



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor

Long Beach, CA 90802

(562) 570-6194 FAX (562) 570-6068

December 20, 2012

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Approve a Conditional Use Permit (CUP) to allow the sale of beer, wine and distilled spirits for off-site consumption (Type 21 License) and a Local Coastal Development Permit (LCDP) for the CVS Pharmacy located at 6255-6265 East 2nd Street in the Southeast Area Development and Improvement Plan (SEADIP) (PD-1) Subarea 16. (District 3)

APPLICANT: Dylan Ward/MPA, Inc.
4041 MacArthur Boulevard, Suite 490
Newport Beach, CA 92660
(Application 1207-09)

DISCUSSION

The subject site is located at 6255-6265 East 2nd Street at the southwest corner of Pacific Coast Highway (PCH) and 2nd Street (Exhibit A – Location Map). It is within the Southeast Area Development and Improvement Plan (SEADIP) (PD-1), Subarea 16 and is developed with two buildings. The applicant is proposing to upgrade the property by remodeling the existing buildings to accommodate a 30,400-square-foot Gelson's grocery store, a 6,965-square-foot restaurant and a 17,080-square-foot CVS Pharmacy. As part of the upgrade, the applicant is proposing to complete the following improvements: re-landscape the site; reconfigure the parking layout; relocate the driveway access from 2nd Street; and add signage (Exhibit B – Plans & Photographs). In addition, the applicant is seeking approval for a Type 21 alcohol license that would allow CVS to sell beer, wine and distilled spirits for off-site consumption.

Since the project consists of an exterior remodel with no additional square footage, only Committee level Site Plan Review approval is required. The Site Plan Review Committee reviewed the initial design concept in August 2012, and requested that the applicant redesign the project by paying close attention to the unique location of the project site being at a major intersection (easterly gateway into Long Beach), as well as the adjacency to natural open space areas and the marina. After working with the applicant on several design concepts to help address those issues, the Committee approved the applicant's new

design. The project illustrates a high quality contemporary architectural design, which speaks to the unique location.

The proposed remodel of both buildings provides an increased level of transparency by incorporating large glazed entrances. The use of appropriate exterior accent materials helps articulate the design and provides breaks throughout the elevations. Ample fenestration is incorporated and additional interest is added through the use of green screens, planter boxes and metal trellises.

Emphasis was placed on the intersection of PCH and 2nd Street by incorporating an angled artistic wall that projects towards PCH. In addition, the CVS trash enclosure design is successfully integrated into the building's architecture and form so as to not be recognizable from PCH.

The design incorporates the use of two levels of outdoor seating areas to help reduce the overall mass of the Gelson's Market building. An indoor elevator accesses the second floor sitting area where customers will be able to enjoy the bakery, deli and coffee shop.

The site will be fully enhanced with new landscaping including the parkway area. Additional canopy trees will be introduced in the parking lot with the addition of landscape islands. The new sign program provides a modern identity to the site. For all of these reasons, the Committee approved the design and commends the applicant for working hard to address staff's initial concerns.

Associated with the design review was a request for a Conditional Use Permit, which is the focus of this staff report. In considering a Conditional Use Permit (CUP) application for the sale of beer, wine and distilled spirits for off site consumption, staff evaluated the number of existing alcohol licenses in the subject census tract (5776.04) as well as the total number of reported crimes in the subject Police Reporting District. Section 21.52.201 of the zoning regulations requires that the use not be in a reporting district with an over concentration of alcohol sales, as recommended by the California Department of Alcoholic Beverage Control (ABC), and that the use shall not be in a reporting district with a high crime rate as reported by the Long Beach Police Department (LBPD). The project is not located in a high crime rate area per LBPD; however, it is in an over-concentrated district for on-site alcohol sales. In the subject census tract (5776.04), zero licenses for off-site consumption are allowed and there are four existing licenses (Exhibit C – Map of Existing ABC Licenses). Staff is requesting that the Planning Commission waive the concentration requirement since the proposed establishment is not located in a high crime area. In addition, the location is within an existing shopping center in a predominately commercial environment, which is a preferable location to properties near residential areas. Also, concentration is based on population and doesn't account for commercially dominated areas where the use is less likely to create a nuisance. Since the subject property is located in a large shopping center with public pedestrian and vehicle access from PCH and 2nd Street, staff believes that the approval of this application will have a minimal impact on the surrounding land uses. Conditions of approval will further limit potential nuisances and other potential negative effects. For these reasons, staff recommends the Planning

Commission approve the CUP subject to conditions (Exhibit D- Findings and Conditions of Approval).

