



# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5<sup>th</sup> Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

July 17, 2014

## CHAIR AND PLANNING COMMISSIONERS

City of Long Beach  
California

### RECOMMENDATION:

Approve a Modification to an Approved Permit and Site Plan Review for a façade remodel for a fast-food restaurant and to allow the 24-hour operation of the drive-thru lane at 5020 Long Beach Boulevard and accept Categorical Exemption CE 14-065. (District 8)

### APPLICANT:

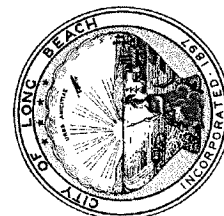
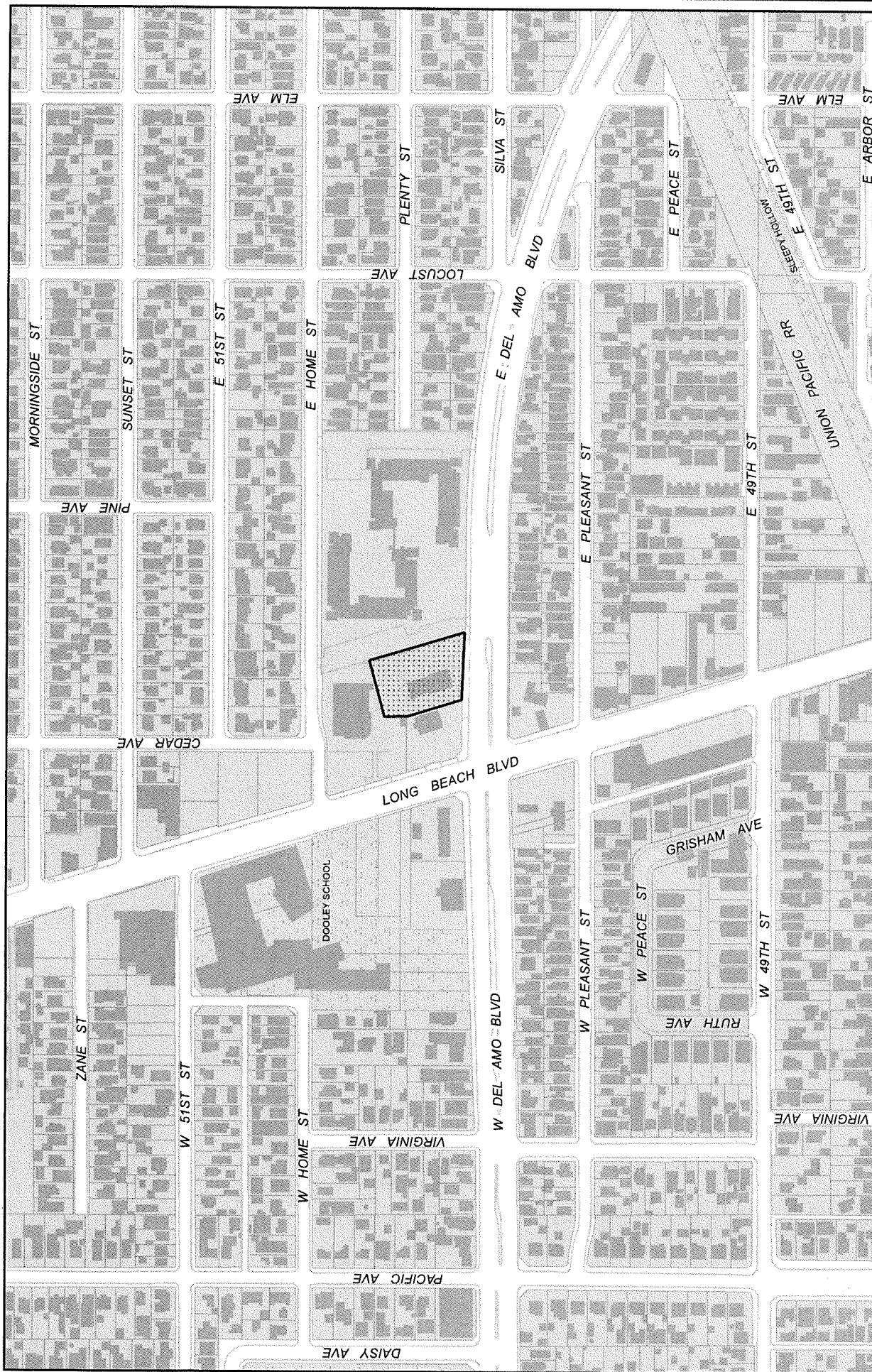
Ron Underwood  
Bickle Underwood Architecture  
3600 Birch Street, Suite 120  
Newport Beach, CA 92660  
(Application No. 1401-23)

