

**CONDITIONS OF APPROVAL  
CASE NO. 1708-09/CUP 17-013  
622-628 E. Anaheim Street  
September 6, 2018**

1. The use approved on the subject site is a restaurant with outdoor dining along with a Type 47 license to allow beer, wine and distilled spirits for on-site consumption.
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. Hours of operation shall be limited from 8:00 a.m. to 12:00 a.m. (midnight), seven days a week.
5. There shall be no expansion of the bar. The bar shall be maintained in size and square footage of floor area as shown on the current plans dated July 2018.
6. Windows shall not be obscured by placement of signs, dark window tinting, shelving, racks or similar obstructions.
7. A numbered address sign shall be located at the side of the building, to the satisfaction of the Long Beach Police Department.
8. The operator shall maintain full compliance with all applicable laws, Alcohol Beverage Control laws, ordinances, and stated conditions. In the event of a conflict between the requirements of this permit, Conditional Use Permit, or Alcoholic Beverage Control license, the more stringent regulation shall apply.
9. No publicly accessible telephones shall be maintained on the exterior of the premises. Any existing publicly accessible telephones shall be removed.
10. The sale of alcoholic beverages for off-premises consumption is strictly prohibited.

11. Exterior lighting shall be maintained to the satisfaction of the Police Chief and the Director of Development Services.
12. The operator of the approved use shall prevent loitering along the sidewalk area including landscaping areas serving the use during and after hours of operation. The operator must clean the sidewalk 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, private security guards.
13. 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.
14. The operator shall maintain exterior video security cameras at the front and rear of the business with full view of the public right-of-way. The cameras shall record video for a minimum of 30 days and be accessible via the Internet by the LBPD. A Public Internet Protocol (IP) address and user name/password to allow LBPD to view live and recorded video from the cameras over the Internet are also required. All video security cameras shall be installed to the satisfaction of the Police Chief, Director of Technology and Innovation, and Director of Development Services.
15. The subject location shall be maintained as a sit-down restaurant with a full menu available at the bar and the surrounding dining area. Any change in the operation shall be reviewed by the Director of Development Services to ensure compliance with this approval. Any major modifications shall be reviewed by the Planning Commission.
16. Any and all employees hired to sell alcoholic beverages shall provide evidence that they have either:
  - a. Completed training from the State of California Alcoholic Beverage Control "Leadership and Education in Alcohol and Drugs" (LEAD) Program, as confirmed by receipt of an ABC-issued certificate of completion; or
  - b. Completed equivalent training acceptable to the ABC District Office to ensure proper distribution of beer, wine, distilled spirits, tobacco, and inhalants to adults of legal age.

If any prospective employee designated to sell alcoholic beverages, tobacco or

inhalants does not currently have such training then:

- c. The ABC-licensed proprietors shall have confirmed with the Development Services Department within 15 days of the final approval of the CUP or within 15 days of the opening to the public of a new store, 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
- d. Within 30 days of taking said course the employee(s) or responsible employer shall deliver to the Planning Department each required LEAD Program Certificate evidencing completion of said course.

**Standard Conditions:**

- 17. 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.
- 18. 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.
- 19. 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).
- 20. 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.
- 21. The Director of Development Services is authorized to make minor modifications to the approval design plans or 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.
- 22. 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).

23. Any graffiti found on site must be removed within 24 hours of its appearance.
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.

**CONDITIONS OF APPROVAL**  
**CASE NO. 1708-09/CUP 17-014**  
**622-628 E. Anaheim Street**  
**September 6, 2018**

1. The use approved on the subject site is a new surface parking lot which will be utilized by the adjacent commercial building located at 622-628 E. Anaheim Street.
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).
4. If, for any reason, there is a violation of any of the conditions of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.
5. 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 the time of closing escrow.
6. 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).
7. 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.
8. The Director of Development Services is authorized to make minor modifications to the approved design plans or 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.

9. 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).
10. Any graffiti found on site must be removed within 24 hours of its appearance.
11. 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.
12. 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.
13. Site development, including landscaping, shall conform to the approved plans on file in Long Beach Development Services. At least one set of approved plans containing Planning, Historic Preservation, 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.
14. All landscaped areas must be maintained in a neat and healthy condition. Any dying or dead plant 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.
15. 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.



16. Adequately-sized trash enclosures shall be designed and provided for this project as per LBMC Section 21.45.167. The designated trash area shall not abut a street or a public walkway and shall be placed at an inconspicuous location on the property. Trash enclosures shall be designed to complement the building architecture, screened on all sides and provided for easy access. Prior to the issuance of a building permit, detailed drawings of these enclosures shall be submitted to the Director of Development Services for review and approval of the enclosure designs and materials. Trash enclosures require a separate permit.
17. The Department of Development Services and the Long Beach Police Department shall have the authority to review the site for security issues, 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.
18. 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. Saturdays: 9:00 a.m. to 6:00 p.m.; and
  - c. Sundays: Not permitted

### **Public Works Conditions**

#### **General Requirements**

- a. Prior to the start of any on-site/off-site construction, the Developer shall submit a construction plan for pedestrian protection, construction area perimeter fencing with custom-printed screen(s), street lane closures, construction staging, shoring excavations and the routing of construction vehicles (excavation hauling, concrete and other deliveries, etc.).
- b. The Developer proposes potential encroachments into the public rights-of-way consisting of doors adjacent to the public right-of-way. All door openings swinging into public rights-of-way shall be eliminated or set back, to the satisfaction of the Director of Public Works. Construction plans shall be submitted to the Department of Public Works for all encroachments over the public right-of-way, to be reviewed for approval as to compliance with California Building Code Chapter 32, to the satisfaction of the Director of Public Works.
- c. All refuse and recycling receptacles shall be subject to the standards and requirement of Long Beach Municipal Code Chapter 8.60, including receptacle specifications and placement for collection.

