



## Planning Commission

May 4, 2023

### 5316 ½ 2<sup>nd</sup> Street

A conditional use permit and local coastal development permit for an upgrade of a Type 41 On-Sale Beer & Wine-Eating Place ABC license to a Type 47 On-Sale General- Eating Place ABC License at an existing restaurant with a bar which includes the legal non-conforming sale of beer and wine located at 5316 ½ 2<sup>nd</sup> Street in the Neighborhood Pedestrian (CNP) Zoning District.

**Case No. 2208-04 (CUP22-026, LCDP22-046,)**

# Project Site

## Background:

- 2,139 SF tenant space that has been operating as a restaurant ready to eat since May 2013.
- Restaurant contains an existing Type 41 On-Sale Beer & Wine- Eating Place ABC license

## CUP Proposal:

- To expand the range of alcohol beverage sold from beer and wine (ABC Type 41) to beer, wine, and distilled spirits for on-site consumption ( ABC Type 47) at the existing restaurant and outdoor patio on private property.



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### Subject Property:

5316 1/2 2nd St  
Application No. 2208-04 (CUP22-026, LCDP22-046)  
Council District : 3  
Zoning Code : CNP

### Attachment A

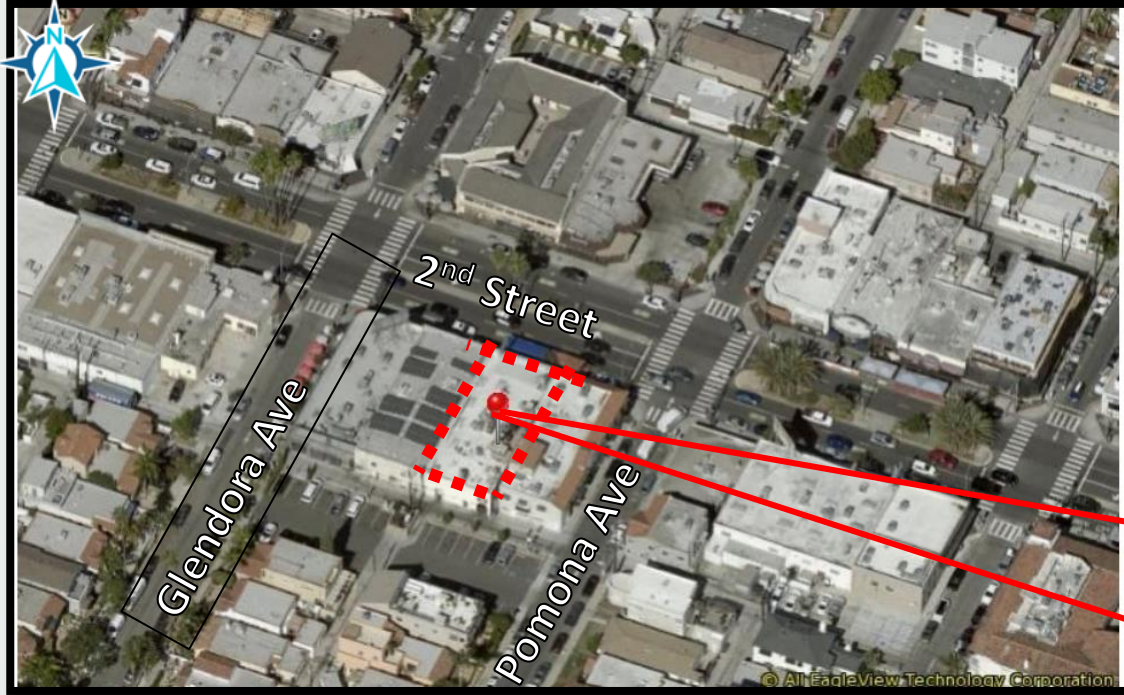
As of 4/13/2023





# Vicinity Map

5316 1/2 2<sup>nd</sup> Street

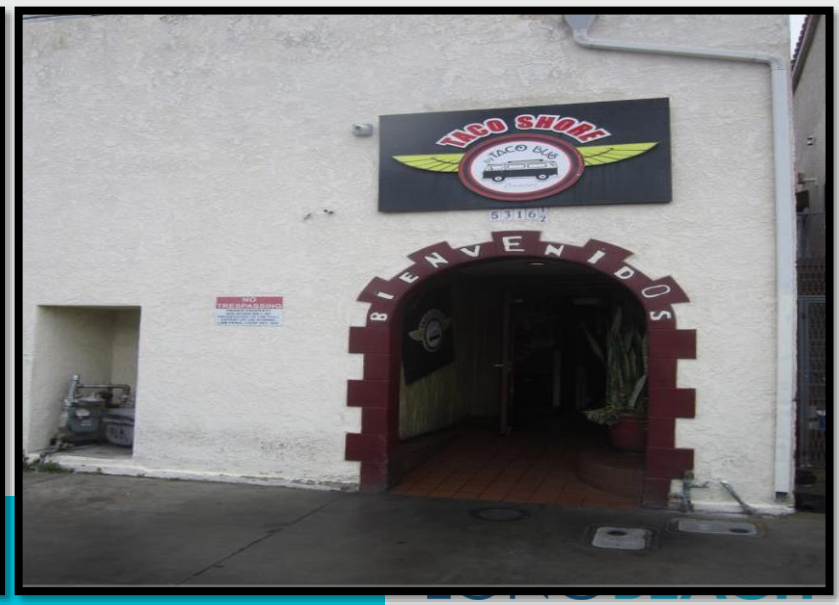
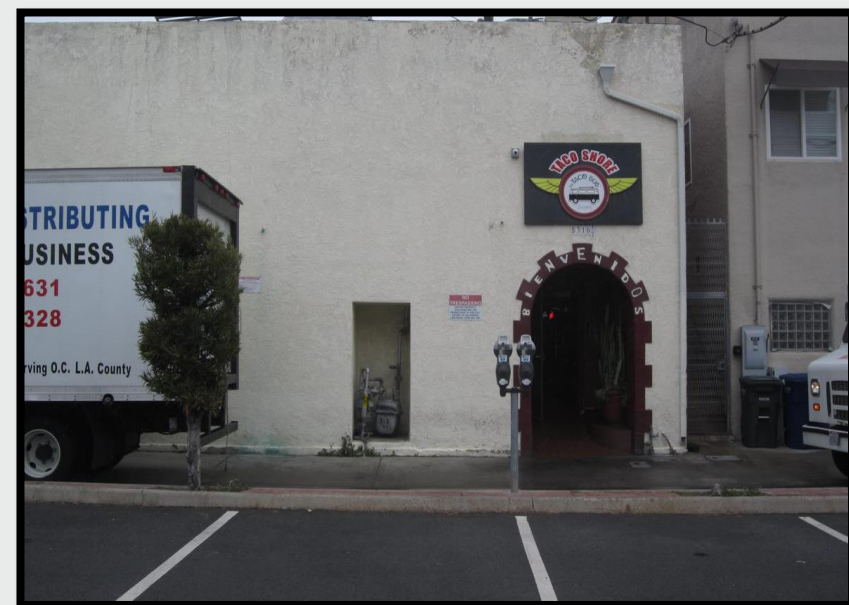
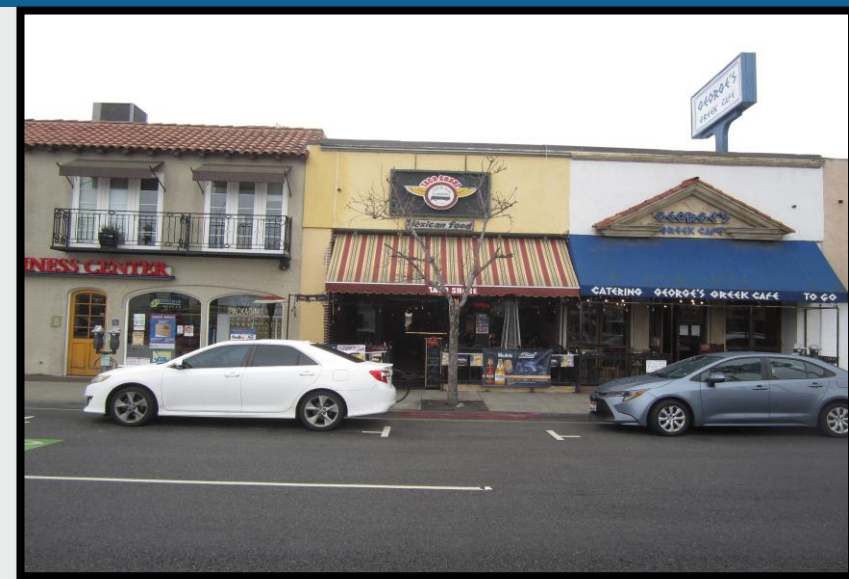