PUBLIC HEARING NOTICE

A Notice of Application was sent to the local community groups and Public Hearing Notices were distributed on November 29, 2012, in accordance with the provision of the Zoning Ordinance. No comments have been received as of the preparation of this report.

ENVIRONMENTAL REVIEW

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, Categorical Exemption (CE 12-053) was issued for the proposed project (Exhibit E – Categorical Exemption).

Respectfully submitted,



DEREK BURNHAM
PLANNING ADMINISTRATOR



AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

P:\Planning\PC Staff Reports (Pending)\2012-12-20\6255 E. 2nd Street, Staff report 1207-09

AJB:DB:JW:MDG

Attachments: Exhibit A – Location Map
 Exhibit B – Plans & Photos
 Exhibit C – Map of Existing ABC Licenses
 Exhibit D – Findings & Conditions
 Exhibit E – Categorical Exemption 12-053



Exhibit A



Subject Property:
 6255-6265 2nd St
 Application No. 1207-09
 Council District 3
 Zoning Code : PD-1 (subarea 16)



EXHIBIT C

City of Long Beach,
California

Existing Off-Site Alcohol Licenses for Census Tract 5776.04

Map Features

Existing Locations

Census Tracts 5776.04

City Boundary

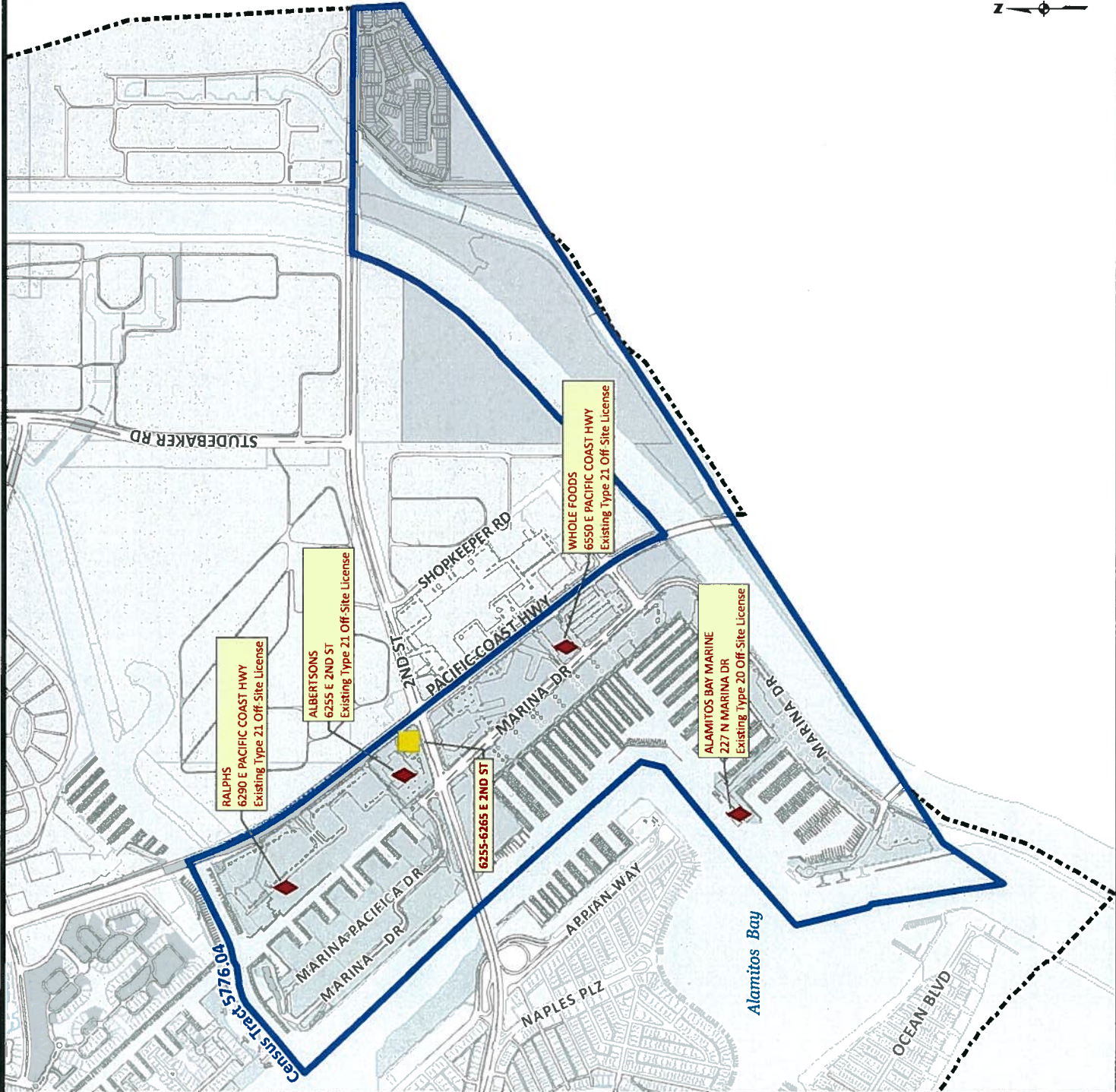
Sources:

