

FINDINGS
CONDITIONAL USE PERMIT (CUP18-019)
6600 Atlantic Avenue
Application No. 1806-25
December 6, 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;**

Positive Finding

The request consists of Conditional Use Permit (CUP18-019) to establish a drive- through lane for the restaurant at Pad 1 of a new shopping center located at 6600 Atlantic Avenue in the Community Automobile-Oriented District (CCA). (District 9).

Pad 1 located on the westerly side of the shopping center will consist of a 2,653-square-foot building with drive-through lane measuring 209 linear feet and will exceed the 150-foot minimum queuing distance required for this use which can account for up to 10 vehicles. The drive-through will be visible from Atlantic Avenue and will wrap along three sides of the building. The drive-through although visible from the right of way will a 18-foot buffer of landscape along Atlantic Avenue from the required 5-foot minimum.

The parking requirement for the restaurant uses are calculated at the ratio of one parking space per 1,000 square feet of dining area. As such 1,326-square feet of dining area requires 14 stalls. The Pad 1 will also have a 250-square-foot patio/dining area will be exempt from any additional required parking. 18 stalls will be provided for Pad 1 which will have a surplus of four stalls. The project along with its included conditions of approval will carry out the zoning regulations applying to this district.

The subject site is currently located in an area of General Plan designated as Land Use Designation (LUO) No. SN - Shopping Node and SA Traditional Retail Strip Commercial District. Both LUD's allows for retail and services uses

FINDINGS
CONDITIONAL USE PERMIT (CUP18-020)
6600 Atlantic Avenue
Application No. 1806-25
December 6, 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;**

Positive Finding

The request consists of Conditional Use Permit (CUP18-020) to establish a drive-through lane for the restaurant at Pad 3 of a new shopping center located at 6600 Atlantic Avenue in the Community Automobile-Oriented District (CCA). (District 9).

Pad 3 will consist of a 1,990-square-foot building intended for the use of a restaurant or ready to eat restaurant with a drive-through lane which will have 189 linear feet and will exceed the 150-foot minimum queuing distance required for this use which can account for up to 10 vehicles. The drive-through will be visible from Artesia Boulevard and Lime Avenue and will wrap two sides of the building. The drive-through although visible from the right of way will have a 12-foot buffer of landscape along Artesia Boulevard and Lime Avenue from the required 5-foot minimum.

The parking requirement for the restaurant uses are calculated at the ratio of one parking space per 1,000 square feet of dining area. As such 50% of 1,990 square feet of dining area for Pad 3 requires 10 parking stalls. Pad 3 will also have a 250-square-foot outdoor patio/dining area exempted from any additional required parking. 16 stalls will be provided for Pad 3 which will create a surplus of six stalls. The project along with its included conditions of approval will carry out the zoning regulations applying to this district.

The subject site is currently located in an area of General Plan designated as Land Use Designation (LUD) No. 8N – Shopping Node and 8A Traditional Retail Strip Commercial District. Both LUD's allows for retail and services uses primarily intended to serve local neighborhood needs and would be compatible land uses for the proposed project. The drive-through established for the restaurant uses is allowed within the Community Automobile-Oriented District (CCA), and will in conformance with the General Plan as a retail-service related use. The project provides access to good and services in a center with an outdoor plaza which is

currently unavailable. Furthermore, the configuration of the site and drive through is consistent with the General Plan as it is designed to be sensitive to nearby residential uses.

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

Positive Finding

The location of the drive-through lane will wrap around two sides of the building but have primary visibility along Artesia Boulevard and Lime Avenue. The 289-linear-foot drive through lane both designed to accommodate a high volume of vehicles which exceeds the 150-linear foot minimum queuing distance required for a bank use. The drive-through lane will be designed to maximize the safe and efficient movement of vehicles and pedestrians. The pedestrian crossing occurring through the drive-through will be located along the beginning or end of the drive-through lane.

To offset any visual impacts associated with the facilities, enhanced landscaping (including a variety of ground cover, shrubs, and tree specimens) have been provided in the yard areas along Artesia Boulevard and Lime Avenue and will also have new street trees in the right of way. The project as designed, will therefore not be detrimental to the surrounding community. The project provides access to good and services in a center with an outdoor plaza which is currently unavailable.