- **Zoning:** CNP
- **GP LUE PlaceType:** NSC-L
- **Adjacent Uses:** Commercial, Retail, Restaurant and Residential.



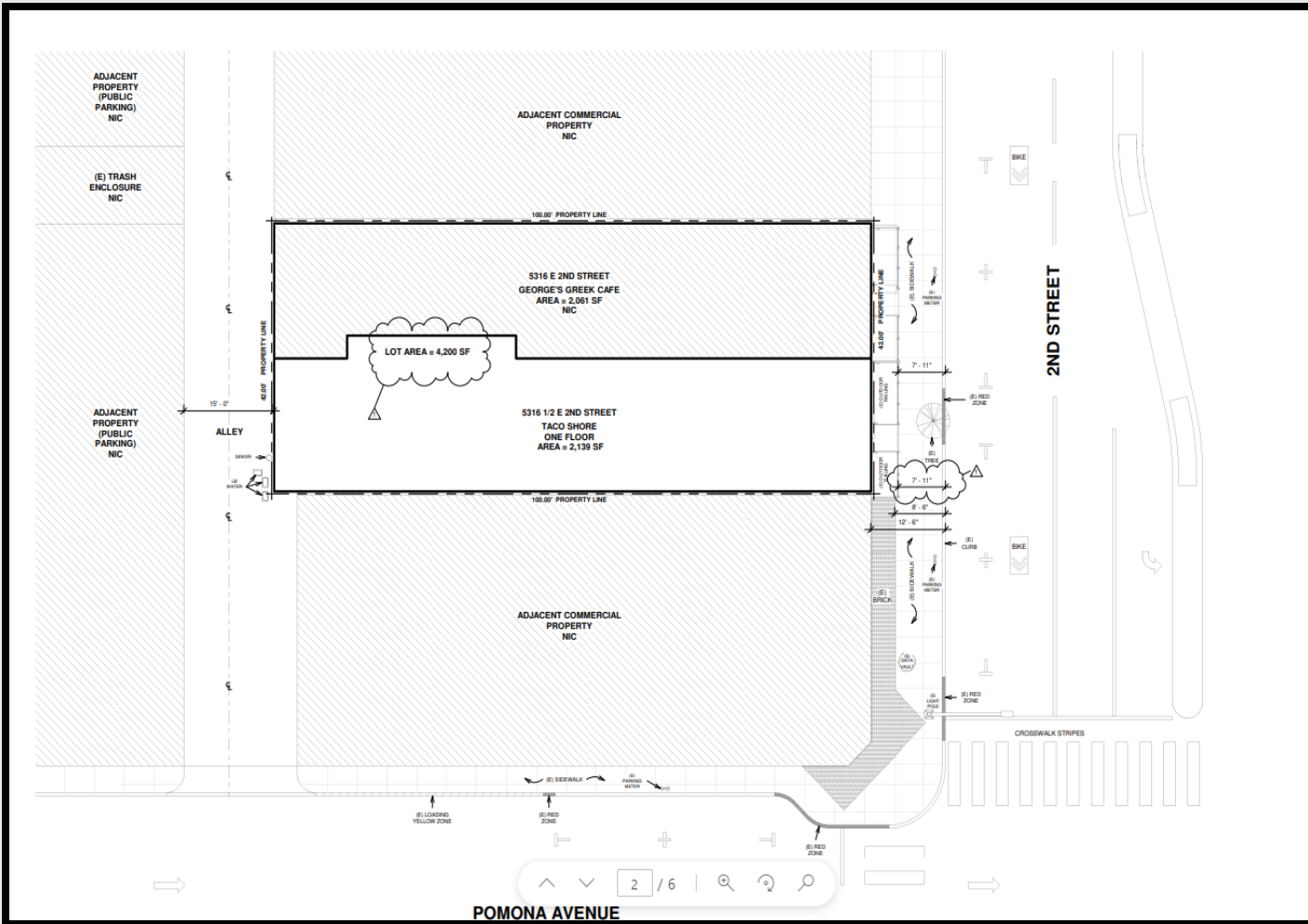


# Existing Conditions

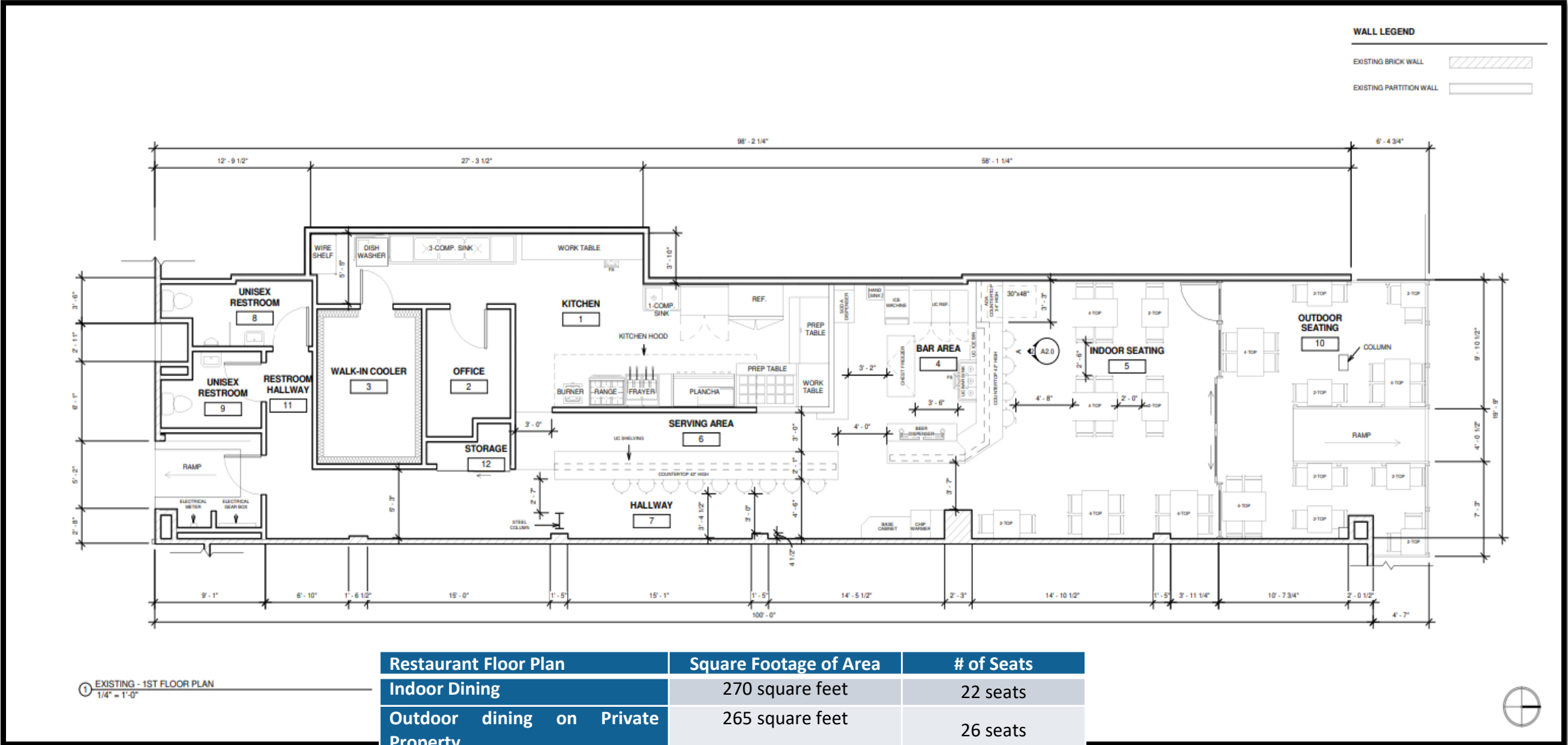