Off-site Type 20 & 21 sales locations taken from the CA Alcoholic Beverage Control website.

Tract 5776.04 is from 2010 Census.

Department of
Technology Services

GIS



LOCAL COASTAL DEVELOPMENT PERMIT FINDINGS

Application No. 1207-09

Date: December 20, 2012

Pursuant to Chapter 21.25, Division IX of the Long Beach Municipal Code, the City shall not approve a Local Coastal Development Permit unless positive findings are made consistent with the criteria set forth in the Local Coastal Development Permit regulations.

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; AND

The Local Coastal Program and land use regulations for the project site are contained within the Southeast Area Development and Improvement Plan (PD-1) dated January 3, 2006, and are intended to provide for a total community of residential, business and light industrial uses integrated by an extensive system of parks, open space and trails.

The zoning designation for the project site is the Southeast Area Development and Improvement Plan (PD-1) Subarea 16 and the allowable use is commercial. The site is fully developed with a retail center with no residential units and, therefore, is not subject to the requirements for replacement of low and moderate-income housing.

2. THE PROPOSED DEVELOPMENT CONFORMS TO THE PUBLIC ACCESS AND RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT. THE SECOND FINDING ONLY APPLIES TO DEVELOPMENT LOCATED SEAWARD OF THE NEAREST PUBLIC HIGHWAY TO THE SHORELINE.

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

The project as currently proposed will not reduce access or public views to the beach.

CONDITIONAL USE PERMIT FINDINGS

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

The proposed project is consistent with the zoning regulations and the Local Coastal Program. The zoning designation for the project site is the Southeast Area Development and Improvement Plan (PD-1) Subarea 16 and the allowable

use is commercial. Positive Local Coastal Development Program findings are listed above.

2. 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

In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, a Categorical Exemption (CE 12-053) was prepared for this project and is attached for your review.

The proposed sale of off-site beer, wine and distilled spirits at this subject site is not expected to be detrimental to the surrounding community. No physical expansion to the building is proposed and conditions of approval are included to ensure the mitigation of any negative impacts. Conditions include prevention of nuisances and loitering.

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

Section 21.52.210 states that the following conditions shall apply to all alcoholic beverage 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 complies with the parking standards of the City of Long Beach Municipal Code. The CVS Pharmacy has approximately 15,000 square feet of retail area and per the parking standards requires 60 parking spaces. The reconfiguration of the parking lot will provide 255 parking spaces to be used in common with the grocery store and restaurant use.

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

Condition of Approval #53 requires that prior to the issuance of a building permit, the applicant shall submit architectural, landscaping and lighting drawings for the review and approval of the Police Department for their determination of compliance with Police Department security recommendations.

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.