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;

Positive Finding

The Project site is bounded by Atlantic Avenue to the west, an alley to the North Artesia Boulevard to the South, and Lime Avenue to the east. The closest residential district to the project site is located north, south and further east of the project however is separated by either an alley or 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;

Positive Finding

The Project's drive-through lane will not interrupt or intrude into a concentration of retail uses or impede pedestrian circulation between retail uses. The projects drive-through lane has been well integrated into the overall development of the shopping center, with adequate spacing between each entry and exit lane, and have adequate queuing and maneuvering space. The pedestrian experience and circulation has been a focal point on the programming for the site. The primary entry/pathway will be placed along the northeast corner of Atlantic Avenue and Artesia Boulevard, two additional pathways are proposed along Artesia Boulevard, and one additional pathway along Lime Avenue. All of which will not be impede with the projects proposed drive-through.

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

Positive Finding

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

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

Positive Finding

The drive-throughs will have ample opportunity to place the order board speakers 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
Administrative Use Permit (AUP18-004)
6600 Atlantic Avenue
Application No. 1806-25
December 6, 2018

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.**

Positive Finding

The request is to establish a bank with drive-through in a new 11,013- square-foot commercial shopping center. The bank is identified as Pad 2 on the plans located towards the center of the site will consist of a 2,750-square-foot building and have a 166-linear-foot drive-through lane, which exceeds the 100-foot minimum queuing distance required by code. The drive-through can account for up to nine vehicles.

The parking requirement for the bank use (other retail or personal service) is calculated at the ratio of four parking spaces per 1,000 square feet of gross floor area. The bank use requires 14 stalls and the site will provide 16 stalls as part of the associated entitlements filed for this project for the development of this use through the Site Plan Review (SPR18-036) and Tentative Parcel Map (TPM18-003) entitlements filed for this project. The project along with its included conditions of approval will carry out the zoning regulations applying to this district.

The subject site is currently located in an area of General Plan designated as Land Use Designation (LUD) No. 8N – Shopping Node and 8A Traditional Retail Strip Commercial District. Both LUD's allows for retail and services uses primarily intended to serve local neighborhood needs and would be compatible land uses for the proposed project. The drive-through established for the bank is allowed with an AUP in the Community Automobile-Oriented District (CCA), and is in conformance with the General Plan as a service related use. The area is generally under-served by banking institutions the drive through lane in this location will provide enhanced convenience to the banks services.

2. THE APPROVAL WILL NOT BE DETRIMENTAL TO THE SURROUNDING COMMUNITY INCLUDING PUBLIC HEALTH, SAFETY, GENERAL WELFARE, ENVIRONMENTAL QUALITY OR QUALITY OF LIFE.

Positive Finding

The drive-through lane will wrap the south and east elevations of the building. The 166-linear-foot drive-through lane has been designed to exceed the 100-linear-foot minimum queuing distance required for a bank use. The drive-through lane has been designed to maximize the safe and efficient movement of vehicles and pedestrians through and around the site. To offset any visual impacts associated with the facilities, enhanced landscaping (including a variety of ground cover, shrubs, and tree specimens) have been provided along Artesia Boulevard and in the right-of-way. The project, as designed, will therefore not be detrimental to the surrounding community. In fact the project reuses a currently undeveloped site and which will serves the general welfare by providing access to bank services.

3. THE APPROVAL IS IN COMPLIANCE WITH THE SPECIAL CONDITIONS FOR THE USE ENUMERATED IN CHAPTER 21.52; AND

Not Applicable

Chapter 21.52 of the Zoning Regulations contains special conditions for bank uses. The following conditions shall apply to a bank, credit union, or savings and loan located in the CNP (commercial neighborhood pedestrian oriented) zone:

a. THE PROJECT MUST COMPLY WITH SECTION 21.32.230, "DESIGN OF BUILDINGS".

The project is zoned in the Community Automobile-Oriented District (CCA), and is therefore not applicable to this requirement.

b. DRIVE-THRU WINDOWS or DRIVE-THRU AUTOMATED TELLER MACHINES ARE PROHIBITED.

The project is zoned in the Community Automobile-Oriented District (CCA), and is therefore not applicable to this requirement.

c. NO NEW CURB CUTS SHALL BE PERMITTED FOR A NEW OR EXISTING BANK, CREDIT UNION, OR SAVINGS AND LOAN IN LOCAL COASTAL PLANNING AREA D (SECOND STREET, BETWEEN LIVINGSTON AND BAYSHORE).

