of Development Services, spoke.

Chair Ricks-Oddie spoke.

Commissioner Templin spoke.

Chair Ricks-Oddie spoke.

Commissioner Castillo spoke.

Chair Ricks-Oddie.

Christopher Koontz, Deputy Director of Development Services, spoke.

Chair Ricks-Oddie.

Christopher Koontz, Deputy Director of Development Services, spoke.

A motion was made by Commissioner Lewis, seconded by Vice Chair Verduzco-Vega, to approve recommendation. The motion carried by the following vote:

Yes: 6 - Alvaro Castillo, Mark Christoffels, Richard Lewis, Jane Templin, Erick Verduzco-Vega and Joni Ricks-Oddie

Absent: 1 - Josh LaFarga

PUBLIC PARTICIPATION: Members of the public are invited to address the Planning Commission on items of interest to the public within the Commission's jurisdiction. Each speaker will be limited to three minutes unless that time is extended by the Chair.

COMMENTS FROM PLANNING COMMISSION

ADJOURNMENT

Chair Ricks-Oddie adjourned the meeting at 8:24 p.m.

NEXT SCHEDULED MEETING: AUGUST 4, 2022 - 5:00 P.M.

DB

GUIDE FOR PERSONS INTENDING TO SPEAK

This guide has been prepared as an aid so that you will be able to express your opinions briefly and clearly before the Commission and thus increase the effectiveness of your presentation. Remarks are generally limited to 3 minutes. 1. State your name and address. 2. Organization you represent, if any. 3. State whether for or against the proposal. 4. Your statement should include all pertinent facts within your knowledge; avoid gossip, emotion and repetition. It is important to discuss only those matters relating to the hearing and to tie your discussion of the facts directly to the decision you wish the Commission to reach. A clear, concise and non-repetitive argument is impressive. In order to have written material included in the Planning Commissioner's mailed Agenda Packet, twelve (12) copies of the material must be delivered to the Department of Development Services, Planning Bureau, no later than ten (10) calendar days before the date of the Planning Commission Hearing. Written material that is presented to the Planning Commission after this date and up to 1:00 p.m. the day of the Planning Commission Hearing, will be included in the Commissioners' Agenda folder, but may not be reviewed by the individual Commissioners due to the amount of material that the Commissioners have to review for the Agenda. Material presented to the Commission at the Hearing will be part of the record but also may not be reviewed by individual Commissioners.

NOTE:

If written language translation of the Commission agenda and minutes for non-English speaking persons is desired, please make your request by phone to the Office of the City Clerk at (562) 570-6101, 72 business hours prior to the Commission meeting.

Kung nais ang pagsasalin ng nakasulat na wika ng agenda ng Komisyon at ang minutes para sa mga taong hindi nagsasalita ng Ingles, mangyaring isagawa ang iyong hiling sa pamamagitan ng telepono sa Opisina ng Clerk ng Lungsod sa (562) 570-6101, 72 oras ng negosyo bago ang pagpupulong ng Commission.

Si desea obtener la traducción escrita en otro idioma de la agenda y actas de la comisión para personas que no hablan inglés, haga su solicitud por teléfono a la Oficina de la Secretaría Municipal al (562) 570-6101, 72 horas hábiles antes de la reunión de la comisión.

**បើមានការចង់បានឲ្យមានការបកប្រែឯកសារស្តីពីរបៀបរាវ និងកំណត់ហេតុឲ្យ
អ្នកដែលមិនចេះនិយាយអង់គ្លេស សូមមេត្តាធ្វើសំណើអ្នកតាមទូរស័ព្ទដោយហៅ
ការិយាល័យស្មៀនក្រុងតាមរយៈលេខ (562) 570-6101 (72 ម៉ោងធ្វើការមុននឹង
ចាប់ផ្តើមបើកកិច្ចប្រជុំគណកម្មការធម្មនុញ្ញ)។**

Application For Appeal

An appeal is hereby made to Your Honorable Body from the decision of the

- Site Plan Review Committee
 Zoning Administrator
 Planning Commission
 Cultural Heritage Commission

Which was taken on the 21st day of July, 20 22.

Project Address: 2630 East Ocean Blvd. CUP for Junipero Concession Stand

I/We, your appellant(s), hereby respectfully request that Your Honorable Body **reject** the decision and Approve / Deny the application or permit in question.

ALL INFORMATION BELOW IS REQUIRED

Reasons for Appeal: "No Alcoholic Beverages Allowed" on beaches or in parks (9.22.010) nearby are basketball courts, playgrounds, & the WiBit Water Park. "High Crime" area: the District crime rate is 246, the threshold for the area is 116. Zoning Code states that a new CUP for alcohol sales cannot not be approved in a High Crime District. Long Beach is short of police and Marine Safety Officers to patrol the area; Overconcentration: ABC recommends a maximum of four on-sale alcohol licenses for this census tract, there are currently nine (9). Neither the MAC nor Parks&Rec Commission were consulted.