Condition of Approval #10 will 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-premise sales use, as recommended by the Long Beach Police Department, except: (1) locations in the greater downtown area; or (2) stores of more than 20,000 square feet of floor area, and also providing fresh fruit, vegetables, and meat, in addition to canned goods.**

In considering a Conditional Use Permit application for the sale of beer, wine and distilled spirits for off site consumption staff evaluated the number of existing alcohol licenses in the subject census tract (5776.04) as well as the total number of reported crimes in the subject Police Reporting District. Section 21.52.201 of the zoning regulations requires that the use not be in a reporting district with an over concentration of alcohol sales, as recommended by the California Department of Alcoholic Beverage Control (ABC), and that the use shall not be in a reporting district with a high crime rate as reported by the Long Beach Police Department (LBPD). The project is not located in a high crime rate area per LBPD; however, it is in an over-concentrated district for on-site alcohol sales. In the subject census tract (5776.04), zero licenses for off-site consumption are allowed and there are four existing licenses (Exhibit C – Map of Existing ABC Licenses). Staff is requesting that the Planning Commission waive the concentration requirement since the proposed establishment is not located in a high crime area. In addition, the location is within an existing shopping center in a predominately commercial environment, which is a preferable location to properties near residential areas. Also, concentration is based on population and doesn't account for commercially dominated areas where the use is less likely to create a nuisance. Since the subject property is located in a large shopping center with public pedestrian and vehicle access from Pacific Coast Highway and 2nd Street, staff believes that the approval of this application will have a minimal impact on the surrounding land uses. Conditions of approval will further limit potential nuisances and other potential negative effects. Staff consulted with LBPD for this application and they expressed no opposition to approval of this permit, therefore staff is requesting Planning Commission waive this finding.

**SITE PLAN REVIEW
CONDITIONAL USE PERMIT
LOCAL COASTAL DEVELOPMENT PERMIT
CONDITIONS OF APPROVAL**

**6255-6265 2ND Street
Application No. 1207-09
December 20, 2012**

1. This Site Plan Review approval is for the exterior and interior remodel of two buildings in conjunction with a Conditional Use Permit to allow the sale of beer, wine and distilled spirits for off-site consumption (Type 21 License) and Local Coastal Development Permit for the CVS Pharmacy located within the Southeast Area Development and Improvement Plan, Subarea 16.
2. This permit and all development rights hereunder shall terminate one year from the effective date (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action 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 one 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 Acknowledgment 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. No publicly accessible telephones shall be maintained on the exterior of the premises. Any existing publicly accessible telephones shall be removed.
5. The windows of the stores shall be maintained free of signage or other obstructions in excess of 10 percent of each window area. Window signs displaying prices shall be prohibited.
6. Installation of exterior newsstands and vending machines shall be prohibited.
7. Video or coin operated games and the like shall be prohibited on site so as to discourage loitering on the premises.
8. The permittee shall maintain full compliance with all applicable laws, ABC laws, ordinances and stated conditions. In the event of a conflict between the

requirements of the Conditional Use Permit or Alcoholic Beverage Control license, the more stringent regulation shall apply.

9. The beer, wine and distilled spirits sales shall be limited to the area as per floor plan dated March 31, 2011.
10. The operator of the approved use shall prevent loitering and loud noises around the project site and in all parking areas serving the use during and after hours of operation.
11. No exterior advertising promoting or indicating the availability of alcoholic beverages.
12. No alcoholic beverages shall be consumed on the property or on adjacent properties under control of the licensee.
13. No sales to any person appearing to be or actually being intoxicated shall be allowed.
14. Licensee shall take all reasonable measures to prohibit and prevent any loitering on the premises.
15. 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 purchaser to ensure no sales to intoxicated persons.
16. No beer or malt beverages shall be sold, regardless of container size, in quantities of less than three per sale.
17. No pay phone shall be maintained on the interior of the premises.
18. The sale of beer or malt beverages in quantities of quarts, 22 oz, 32 oz, 40 oz or similar size is prohibited.
19. Wine shall not be sold in bottles or containers smaller than 750 ml. other than dessert wines in 375 ml. bottles.
20. The developer shall provide one street tree for each 25 feet of street frontage in the public right-of-way adjacent to the project site.
21. An adequately sized trash enclosure shall be designed and provided for this project as per Section 21.45.167 of the Zoning Ordinance. The designated trash area shall not abut a street or public walkway and shall be placed at an inconspicuous location on the property, to the satisfaction of the Director of Development Services.