The project is zoned in the Community Automobile-Oriented District (CCA), and is therefore not applicable to this requirement.

- d. INTERIOR AND EXTERIOR LIGHTING, WINDOW DISPLAYS, AND OTHER ARCHITECTURAL FEATURES SHALL BE INCLUDED IN THE BUILDING STREET FRONTAGES TO PROVIDE PEDESTRIAN INTEREST DURING NONOPERATIONAL HOURS.**

The project is zoned in the Community Automobile-Oriented District (CCA), and is therefore not applicable to this requirement.

- e. PROJECTS IN LOCAL COASTAL PLANNING AREA D (SECOND STREET, BETWEEN LIVINGSTON AND BAYSHORE) THAT QUALIFY FOR THE ONE-HALF (½) RATE PARKING STANDARD PURSUANT TO SUBSECTION 21.41.226.A SHALL MAKE THEIR PARKING FACILITIES AVAILABLE FOR PUBLIC PARKING DURING NONOPERATIONAL HOURS.**

The project is zoned in the Community Automobile-Oriented District (CCA), and is therefore not applicable to this requirement.

- 4. THE RELATED DEVELOPMENT APPROVAL, IF APPLICABLE, IS CONSISTENT WITH THE GREEN BUILDING STANDARDS FOR PUBLIC AND PRIVATE DEVELOPMENT, AS LISTED IN SECTION 21.45.400**

Not Applicable

The project contains less than 50,000 square feet of new non-residential development and is therefore not applicable to this requirement.

FINDINGS

Vesting Tentative Parcel Map (TPM18-003)

6600 Atlantic Avenue

Application No. 1806-25

December 6, 2018

Pursuant to Section 20.12.100 of the Long Beach Municipal Code, the Planning Commission shall approve a tentative map if it complies with State and Local regulations. The tentative map can be granted only when positive findings are made consistent with the following criteria set forth in the Subdivision regulations.

1. THAT THE PROPOSED MAP IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS;

Positive Finding

The subject site is currently located in an area of General Plan designated as Land Use Designation (LUD) No. 8N – Shopping Node and 8A Traditional Retail Strip Commercial District. Both LUD's allows for retail and services uses primarily intended to serve local neighborhood needs and would be compatible land uses for the proposed project. Therefore, the proposed map would be consistent with these designations, and is in conformance with the General Plan.

With a condition of approval requiring a reciprocal parking and access agreement to be recorded for each of the parcels, the proposed subdivision is consistent with the zoning and development standards of the Community Automobile-Oriented District (CCA) district and subdivision requirements of Title 20 of the municipal code as outlined in the table below

Table 1: Vesting Tentative Parcel Map 82403

PARCELS	DESCRIPTION	LOT SIZE	PARKING
Parcel 1	Pad 1- Restaurant	Required: 10,000 SF Provided: 21,134 SF	Required: 14 Provided: 19
Parcel 2	Shops & (2) Container Buildings- Restaurant	Required: 10,000 SF Provided: 21,134 SF	Required: 34 Provided: 34
Parcel 3	Pad 2- Bank	Required: 10,000 SF Provided: 21,775 SF	Required: 14 Provided: 16
Parcel 4	Pad 3- Restaurant	Required: 10,000 SF Provided: 19,560 SF	Required: 10 Provided: 16

2. THAT THE DESIGN OR IMPROVEMENT OF THE PROPOSED SUBDIVISION IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS;

Positive Finding

The design and improvement of the proposed subdivision has been determined to be consistent with the Land Use Element and General Plan for a commercial development and the zoning regulations in the Community Automobile-Oriented District (CCA). The Site Plan Review Committee approved the projects design and conformance with the interdepartmental reviews of the project on September 12, 2018.

3. THAT THE SITE IS PHYSICALLY SUITABLE FOR THE TYPE OF DEVELOPMENT;

Positive Finding

The 11,013-square-foot single-story development with 81 parking stalls will consist of restaurants pads, a bank, and outdoor community gathering space on a 93,045-square-foot lot. The size and configuration of the development will be designed to accommodate the allowable buildings square footage, height, setbacks, parking, parking lot configuration, drive-through queuing lanes, back-up aisles, landscaping, etc. Therefore, the site will be physically suitable to account for land divisions of the shopping center.