### Operation Plan:

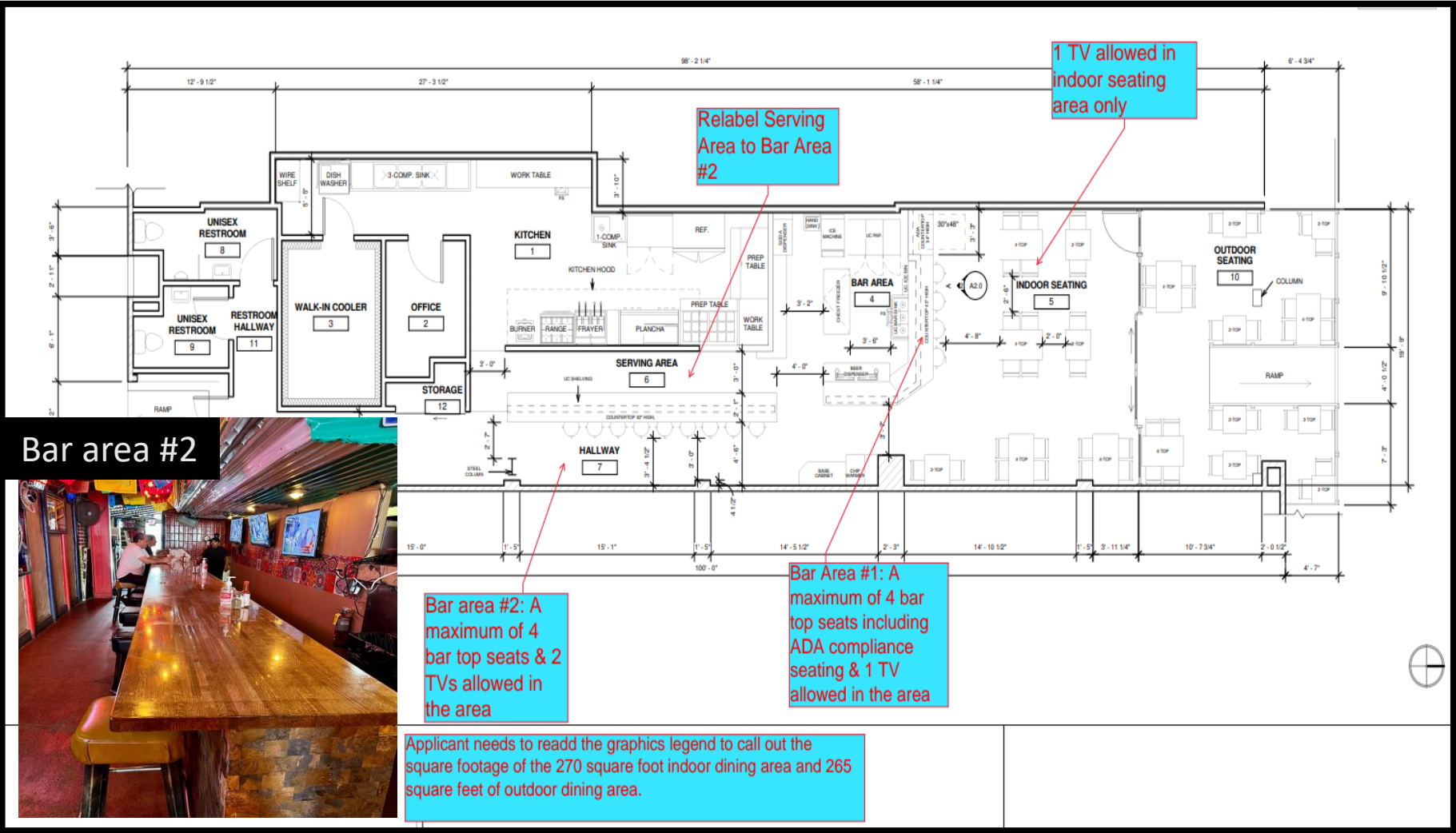
- The restaurant will provide a dine-in casual and regional authentic Mexican and new-age fusion cuisine experience that will serve breakfast, lunch and dinner menu items.
- A staff of eight employees per shift, approximately 20 total employees.
- Hours of Operation:
  - Sundays through Mondays and Wednesdays through Thursdays from 10:00 a.m. to 10:00 p.m.
  - Tuesdays 10:00 a.m. to 10:30 p.m.
  - Fridays through Saturdays 10:00 a.m. to 11:00 p.m.