22. The applicant shall incorporate all measures listed in the memo to the Planning Bureau from the Long Beach Police Department dated November 5, 2012.
23. Any paving on the site shall consist of light-colored pavement or concrete. The pavement material shall be submitted to the Director of Development Services for approval prior to issuance of a building permit.
24. Stucco used on the exterior walls of the approved building shall consist of the smooth sand float finish type to the satisfaction of the Director of Development Services.
25. A separate sign permit shall be required for the address sign and any other non-exempt signs as defined in Section 21.44.070 of the Zoning Ordinance. All non-exempt signs shall be submitted to the Zoning Administrator for review and approval prior to issuance of a sign permit.
26. The landscaping plan submitted for plan check purposes shall list the common names of each tree, shrub, and plant in addition to their scientific names.
27. The Department of Development Services and the Long Beach Police Department shall have the authority to review the site for security problems, and said departments shall have the power to require additional security measures including, but not limited to, security guards, fencing, and additional security lighting if problems develop at the site.

Standard Conditions:

28. Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval to the satisfaction of the Director of Development Services.
29. 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.
30. 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.
31. 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).

32. 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.
33. The plans submitted for plan review must explicitly call out and describe all materials, textures, accents, colors, window, door, planter, and paving details that were approved by the Site Plan Review Committee and/or the Planning Commission. No substantial changes shall be made without prior written approval of the Zoning Administrator and/or the Planning Commission.
34. The Director of Development Services is authorized to make minor modifications to the approved design 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.
35. The applicant shall provide the following to the satisfaction of the Director of Public Works:

GENERAL REQUIREMENTS

- a. Prior to the start of any on-site/off-site construction, the Developer shall submit a construction plan for pedestrian protection, street lane closures, construction staging, shoring excavations and the routing of construction vehicles (excavation hauling, concrete and other deliveries, etc.).

PUBLIC RIGHT-OF-WAY

- b. The Developer shall construct all off-site improvements needed to provide full ADA accessibility compliance within the adjacent public right-of-way to the satisfaction of the Director of Public Works. If a dedication of additional right-of-way is necessary to satisfy ADA requirements, the right-of-way dedication way shall be provided.

ENGINEERING BUREAU

- c. The Developer shall be responsible for the maintenance of the off-site improvements during construction of the on-site improvements. All off-site improvements found damaged as a result of construction activities shall be reconstructed or replaced by the Developer to the satisfaction of the Director of Public Works.

- d. The Developer shall remove unused driveways and replace with full-height curb, curb gutter and sidewalk to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete. The size and configuration of all proposed driveways serving the project site shall be subject to review and approval by the City Traffic Engineer. Contact the Traffic and Transportation Bureau at (562) 570-6331 to request additional information regarding driveway construction requirements.
- e. The Developer shall provide for new street trees, tree wells with root barriers and irrigation, adjacent to the project site. The Developer and/or successors shall privately maintain all street trees, landscaping and sprinkler systems required in connection with this project.
- f. The Developer shall contact the Street Tree Division of the Department of Public Works, at (562) 570-2770, prior to beginning the tree planting, landscaping, and irrigation system work. The Street Tree Division will assist with the size, type and manner in which the street trees are to be installed.
- g. The Developer shall submit grading plan with hydrology and hydraulic calculations showing building elevations and drainage pattern and slopes for review and approval by the Director of Planning and Building Services and the Director of Public Works prior to approval of the map and/or release of any building permit.
- h. The Developer shall submit a drainage plan for approval by Public Works prior to issuance of a building permit.
- i. Public improvements shall be constructed in accordance with approved plans. Detailed off-site improvement plans shall be submitted to the Department of Public Works for review and approval.

TRAFFIC & TRANSPORTATION BUREAU

- j. The Developer shall salvage and reinstall all traffic signs that require temporary removal to accommodate new construction within the public right-of-way. All traffic signs shall be reinstalled to the satisfaction of the City Traffic Engineer.
- k. The Developer shall replace all traffic signs and mounting poles damaged or misplaced as result of construction activities to the satisfaction of the City Traffic Engineer.
- l. The Developer shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.