Appellant Name(s): Melinda Cotton

Organization (if representing) na

Address: PO Box 3310

City Long Beach State CA ZIP 90803 Phone 562.433.2795

Signature(s) Melinda Cotton Date 7/5/2022

- A separate appeal form is required for each appellant party, except for appellants from the same address, or an appellant representing an organization.
- Appeals must be filed within 10 days after the decision is made (LBMC 21.21.502).
- You must have established *aggrieved* status by presenting oral or written testimony at the hearing where the decision was rendered; otherwise, you may not appeal the decision.
- See reverse of this form for the statutory provisions on the appeal process.

BELOW THIS LINE FOR STAFF USE ONLY

Appeal by Applicant Appeal by Third Party

Received by: MC Case No.: 2207-24 (APL22-005) Appeal Filing Date: 7/25/22

Fee: \$432 Fee Paid Project (receipt) No.: PLNB53224

LICENSED CONTRACTORS DECLARATION				WORKER'S COMPENSATION DECLARATION			
I hereby affirm that I am licensed under provisions of Chapter 9 {Commencing with Section 7000} of Division 3 of the Business and Professional Code, and my license is License _____ License _____ Dat _____ Contract _____				_____ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are: Carrier: _____ Policy _____ {This Section need not be completed if the permit is for one hundred dollars (\$100) or less} _____ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall Dat _____ Applica _____			
OWNER-BUILDER DECLARATION I hereby affirm that I am exempt from the Contractors License Law for the following reason {Sec.7031 California Business and Professional Code: Any City which requires a permit to construct, alter, improve, demolish or repair any structure prior to its issuance also requires the applicant for such permit to file a signed statement that he is a licensed contractor pursuant to the provisions of the Contractors License Law {Ch.9} {Commencing with Sec.7000 of Div.3 of the B. & P. C.} or that he is exempt therefrom and the basis for the alleged exemption. Any violation of Sec.7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars {\$500.00}: • I as owner of the property, or my employees with wages as their sole compensation, will do the work and the structure is not intended or offered for sale {Sec.7044, B. & P. C. : The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or through his own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvements is sold within one year of completion, the owner-builder will have burden of proving that he did not build or improve for the • I am exempt under _____, B. & P. C. for this _____ Dat _____ Owne _____				WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS, IN ADDITION TO THE COST OF COMPENSATION DAMAGES AS PROVIDED FOR IN SECTION I hereby state that there is a construction lending agency for the performance of the work for which this permit is issued {Sec.3907, Civ. C.}. Lender's _____ Lender's _____ I certify that I have read this application and state that the above information is correct. I agree to comply with all City and State laws relating to the building construction, and hereby authorize representatives of this city to enter upon the _____ Signature of Owner or Contractor _____ Date _____			
JOB ADDRESS 2630 OCEAN BLVD		RECEIPT NO. 04091428	DATE 7/27/22	PROJECT NO. PLNB53224			
JOB DESCRIPTION Appeal of PC Decision for CUP at Junipero Concessions Stand for the sale of beer and				AREA 0			
OWNER		OCCUPANCY		PLANNING			
ADDRESS		ASSESSOR NO.		ZONE			
CITY	STATE	ZIP CODE	FSB	S	RSB	CENSUS TRACT 0	
APPLICANT MELINDA COTTON							
CONTRACTOR							
ADDRESS							
CITY		STATE	ZIP CODE	PHONE NO.			
STATE LICENSE NO.			CITY LICENSE NO.				
ARCHITECT/ENGINEER			LICENSE NO.				
ADDRESS							
CITY		STATE	ZIP CODE	PHONE NO.			
VALUATION 0.00	PRESENT BLDG USE	PROPOSED BLDG USE	BLDG HEIGHT 0	TYPE OF CONSTRUCTION APPTHPTY			
LEGAL DESCRIPTION							

Paid by: MELINDA COTTON

\$432.00 Credit or Debit Card (PC)

23444690	400.00	Appeal by Third Party	
23444691	16.00	Surcharge General Plan	N
23444692	16.00	Surcharge Technology	N
	432.00		
<hr/>			CHECK

Application For Appeal

An appeal is hereby made to Your Honorable Body from the decision of the

- Site Plan Review Committee
Zoning Administrator
Planning Commission
Cultural Heritage Commission

Which was taken on the July day of 21, 2022.

Project Address: 2630 E Ocean Blvd

I/We, your appellant(s), hereby respectfully request that Your Honorable Body reject the decision and Approve / Deny the application or permit in question.

ALL INFORMATION BELOW IS REQUIRED

Reasons for Appeal: Alcohol should not be sold beside a park where Longbeach kids play.