### DISCUSSION

On September 7, 2000, the Planning Commission approved a Conditional Use Permit (CUP) for a 3,566-square-foot McDonald's restaurant including an additional 1,279-square-foot indoor children's play area and a drive-thru lane. A CUP and related public hearing was required to allow for the drive-thru lane. As part of the conditions of approval, the hours of operation for the drive-thru lane were limited to 11 PM Sunday through Thursday and 1 AM on Friday and Saturday. The subject property is an L-shaped lot that wraps around a convenience store at the northeast corner of Long Beach Boulevard and Del Amo Boulevard (Exhibit A – Location Map). The zoning district for the subject site is Community Commercial Neighborhood (CCN) and the General Plan designation is Land Use District 8M (Mixed Office/Residential Strip).

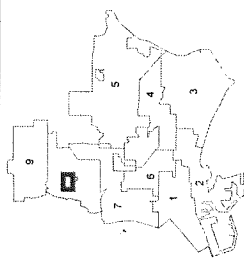
On January 28, 2014, the applicant submitted a request to modify the previously approved permit and site plan review for a façade remodel, the implementation of dual drive-thru lanes and to allow for the 24-hour operation of the drive-thru lane (Exhibit B – Site Plan and Elevations). On March 12, 2014, the Site Plan Review Committee reviewed the proposed elevations and site plan for the façade remodel and dual drive-thru. Staff recommended modifications to the elevations and significant changes to the site plan. On April 9, 2014, the Site Plan Review Committee reviewed and supported the revised elevations. These changes to the façade reflected architectural finishes similar to the architectural features that the Site Plan Review Committee had supported for the McDonald's façade remodel at 1000 4<sup>th</sup> Street and 6407 East Spring Street. However, the Committee continued to





**Subject Property:**  
 5020 Long Beach Blvd  
 Application No. 1401-23  
 Council District 8  
 Zoning Code : CCN

## Exhibit A



# Exhibit C

**MODIFICATION TO APPROVED PERMIT  
SITE PLAN REVIEW  
CONDITIONS OF APPROVAL  
5020 Long Beach Boulevard  
Case No. 1401-23  
July 17, 2014**

**General Conditions:**

1. A Modification to Approved Permit, Site Plan Review and Categorical Exemption for a façade remodel for a fast-food restaurant and to allow 24-hour operation of the drive thru lane.
2. This permit and all development rights hereunder shall terminate one year from the effective date of this permit unless construction is commenced or a time extension is granted, based on a written request submitted to and approved by the Zoning Administrator 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. Prior to issuance of a building permit, the applicant must submit complete landscaping and irrigation plans for the discretionary approval of the Director of Development Services. The landscaping plan must demonstrate an increase in landscaping area over the existing landscaped areas. The landscaping plan must also include the re-vegetation with native plant material of the landscaped area at the entrance to the surface parking lot on Long Beach Boulevard and the adjacent to the nine (9) parking spaces.
5. Provide bioswale and other stormwater management best management practices (BMPs) on site to the satisfaction of the Director of Development Services.
6. Prior to issuance of a building permit, the applicant must submit a sign program for the discretionary approval of the Director of Development Services. The new signage should be a signature element of the façade remodel.
7. The applicant shall provide signage indicating customer parking for the nine (9) parking spaces at the entrance from Long Beach Boulevard.

8. The applicant shall provide signage alerting customers to nearby residential neighbors and to keep noise levels down.
9. All conditions of approval -- except for those relating to hours of operation -- from all prior cases on this site shall remain in full force and effect, including case number 0004-12 and any other applicable files. If individual conditions from said entitlements are superseded by more restrictive conditions from this subject permit, the more restrictive condition(s) shall apply.
10. On-site surveillance cameras shall be installed with Police Department access to the IP systems.

**Standard Conditions:**

11. 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.
12. 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.
13. 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).
14. 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.
15. 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.
16. 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.