- m. All traffic control device installations, including pavement markings within the private parking lot, shall be installed in accordance with the provisions of the Manual On Uniform Traffic Control Devices (MUTCD), 2003 edition (i.e., white parking stalls, stop signs, entry treatment signage, handicapped signage, etc.).
 - n. The Developer shall contact the Traffic & Transportation Bureau at (562) 570-6331 to modify the existing curb marking zones adjacent to the site.
 - o. Developer shall install a southbound right-turn arrow pavement marking within the parking lot drive aisle at the north east end of the project site to indicate that exiting traffic onto Pacific Coast Highway must turn right.
36. All landscaped areas must be maintained in a neat and healthy condition. Any dying or dead plants materials must be replaced with the minimum size and height plant(s) required by Chapter 21.42 (Landscaping) of the Zoning Regulations. At the discretion of City officials, a yearly inspection shall be conducted to verify that all irrigation systems are working properly and that the landscaping is in good healthy condition. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by the City Council.
37. Prior to the issuance of a building permit, the applicant must submit complete landscape and irrigation plans for the approval of the Director of Development Services. The landscaping plan shall include drought tolerant street trees to be installed consistent with the specifications of the Street Tree Division of the Department of Public Works. Approved root guards shall be provided for all street trees.
38. Where feasible, all landscaped areas shall be planted with drought tolerant plant materials. All landscaped areas shall be provided with water conserving automatic irrigation systems designed to provide complete and adequate coverage to sustain and promote healthy plant life. The irrigation system shall not cause water to spray or flow across a public sidewalk.
39. Low-flow fixtures shall be used for all lavatory faucets, kitchen faucets, showerheads, toilets, and urinals. Toilets may be either low-flow or dual flush. Maximum flow rates for each fixture type shall be as follows: lavatory faucet – 2.75 GPM, kitchen faucet – 2.20 GPM, showerhead – 2.00 GPM, toilet – 1.3 GPF, dual flush toilet – 0.8/1.6 GPF, urinal – 1.0 GPF. Plans submitted for review shall specifically identify such fixtures and flow rates.
40. For commercial food service facilities, low-flow pre-rise sprayers with average flow rates of no more than 2.0 GPM shall be used. Flow rates shall be specified on plans.
41. Prior to issuance of a building permit, the developer shall submit a landscaping plan

to the Planning Bureau for review. Turf shall be limited to less than 50 percent of the total landscaped area. The turf shall not be composed of bluegrass, fescue, rye, or other grasses with high water needs. 50 percent or more of the planted area (as measured in square feet of landscape) shall be comprised of drought-tolerant plants, to the satisfaction of the Zoning Administrator.

42. All landscaping irrigation systems shall use high efficiency sprinkler nozzles. The models used and flow rates shall be specified on the landscaping plan. For residential-type or small-scale sprinkler systems, sprinkler head flow rates shall not exceed 1.00 GPM and shall be of the rotating type. Where feasible, drip irrigation shall be used instead. If an in-ground irrigation system is to be installed, such system shall be controlled by an automatic self-adjusting weather-based irrigation controller.
43. Permeable pavement shall be utilized where feasible, to the satisfaction of the Director of Development Services. Public right-of-way improvements shall be exempt from this requirement. If the feasibility of using permeable pavement is uncertain, it shall be the developer's responsibility to demonstrate that a given application of permeable pavement is not feasible, to the satisfaction of the Director of Development Services.
44. Site development, including landscaping, shall conform to the approved plans on file with the Department of Development Services. At least one set of approved plans containing Planning, Building, Fire, and, if applicable, Health Department stamps shall be maintained at the job site, at all times for reference purposes during construction and final inspection.
45. 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).
46. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
47. Any graffiti found on site must be removed within 24 hours of its appearance.
48. Prior to the issuance of a building permit, the applicant must depict all utility apparatus, such as, but not limited to, backflow devices and Edison transformers, on both the site plan and the landscape plan. These devices shall not be located in any front, side, or rear yard area that is adjacent to a public street. Furthermore, this equipment shall be properly screened by landscaping or any other screening method approved by the Director of Development Services.