Appellant Name(s): Shemaiah Sims FRANKLIN SIMS
Organization (if representing)
Address: 1816 N bellflower Blvd
City Long beach State Ca ZIP 90815 Phone 562-355-1934
Signature(s) Shemaiah Sims Date 7/26/22

- A separate appeal form is required for each appellant party, except for appellants from the same address, or an appellant representing an organization.
Appeals must be filed within 10 days after the decision is made (LBMC 21.21.502).
You must have established aggrieved status by presenting oral or written testimony at the hearing where the decision was rendered; otherwise, you may not appeal the decision.
See reverse of this form for the statutory provisions on the appeal process.

BELOW THIS LINE FOR STAFF USE ONLY

Appeal by Applicant Appeal by Third Party

Received by: Marcos Lopez Case No.: 2201-03 Appeal Filing Date: 7/26/2022
Fee: \$432.00 Fee Paid Project (receipt) No.: PLNB 532.31

Appeal CASE NO: 2207-25 (APL 22-006)

LICENSED CONTRACTORS DECLARATION				WORKER'S COMPENSATION DECLARATION			
<p>I hereby affirm that I am licensed under provisions of Chapter 9 {Commencing with Section 7000} of Division 3 of the Business and Professional Code, and my license is</p> <p>License _____ License _____ Dat _____ Contract _____</p> <p style="text-align: center;">OWNER-BUILDER DECLARATION</p> <p>I hereby affirm that I am exempt from the Contractors License Law for the following reason {Sec.7031 California Business and Professional Code: Any City which requires a permit to construct, alter, improve, demolish or repair any structure prior to its issuance also requires the applicant for such permit to file a signed statement that he is a licensed contractor pursuant to the provisions of the Contractors License Law {Ch.9} {Commencing with Sec.7000 of Div.3 of the B. & P. C.} or that he is exempt therefrom and the basis for the alleged exemption. Any violation of Sec.7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars {\$500.00}:</p> <ul style="list-style-type: none"> I as owner of the property, or my employees with wages as their sole compensation, will do the work and the structure is not intended or offered for sale {Sec.7044, B. & P. C. : The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or through his own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvements is sold within one year of completion, the owner-builder will have burden of proving that he did not build or improve for the I am exempt under _____, B. & P. C. for this _____ Dat _____ Owne _____ <p style="text-align: center;">- IMPORANT -</p> <p>Application is hereby made to the Superintendent of Building and Safety for a permit subject to the conditions and restrictions set forth on the front faces of this application</p> <p>1. Each person upon whose behalf this application is made and each person at whose benefit work is performed under or pursuant to any permit issued as a result of this application agrees to and shall indemnify and hold harmless the City of Long Beach its officers, agents, and employees from any liability arising out of the issuance of any permit from this application.</p> <p>2. Any permit issued as a result of this application becomes null and void if work is</p>				<p>____ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:</p> <p>Carrier: _____ Policy _____</p> <p style="text-align: center;">{This Section need not be completed if the permit is for one hundred dollars (\$100) or less}</p> <p>____ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall</p> <p>Dat _____ Applica _____</p> <p>WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS, IN ADDITION TO THE COST OF COMPENSATION DAMAGES AS PROVIDED FOR IN SECTION</p> <p>I hereby state that there is a construction lending agency for the performance of the work for which this permit is issued {Sec.3907, Civ. C.}.</p> <p>Lender's _____ Lender's _____</p> <p>I certify that I have read this application and state that the above information is correct. I agree to comply with all City and State laws relating to the building construction, and hereby authorize representatives of this city to enter upon the</p> <p style="text-align: right;">Signature of Owner or Contractor _____ Date _____</p>			
JOB ADDRESS 2630 OCEAN BLVD		RECEIPT NO. 04091151	DATE 7/26/22	PROJECT NO. PLNB53231			
JOB DESCRIPTION Appeal of PC Decision for CUP at Junipero Concessions Stand for the sale of beer and						AREA 0	
OWNER		OCCUPANCY		PLANNING			
ADDRESS		ASSESSOR NO.		ZONE			
CITY	STATE	ZIP CODE	FSB	S	RSB	CENSUS TRACT 0	
APPLICANT FRANKLIN SIMS							
CONTRACTOR							
ADDRESS							
CITY		STATE	ZIP CODE	PHONE NO.			
STATE LICENSE NO.			CITY LICENSE NO.				
ARCHITECT/ENGINEER			LICENSE NO.				
ADDRESS							
CITY		STATE	ZIP CODE	PHONE NO.			
VALUATION 0.00	PRESENT BLDG USE		PROPOSED BLDG USE		BLDG HEIGHT 0	TYPE OF CONSTRUCTION APPTHPTY	
LEGAL DESCRIPTION							

Paid by: FRANKLIN SIMS

23443319	400.00	Appeal by Third Party	
23443320	16.00	Surcharge General Plan	N
23443321	16.00	Surcharge Technology	N
	432.00		
<hr/>			CHECK