- d. The Developer shall remove the existing decorative pavers along Lime Avenue adjacent to the project site and replace with Portland cement concrete, to the satisfaction of the Director of Public Works.

**Public Right-of-Way**

- e. The Developer shall dedicate and improve an additional five feet of right-of-way for alley widening purposes and improve the full width of the alley right-of-way adjacent to the development site, relocating all existing facilities as necessary to accommodate the alley widening.
- f. 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, as determined during the plan check process, the right-of-way dedication shall be provided.

**Engineering Bureau**

- g. The Developer shall reconstruct the full width of the alley adjacent to the project site with Portland cement concrete, to the satisfaction of the Director of Public Works. All utility poles along the proposed alley widening shall be relocated by the Developer at project expense and to the satisfaction of the Director of Public Works.

Note: The Developer shall coordinate alley improvements with the proposed development adjacent to the west side of Broadway Court, which has overlapping project requirements, to share improvement costs and avoid unnecessary rework.

- h. The Developer shall widen the alley with additional Portland cement concrete by five feet, to the satisfaction of the Director of Public Works.
- i. The Developer shall reconstruct the alley intersection at East Anaheim Street to align with the new alley widening. The Developer shall construct the alley intersection to meet full ADA compliance. Alley improvements shall be constructed with Portland cement concrete to the satisfaction of the Director of Public Works.
- j. The Developer shall provide for or install on-site alley lighting to the improved alley adjacent to the project site, to the satisfaction of the Director of Public Works.
- k. The Developer shall check with the Long Beach Water Department at (562) 570-2300 and the Energy Resources Department at (562) 570-2000 for scheduled main replacement work prior to submitting alley improvement plans to the Department of Public Works.



- l. The Developer shall demolish the existing sidewalk and curb ramp located adjacent to the project site at the corner of East Anaheim Street and Lime Avenue, and construct a new ADA-compliant curb ramp to the satisfaction of the Director of Public Works.
- m. The Developer shall reconstruct the sidewalk paving along East Anaheim Street and Lime Avenue adjacent to the project site. Sidewalk improvements shall be constructed with Portland cement concrete to the satisfaction of the Director of Public Works. All sidewalk removal limits shall consist of entire panel replacements (from joint line to joint line).
- n. The Developer shall improve the parkway along Lime Avenue fronting this project with new grass or drought-tolerant accent shrubbery and permeable groundcover, such as decomposed granite, as described in Section 21.42.050 of the Municipal Code.
- o. The Developer shall remove unused driveways and curb cuts, 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.
- p. The Developer shall install Custom Printed Flex Mesh screen(s) along the perimeter of the development site, such as FenceScreen.com Series 311, or equivalent, fence screening, and provide for the printed graphic to the satisfaction of the Director of Public Works. The graphics shall depict positive images of the City or other artistic concepts. Prior to submitting the graphic design for printing, the Developer shall consult with the Department of Public Works to review and approve.
- q. The Developer shall be responsible for the maintenance, repair and replacement of off-site improvements abutting the project boundary during construction of the on-site improvements, until final inspection of the on-site improvements by the City. All off-site improvements, adjacent to the development site and/or along the truck delivery route, 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.
- r. The Developer shall provide for the resetting to grade of existing manholes, pull boxes, and meters in conjunction with the required off-site improvements, to the satisfaction of the Director of Public Works.
- s. All work within the public right-of-way must be performed by a contractor holding a valid State of California Contractor's License and City of Long Beach Business License, sufficient to qualify the contractor to do work. The Contractor shall have on file with the City Engineer a Certificate of General Liability insurance, and

endorsement evidencing minimum City of Long Beach limits of required general liability insurance.

- t. Public improvements shall be constructed in accordance with Public Works construction standards, and per plans reviewed and approved by the Department of Public Works. The City's Public Works Engineering Standard Plans are available online at [www.longbeach.gov/pw/resources/engineering/standard-plans](http://www.longbeach.gov/pw/resources/engineering/standard-plans). Prior to issuance of a building permit, detailed off-site improvement plans shall be prepared by a licensed Civil Engineer, stamped, signed and submitted to Public Works for review and approval.
- u. All conditions of approval, including cover letter signed by the Planning Officer and Case Planner, must be printed verbatim on all plans submitted for plan review to the Department of Public Works.

#### **Traffic & Transportation Bureau**

- v. The size and configuration of all proposed driveways serving the project site shall be subject to review and approval of the City Traffic Engineer. Any driveways greater than 28 feet require a variance; contact the Traffic & Transportation Bureau at (562) 570-6331 to request additional information regarding driveway construction requirements.
- w. 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.
- x. The Developer shall replace all traffic signs and mounting poles damaged or misplaced as a result of construction activities to the satisfaction of the City Traffic Engineer.
- y. The Developer shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
- z. The Developer shall contact the Traffic & Transportation Bureau at (562) 570-6331 to modify any existing curb marking zones adjacent to the project site.
- aa. 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), 2012 or current edition (i.e., white parking stalls, stop signs, entry treatment signage, handicapped signage, etc.).
- bb. The Developer shall be responsible to provide new decorative bicycle racks along East Anaheim Street to the satisfaction of the City Traffic Engineer.