49. All rooftop mechanical equipment shall be fully screened from public view. Said screening must be architecturally compatible with the building in terms of theme, materials, colors and textures. If the screening is not specifically designed into the building, a rooftop mechanical equipment plan must be submitted showing screening and must be approved by the Director of Development Services prior to the issuance of a building permit.
50. All parking areas serving the site shall provide appropriate security lighting pursuant to Section 21.41.259. All exterior lighting shall be operated by a photocell that activates the lighting when it senses darkness. Such lighting shall be adequately shielded to prevent intrusion of light and glare upon neighboring properties. The Chief of Police may require other security measures to be provided.
51. Energy conserving equipment, lighting, and construction features shall be utilized on the building.
52. The applicant shall file a separate plan check submittal to the Long Beach Fire Department for review and approval prior to the issuance of a building permit.
53. Prior to the issuance of a building permit, the applicant shall submit architectural, landscaping and lighting drawings for the review and approval of the Police Department for their determination of compliance with Police Department security recommendations. For more information, contact Corporal Erickson at (562) 570-7448.
54. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau must be secured.
55. Separate building permits are required for fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
56. Approval of this development project is expressly conditioned upon payment (prior to building permit issuance or prior to Certificate of Occupancy, as specified in the applicable Ordinance or Resolution for the specific fee) of impact fees, connection fees and other similar fees based upon additional facilities needed to accommodate new development at established City service level standards, including, but not limited to, sewer capacity charges, Park Fees and Transportation Impact Fees.
57. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):
 - a. Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;
 - b. Saturday: 9:00 a.m. - 6:00 p.m.; and
 - c. Sundays: not allowed

58. Grading and construction activities shall conform to Rule 403 of the South Coast Air Quality Management District and shall include the following:
- a. Use water trucks and hoses to wet exposed and graded areas at least twice daily with complete coverage on all active areas and periodic wash-downs of public streets in the vicinity of all entrances and exits to the project site. Increase frequency of watering to three or more times per day whenever winds exceed 15 miles per hour, and cease grading activities during period of winds greater than 30 miles per hour.
 - b. Water all material being excavated and stockpiled.
 - c. Water all grading and cover materials being transported.
 - d. Properly maintain all grading and construction equipment propulsion systems to avoid excess emissions.
 - e. Schedule truck trips to avoid peak hours (7-9 a.m. and 4-6 p.m., weekdays).
 - f. Discontinue construction during Stage 2 smog alerts (ozone greater than or equal to 0.35 ppm.)
59. All trash and refuse containers shall be fully screened from public view to the satisfaction of the Director of Development Services.
60. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
61. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action, or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach.



NOTICE of EXEMPTION from CEQA

DEPARTMENT OF DEVELOPMENT SERVICES
333 W. OCEAN BLVD., 5TH FLOOR, LONG BEACH, CA 90802
(562) 570-6194 Fax: (562) 570-8088
lbsds.longbeach.gov

TO: Office of Planning & Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: Department of Development Services
333 W. Ocean Blvd, 5th Floor
Long Beach, CA 90802

L.A. County Clerk
Environmental Fillings
12400 E. Imperial Hwy. 2nd Floor, Room 2001
Norwalk, CA 90650

Categorical Exemption CE- 12-053

Project Location/Address: 6255 - 6265 E. 2nd Street, Long Beach, CA 90803

Project/Activity Description: (see attached) SPR, Conditional Use Permit to allow remodel of two exist. buildings in conjunction with a Conditional Use Permit to allow the sale of beer, wine and distilled spirits for off-site consumption (CUP-21 License) and a Local Coastal Development Permit within the SEADIP, Subarea 16.

Public Agency Approving Project: **City of Long Beach, Los Angeles County, California**

Applicant Name: MPA, Inc. - Dylan Ward, Project Manager

Mailing Address: 4041 MacArthur Blvd., Suite 375, Newport Beach, CA 92660

Phone Number: 949-428-9650

Applicant Signature: _____

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 1207-09 Planner's Initials: MDG

Required Permits: SPR, CUP, LCDB

THE ABOVE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM CEQA IN ACCORDANCE WITH STATE GUIDELINES SECTION 15301, Class 1, Existing Facilities

Statement of support for this finding: Remodel of existing structures

Contact Person: Craig Chalfant
Signature: [Signature]

Contact Phone: 562-570-6368
Date: 12/6/12