

**FINDINGS**  
**CONDITIONAL USE PERMIT (CUP18-023)**  
**6141 - 6191 Atlantic Avenue**  
**Application No. 1706-11**  
**October 4, 2018**

Pursuant to Section 21.25.206 of the Long Beach Municipal Code, a Conditional Use Permit can be granted only when positive findings are made consistent with the following criteria set forth in the Zoning Ordinance. These findings and staff analysis are presented for consideration, adoption and incorporation into the record of proceedings:

1. **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 request is to establish a drive-through restaurant use for an existing fast food establishment located in Unit 6191 of the proposed project. This 2,162-square-foot structure is located near the corner of Atlantic Avenue and Harding Street. The drive-through lane will measure 160 linear feet and will exceed the 150-foot minimum queuing distance required for this use.

The parking requirement for the fast food restaurant use is calculated at the ratio of ten parking spaces per 1,000 square feet of gross floor area. As such 2,162-square-foot (less 302-square feet of restroom/utility area) calculated for Unit 6191 requires 19 parking spaces.

The subject site is currently located in an area of General Plan designated as Land Use Designation (LUD) No. 8A Traditional Retail Strip Commercial District. This LUD allows for retail and services uses primarily intended to serve local neighborhood needs. The project will improve the existing center's compatibility with the surrounding neighborhood through improved access, parking, landscaped and shared patio area. The drive-through established for the restaurant use is allowed within the Commercial Neighborhood Automobile-Oriented District (CNA), and will be in conformance with the General Plan as a retail-service related use.

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**

The location of the drive-through lane will wrap around three sides of the building but have primary visibility within the shopping center and along Atlantic Avenue. The drive-through will have a 160-linear-foot drive-through lane meeting the 150-linear foot queuing requirement. The drive-through lane has been designed to maximize the safe and efficient movement of vehicles and pedestrians. All pedestrian crossing occurring through the drive-throughs will be located at the end

of the drive through lane. The project, as designed, will therefore not be detrimental to the surrounding community.

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

Chapter 21.52 of the Zoning Regulations contains special conditions for fast-food restaurant uses. The following conditions shall apply to fast-food restaurants:

**a. THE SITE SHALL NOT ADJOIN OR ABUT A RESIDENTIAL USE DISTRICT;**

The project site is bounded by Atlantic Avenue to the east, Harding Street to the north, 61<sup>st</sup> Street to the South, and Linden Avenue to the west. The closest residential district to the project site is located north, south and west of the project, but is separated by a street. Therefore, the site does not adjoin or abut a residential use district.

**b. THE PROPOSED SITE SHALL NOT INTERRUPT OR INTRUDE INTO A CONCENTRATION OF RETAIL USES AND SHALL NOT IMPEDE PEDESTRIAN CIRCULATION BETWEEN RETAIL USES;**

The restaurant's drive-through lane will not interrupt or intrude into a concentration of retail uses or impede pedestrian circulation between retail uses. The drive-through lane has been well integrated into the overall development of the shopping center with adequate queuing and maneuvering space. The pedestrian experience and circulation has been addressed within the project site. There are pedestrian paths available from various locations of the site including Atlantic and Linden Avenues, and from the parking lot area.

**c. THE USE SHALL NOT CONSTITUTE A NUISANCE TO THE AREA DUE TO NOISE, LITTER, LOITERING, SMOKE OR ODOR; AND**

Conditions of approval addressing noise, loitering, and property maintenance are incorporated for this project to limit adverse effects caused by the proposed drive-through facility.

**d. ORDER BOARD SPEAKERS SHALL BE ORIENTED AND DIRECTED AWAY FROM ADJACENT RESIDENTIAL USES.**

The order board speakers will be placed in a location directed away from adjacent residential uses. A condition of approval will be incorporated for the project to ensure compliance with this requirement.

**FINDINGS**  
**CONDITIONAL USE PERMIT (CUP18-024)**  
**6141 - 6191 Atlantic Avenue**  
**Application No. 1706-11**  
**October 4, 2018**

Pursuant to Section 21.25.206 of the Long Beach Municipal Code, a Conditional Use Permit can be granted only when positive findings are made consistent with the following criteria set forth in the Zoning Ordinance. These findings and staff analysis are presented for consideration, adoption and incorporation into the record of proceedings:

1. **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 request is to establish a drive-through restaurant use for an existing fast food establishment located in Unit A2 of the proposed project. This 2,015-square-foot structure is located near the corner of Atlantic Avenue and 61<sup>st</sup> Street. The drive-through lane will measure 150 linear feet and will meet the minimum queuing distance required for this use.

The parking requirement for the fast food restaurant use is calculated at the ratio of ten parking spaces per 1,000 square feet of gross floor area. As such 2,015-square- feet (less 323-square-feet of restroom/utility area) calculated for Unit A2 requires 17 parking spaces.

The subject site is currently located in an area of General Plan designated as Land Use Designation (LUD) No. 8A Traditional Retail Strip Commercial District. This LUD allows for retail and services uses primarily intended to serve local neighborhood needs. The project will improve the existing center's compatibility with the surrounding neighborhood through improved access, parking, landscaped and shared patio area. The drive-through established for the restaurant use is allowed within the Commercial Neighborhood Automobile-Oriented District (CNA), and will be in conformance with the General Plan as a retail-service related use.

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**

The location of the drive-through lane will wrap around two sides of the building and have primary visibility within the shopping center and along 61<sup>st</sup> Street. The drive-through will have a 150-linear-foot drive-through lane meeting the required queuing length. The drive-through lane has been designed to maximize the safe and efficient movement of vehicles and pedestrians. Pedestrian crossing occurring through the drive-through at the end of the drive through lane. The

project, as designed, will therefore not be detrimental to the surrounding community.

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

Chapter 21.52 of the Zoning Regulations contains special conditions for fast-food restaurant uses. The following conditions shall apply to fast-food restaurants:

**a. THE SITE SHALL NOT ADJOIN OR ABUT A RESIDENTIAL USE DISTRICT;**

The project site is bounded by Atlantic Avenue to the east, Harding Street to the north, 61<sup>st</sup> Street to the South, and Linden Avenue to the west. The closest residential district to the project site is located north, south and west of the project, but is separated by a street. Therefore, the site does not adjoin or abut a residential use district.

**b. THE PROPOSED SITE SHALL NOT INTERRUPT OR INTRUDE INTO A CONCENTRATION OF RETAIL USES AND SHALL NOT IMPEDE PEDESTRIAN CIRCULATION BETWEEN RETAIL USES;**

The restaurant's drive-through lane will not interrupt or intrude into a concentration of retail uses or impede pedestrian circulation between retail uses. The drive-through lane has been well integrated into the overall development of the shopping center, with adequate queuing and maneuvering space. The pedestrian experience and circulation has been addressed within the project site. There are pedestrian paths available from various locations of the site including Atlantic and Linden Avenues, and from the parking lot area.

**c. THE USE SHALL NOT CONSTITUTE A NUISANCE TO THE AREA DUE TO NOISE, LITTER, LOITERING, SMOKE OR ODOR; AND**

Conditions of approval addressing noise, loitering, and property maintenance are incorporated for this project to limit adverse effects caused by the proposed drive-through facility.

**d. ORDER BOARD SPEAKERS SHALL BE ORIENTED AND DIRECTED AWAY FROM ADJACENT RESIDENTIAL USES.**

The order board speakers will be placed in a location directed away from adjacent residential uses. A condition of approval will be incorporated for the project to ensure compliance with this requirement.