17. 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.
18. Any graffiti found on site must be removed within 24 hours of its appearance.
19. 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.
20. 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.
21. Separate building permits are required for signs, fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
22. 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.
23. 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
24. 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.

# **SITE PLAN REVIEW FINDINGS**

## **5020 Long Beach Boulevard**

**Case No. 1401-23**

**July 17, 2004**

Pursuant to Chapter 21.25, Division V of the Long Beach municipal Code, the Site Plan Review Committee or City Planning Commission shall not approve a Site Plan Review unless positive findings are made consistent with the criteria set fourth in the Site Plan Review regulations.

- 1. THE DESIGN IS HARMONIOUS, CONSISTENT AND COMPLETE WITHIN ITSELF AND IS COMPATABLE IN DESIGN, CHARACTER AND SCALE, WITH NEIGHBORING STRUCTURES AND THE COMMUNITY IN WHICH IT IS LOCATED.**

The proposed fast food restaurant with drive-thru lane is consistent with the CNN zone, subject to approval of a Conditional Use Permit for the drive-thru lane. The site has a General Plan Land Use Designation of 8M (Mixed Office/Residential Strip). The 8M designation "is intended to encourage a mix of freestanding office buildings with freestanding residential buildings" The proposed restaurant is a separate freestanding commercial building that will serve residents in the immediate neighborhood as well as commuters traveling on the Del Amo and Long Beach Boulevards.

The building is designed in an architectural style consisting of stucco wall surfaces, a flat roof and parapet walls topped with a cornice. This more contemporary style is more consistent with other recent development projects in this community.

- 2. THE DESIGN CONFORMS TO THE "DESIGN GUIDELINES FOR R-3 AND R-4 MULTI-FAMILY DEVELOPMENT, THE "DOWNTOWN DESIGN GUIDELINES", THE GENERAL PLAN, AND ANY OTHER DESIGN GUIDELINES OR SPECIFIC PLANS WHICH MAY BE APPLICABLE TO THE PROJECT;**

The proposed project is consistent with the intent of the LUD 8M – Mixed Office/Residential Strip. in that a restaurant use is allowed by right in the CCA zone. There are no other design guidelines or specific plans that apply to this location.

- 3. THE DESIGN WILL NOT REMOVE SIGNIFICANT MATURE TREES OR STREET TREES, UNLESS NO ALTERNATIVE DESIGN IS FEASIBLE;**

The proposed project is consistent with the intent of LUD #8M and will not result in the removal of mature trees.



- 4. THERE IS AN ESSENTIAL NEXUS BETWEEN THE PUBLIC IMPROVEMENT REQUIREMENTS ESTABLISHED BY THIS ORDINANCE AND THE LIKELY IMPACTS OF THE PROPOSED DEVELOPMENT; AND**

No public improvements are required for this project. .

- 5. THE PROJECT CONFORMS TO ALL REQUIREMENTS SET FORTH IN CHAPTER 21.64 (TRANSPORTATION DEMAND MANAGEMENT)**

This project does not meet the threshold requirement for Transportation Demand Management.



# NOTICE of EXEMPTION from CEQA Exhibit D

DEPARTMENT OF DEVELOPMENT SERVICES | PLANNING BUREAU  
333 W. OCEAN BLVD., 5<sup>TH</sup> FLOOR, LONG BEACH, CA 90802  
(562) 570-6194 FAX: (562) 570-6068  
lbds.longbeach.gov

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

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

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

Categorical Exemption CE-

14.065

Project Location/Address: 5020 Long Beach Boulevard

Project/Activity Description: Facade remodel; 250 extension to kitchen storage area; site improvements in drive-thru to improve efficiency and reduce queuing; ADA improvements

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

Applicant Name: Bickel Underwood Architecture

Mailing Address: 3600 Birch Street, Suite 120, Newport Beach, CA 92660

Phone Number: 949.757.0411

Applicant Signature:

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 1401-23 Planner's Initials: IB

Required Permits: Site Plan Review

THE ABOVE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM CEQA IN ACCORDANCE WITH STATE GUIDELINES SECTION

CLASS 1 SECTION 15301

Statement of support for this finding:

THE PROPOSED PROJECT DOES NOT  
CHANGE THE USE AND SQUARE FOOT  
OF THIS EXISTING FACILITY

Contact Person:

Contact Phone:

562-570-5972

Signature:

Date:

5-20-14