4. THAT THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT;

Not Applicable

The 11,013-square-foot single-story development with 81 parking stalls will consist of restaurants pads, a bank, and outdoor community gathering space on a 93,045-square-foot lot. The property is zoned CCA and will consist solely of commercial uses which would be in compliance with the allowable Floor Area Ratio's (FAR) required within the district. Given there is no residential uses proposed or allowed in the district, no density regulation would apply. Therefore, this Finding is not applicable.

5. THAT THE DESIGN OF THE SUBDIVISION OR THE TYPE OF IMPROVEMENT ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIAL AND UNAVOIDABLE INJURY TO FISH AND WILDLIFE OR THEIR HABITAT;

Positive Finding

The project is located in an urbanized area and was reviewed as a Class 32, Categorical Exemption which technical studies provided did not conclude any substantial environmental concerns related to the proposed project. The project currently consists of an interim parking lot primarily consisting of dirt, asphalt, and

minimal groundcover. There are no mature trees or shrubs on the site nor natural body of water. The subdivision will not create a concern or threat to fish and wildlife in their natural habitat.

4. THAT THE DESIGN OF THE SUBDIVISION OR THE TYPE OF IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH OR SAFETY PROBLEMS; AND

Positive Finding

The 11,013-square-foot single-story development with 81 parking stalls will consist of restaurants pads, a bank, and outdoor community gathering space on a 93,045-square-foot lot. The four-parcel subdivision will be drawn across the common parking lot area which will not affect the required parking, building and parking lot setbacks, lot size, or the individual operation of each parcel if the subdivision were to occur. Therefore, site will be physically suitable to account for this subdivision and will be within the development parameters outlined in the Zoning and Subdivision code.

The Site Plan Review Committee approved the projects design and conformance with the interdepartmental reviews including traffic, general circulation of the site, the pedestrian experience, safety, and noise of the project on September 26, 2018. As conditioned, the proposed subdivision will not pose a serious public health or safety problems are identified as part of this request.

5. THE DESIGN OF THE SUBDIVISION OR THE TYPE OF IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PORPERTY WITHIN THE PROPOSED SUBDIVISION.

Positive Finding

All concerned City Departments have reviewed the Vesting Tentative Parcel Map and it has been found that the design and improvements of the site will not conflict with public access easements. All required easements and utility locations will be provided for prior to the recordation of the final map.

primarily intended to serve local neighborhood needs and would be compatible land uses for the proposed project. The drive-through established for the restaurant use is allowed within the Community Automobile -Oriented District (CCA), and will in conformance with the General Plan as a retail-service related use. The project provides access to good and services in a center with an outdoor plaza which is currently unavailable. Furthermore, the configuration of the site and drive through

is consistent with the General Plan as it is designed to be sensitive to nearby residential uses.

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

Positive Finding

The location of the drive-through lane will wrap around three sides of the building but have primary visibility along Atlantic Avenue. The 209-linear-foot drive-through lane will be able to accommodate up to 10 vehicles which exceeds the 150-linear foot minimum queuing distance required for a restaurant use. The drive-through lane will be designed to maximize the safe and efficient movement of vehicles and pedestrians. The pedestrian crossing occurring through the drive-through will be located along the beginning or end of the drive-through lane.

To offset any visual impacts associated with the facilities, enhanced landscaping (including a variety of ground cover, shrubs, and tree specimens) have been provided in the yard areas along the Atlantic Avenue and will also have new street trees in the right of way. The project as designed, will therefore not be detrimental to the surrounding community. The project provides access to good and services in a center with an outdoor plaza which is currently unavailable.

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;

Positive Finding

The Project site is bounded by Atlantic Avenue to the west, an alley to the North Artesia Boulevard to the South, and Lime Avenue to the east. The closest residential district to the project site is located north, south and further east of the project however is separated by either an alley or 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;**

Positive Finding

The Project's drive-through lane will not interrupt or intrude into a concentration of retail uses or impede pedestrian circulation between retail uses. The projects drive-through lane has been well integrated into the overall development of the shopping center, with adequate spacing between each entry and exit lane, and have adequate queuing and maneuvering space. The pedestrian experience and circulation has been a focal point on the programming for the site. The primary entry/pathway will be placed along the northeast corner of Atlantic Avenue and Artesia Boulevard, two additional pathways are proposed along Artesia Boulevard, and one additional pathway along Lime Avenue. All of which will not be impede with the projects proposed drive-through.

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

Positive Finding

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

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

Positive Finding

The drive-throughs will have ample opportunity to place the order board speakers 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.