Restaurant Floor Plan	Square Footage of Area	# of Seats
Indoor Dining	270 square feet	22 seats
Outdoor dining on Private Property	265 square feet	26 seats
Bar Area	131.34 square feet	15 seats
	Total Sq. Ft.: 666.34 sq. ft.	Total # of Seats: 63



# Attachment H-Supplemental Information

- The project agenda package clarifies minor modifications to the staff report and findings for the Conditional Use Permit (CUP) application highlighted in **Attachment H-Supplemental Information**.
- Attachment F- ABC Stats** in the staff report grouped multiple ABC licenses at an establishment as a single line item, rather than listing each ABC license separately. This **revised attachment** is for clarification, does not constitute significant new information that would affect staff analysis, and reflects the same overall number of ABC licenses (34 total licenses) within the census tract.

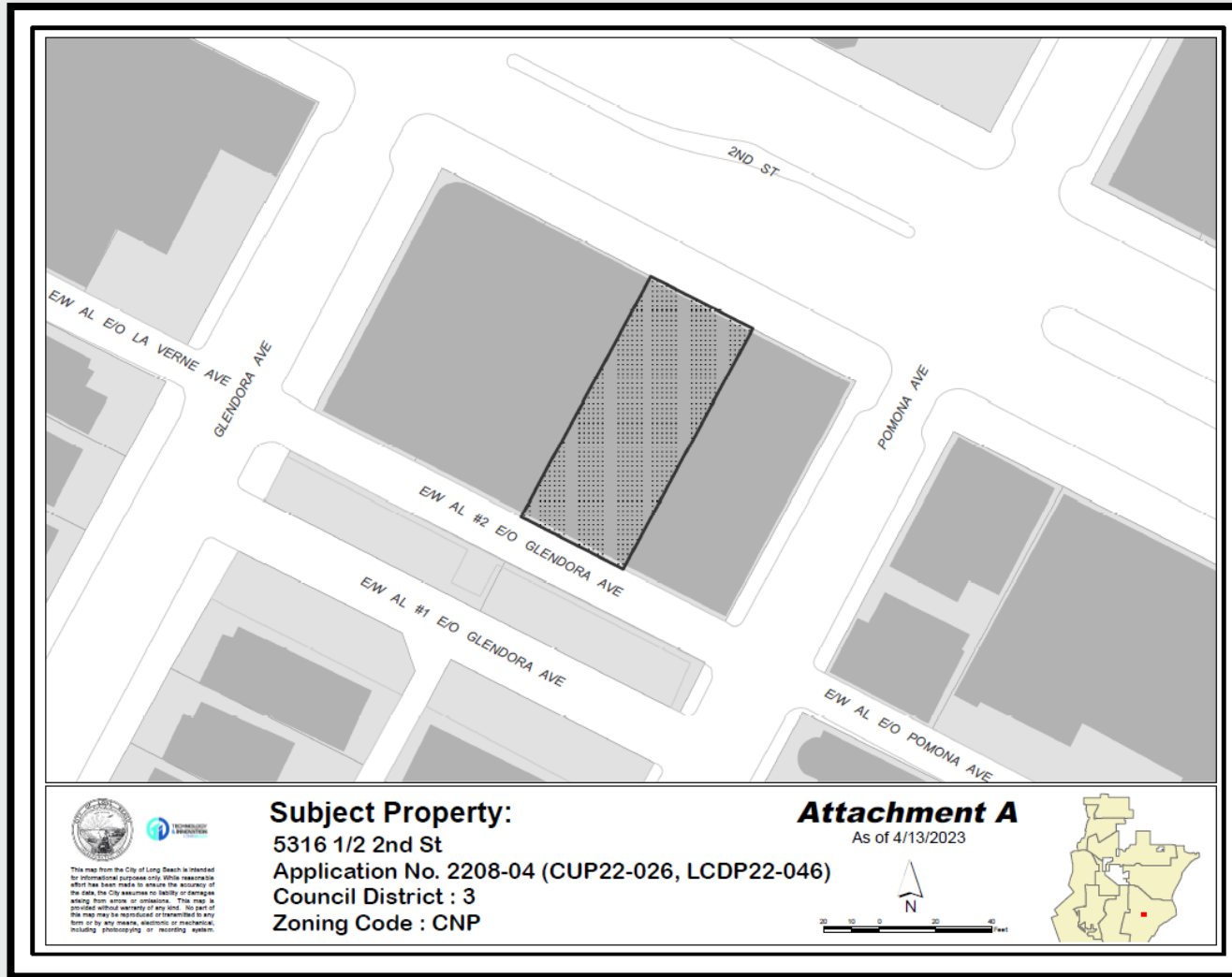
**Attachment F**

#	Existing Business	License #	Status	License Type
1		216561	ACTIVE	41
2	ROUND TABLE PIZZA	426474	ACTIVE	41
3	CHUCKS COFFEE SHIP INC	215558	ACTIVE	41
4	RUBIOS FRESH MEXICAN GRILL 33	339365	ACTIVE	41
5	AROMA DI ROMA	535748	ACTIVE	41
6	COLOSSUS	639433	ACTIVE	41
7	WHAT'S CRACKIN	627109	REVPEN	41
8	SAINT & SECOND	210682	ACTIVE	47
9	MURPHYS PUB AT THE BELMONT	523283	ACTIVE	41
10	PIETRIS BAKERY	591234	ACTIVE	41
11	SUSHI NIKKEI	641624	ACTIVE	41
12	PANAMA JOES	539068	ACTIVE	47, 58
13	RIPPLES	152943	ACTIVE	48, 58, 68
14	LONG BEACH TAP HOUSE	602583	ACTIVE	47

**Attachment H**

No.	Business Name	License Number	Status	License Type
1		216561	ACTIVE	41
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13	PANAMA JOES	539068	ACTIVE	58
14	RIPPLES	152943	ACTIVE	48
15	RIPPLES	152943	ACTIVE	58
16	RIPPLES	152943	ACTIVE	48
17	LONG BEACH TAP HOUSE	602583	ACTIVE	47

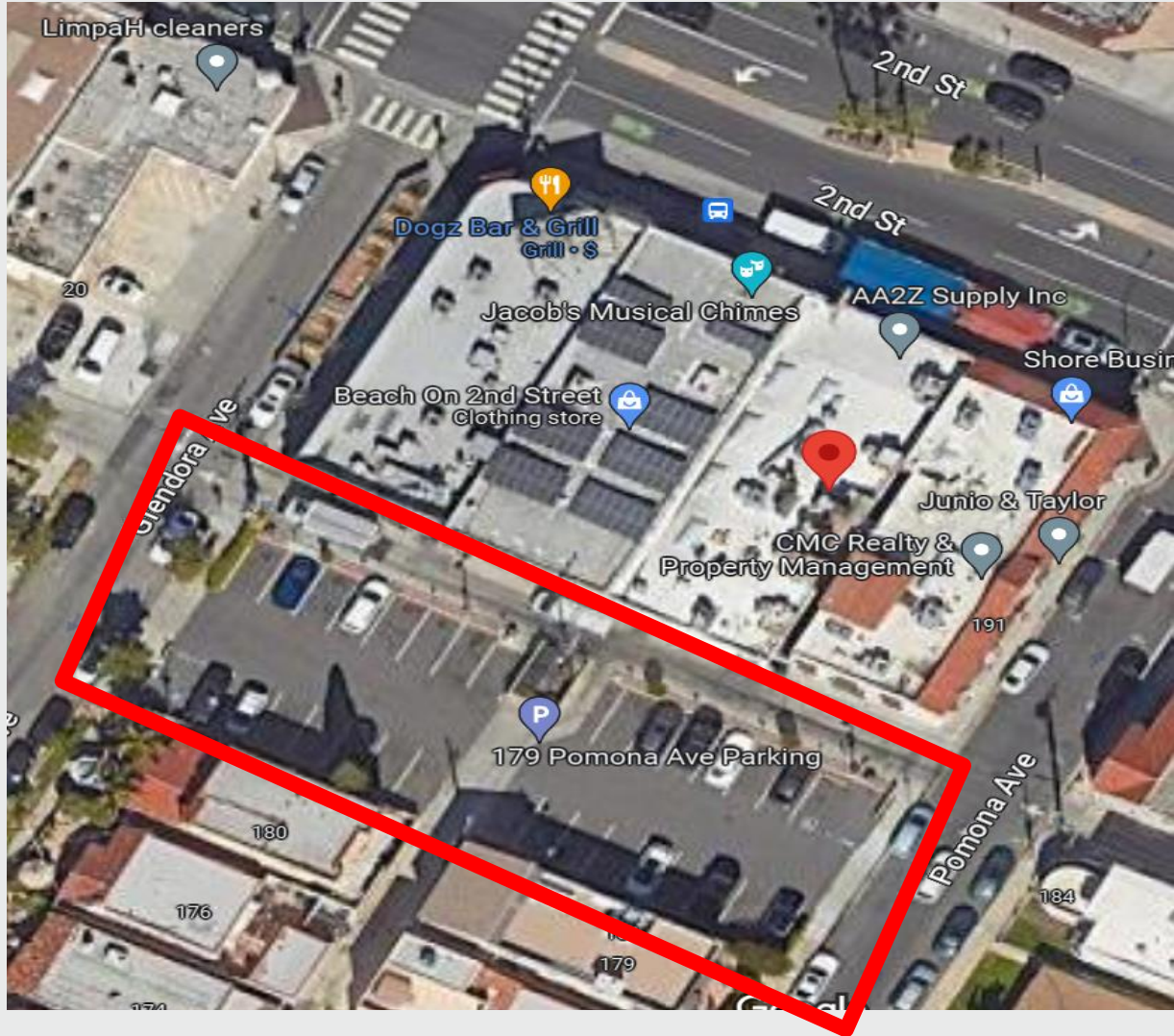




## LB Police Stats:

- Census Tract: 5773
- Number of Licenses envisioned: 5
- Number of licenses existing: 34
- Within Police District 571
- Within 100-feet of residential property
- Calls for service attributed to the location: (2) Approx. (04/11/22 to 04/22/23) Transient issues\*
- Site is in a high crime district
  - 66 considered high crime
  - 110 reports within the district

# Parking



- Site contains no on-site parking.
- No expansion of tenant space.
- Previous use (restaurant ) required 22 spaces.
- Legal non-conforming parking rights apply to proposed restaurant.
- Parking areas: Rear parking lot ( 32 parking spaces) and public single-space on street meter parking along 2<sup>nd</sup> Street.



# Summary

## Conditional Use Permit Findings

- Proposed use will not be detrimental to the surrounding community including public health, safety or general welfare, environmental quality or quality of life; and
- The approval is in compliance with support of positive findings made consistent with criteria set forth in the Zoning Code, as listed in Chapter [21.25.206](#)

## Local Coastal Development Findings

- The proposed upgrade of an existing Type 41 ABC license to a Type 47 ABC license will not be detrimental to private or public development in the Long Beach Coastal Zone and does not conflict with the City's certified local coastal program; and
- The approval is in compliance with support of positive findings made consistent with criteria set forth in the Zoning Code, as listed in Chapter [21.25.904](#)

# Conditions of Approval

## Conditions:

- Maintain as a ready-to-eat restaurant with a full food menu
- Limiting window obstruction into restaurant
- Mandatory staff training to ensure staff is adequately trained to address any issues that might arise in association with the sale of alcohol.
- Maintain a maximum number of 8 bar top seats evenly distributed between bar areas #1 and #2 ( as per redlined floor plan)
- Maintain a maximum number of 4 TVs throughout the restaurant ( as per redlined floor plan)



# CEQA/Public Comments/Recommendation

## CEQA

The project qualifies for a categorical exemption under the following exemptions under the California Environmental Quality Act (CEQA):

- Section 15301- Existing Facilities Class 1(a)

## Public Comments

- A total of 31 public comments have been received in response to the required noticing.

## Staff Recommendation

Approve the CUP & LCDP for an upgrade of a Type 41 ABC license to a Type 47 ABC License at an existing restaurant with a bar which includes the legal non-conforming sale of beer and wine subject to conditions of approval.



Thank you

**Megan Covarrubias**

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**562-570-7152**