

FINDINGS
Conditional Use Permit (CUP19-004)
7575 Carson Boulevard
Case No. 1901-17
August 22, 2019

Pursuant to Section 21.25.206 of the Long Beach Municipal Code, a Conditional Use Permit for an arcade 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 subject property is located in General Plan Land Use District (LUD) #8 – Major Commercial Corridor District and is not within a coastal zone therefore the Local Coastal Project is not applicable. LUD #8 is established specifically for use along several major business corridors in the City that has the characteristics of the Mixed-Use District allow uses such as office, retail, restaurant and similar uses. With the approval of a Conditional Use Permit, the sales of beer, wine, and distilled spirits for on-site consumption for the proposed 41,394 S.F. Dave & Buster's Restaurant that will include an amusement arcade and is compatible with and conforms to both the General Plan LUD and the zoning district. Conditions of approval have been included to prevent nuisances and minimize negative impacts to surrounding areas.

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

With standard conditions of approval and those recommended by the Long Beach Police Department (LBPD) incorporated, approval of a Conditional Use Permit to the proposed 41,394 S.F. Dave & Buster's Restaurant that will include an amusement arcade with sufficient established operating procedures to ensure that the use will not cause any nuisance impacts upon the community.

In addition, to further reduce negative impacts to the community, the applicant has provided an security plan that will help prevent the listed problems by providing a camera surveillance system through the site with Live Monitoring, two (2) security guards who walk the entire commercial center from 6 a.m. to midnight Sunday through Saturday and one (1) security guard on premises from midnight to 6 a.m. Sunday through Saturday. specifying additional safety measure strategies that will be incorporating with the operation.

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

A. The use shall not be located within five hundred feet (500') of a residential district or a public school.

The nearest residential district (R-1-N district) is approximately 2,000 feet to the southwesterly side of the site and the nearest public school, McBride High School, is located approximately 2,000 feet west of the project site, which is in conformance with Section 21.52.203 of the Zoning Regulations.

B. The operator of the use shall demonstrate an ability to prevent problems related to potential noise, littering, loitering, crowd control and parking.

Conditions of approval require the applicant to implement all security measures recommended by the Long Beach Police Department.

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.

This standard is not applicable as the project contains less than 50,000 square feet of new non-residential development. The project will result in a net increase of 13,281 square feet.

FINDINGS
Conditional Use Permit (CUP19-006)
7575 Carson Boulevard
Case No. 1901-17
August 22, 2019

Pursuant to Section 21.25.206 of the Long Beach Municipal Code, a Conditional Use Permit for on-premises alcohol sales 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 subject property is located in General Plan Land Use District (LUD) No. 8 – Major Commercial Corridor District and is not within a coastal zone therefore the Local Coastal Project is not applicable. LUD #8 is established specifically for use along several major business corridors in the City that has the characteristics of the Mixed-Use District allow uses such as office, retail, restaurant and similar uses. With the approval of a Conditional Use Permit, the sales of beer, wine, and distilled spirits for on-site consumption for the proposed 41,394 S.F. Dave & Buster's Restaurant that will include an amusement arcade is compatible with and conforms to both the General Plan LUD and the zoning district. Conditions of approval have been included to prevent nuisances and minimize negative impacts to surrounding areas.

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

With standard conditions of approval and those recommended by the Long Beach Police Department (LBPD) incorporated, approval of a Conditional Use Permit to allow the sale of beer, wine, and distilled spirits for on-site consumption (Type 47 license) at the subject site will not be detrimental to the surrounding community. The use will be located at the proposed 41,394 S.F. Dave & Buster's Restaurant that will include an amusement arcade with sufficient established operating procedures to ensure that the alcohol sales use will not cause any nuisance impacts upon the community.

In addition, to further reduce negative impacts to the community, the applicant has provided an operational statement specifying additional safety measure strategies that will be incorporating with the operation. According to the operational statement, Dave & Buster's has an NRA Responsible Alcohol Service Program (ServeSafe Program) that is nationally recognized, has a BARS Program that includes a secret shopper program to enforce proposed ID checks, and has a responsible alcohol program to further prevent underage drinking and proper measure of handling intoxicated guests.

Staff has also consulted this CUP request with the Long Beach Police Department, who have indicated no objection to approval of the Conditional Use Permit.

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

- A. The operator of the use shall provide parking for the use equivalent to the parking required for new construction regardless of the status of the previous use as to legal nonconforming rights;**

The project provides above the code-required number of parking spaces. The existing parking spaces are located throughout the entire commercial center. A total of 4,372 parking stalls exist within the site. As the site currently has over 100,000 square feet of existing building area, this site is considered a regional commercial shopping center, requiring five (5) parking spaces per each 1,000 square feet of gross floor area. Without factoring out the gross floor area of each tenant space, the site requires a total of 4,360 parking stalls, including the 13,281 square feet of building area net increase of the site, which is in compliance with the parking standards needed for the overall shopping center.

- B. The operator of the use shall provide night lighting and other security measures to the satisfaction of the Chief of Police;**

Conditions of approval require the applicant to implement all security measures recommended by the Long Beach Police Department.

- C. The operator of the use shall prevent loitering or other activity in the parking lot that would be a nuisance to adjacent uses and/or residential neighborhoods;**

A standard condition prohibiting loitering and other nuisance parking lot activities has been included in the project conditions of approval.

- D. The use shall not be in a reporting district with more than the recommended maximum concentration of the applicable on or off-premises sales use, as recommended by the State of California Alcoholic Beverage Control Board, nor with a high crime rate as reported by the Long Beach Police Department, except: (1) locations in the greater downtown area; or (2) stores of more than twenty thousand (20,000) square feet of floor area, and also providing fresh fruit, vegetables and meat, in addition to canned goods; and**

In consideration of a Conditional Use Permit application for the sale of alcoholic beverages, staff evaluated the number existing alcohol licenses in the subject

Census Tract, as well as the number of reported crimes in the subject Police Reporting District. Section 21.52.210 of the zoning regulations requires that the use shall not be in a reporting district with an over-concentration of alcohol sales, as recommended by the California Department of Alcoholic Beverage Control (ABC), and that the use shall not be in a reporting district with a high crime rate as reported by the Long Beach Police Department.

The project site is located within Police Reporting District 695, which is not considered a high-crime rate based on a crime rate of 107, which is lower than the high-crime rate threshold of 115. Although the project site is not located within a high-crime Reporting District, staff has consulted with the Long Beach Police Department (LBPD) to address concerns regarding potential nuisance impacts to the surrounding community. Several stringent conditions of approval have been included to monitor the operation of the bar and ensure that the use does not threaten public health, safety, or welfare.

According to the ABC License Stats provide from Long Beach Police Department, the census tract 9800.06 in which the subject site is located, does not allow for any licenses for on-site consumption based on ABC's criteria for population, which establishes a threshold for overpopulation within a census tract. There are currently twelve licenses in this census tract, making this census tract over concentrated. Approval of this Conditional Use Permit would allow an additional license (Type 47) for the on-site consumption of beer, wine, and distilled spirits for the proposed Dave & Buster's restaurant for a total of thirteen on-site alcohol licenses. Although Special Condition D prohibits the approval of a new alcohol license, Section 21.52.100 of the Long Beach Municipal Code allows the Planning Commission to waive certain conditions with written findings. To help further mitigate any impacts to the surrounding neighborhoods, staff has included a number of conditions of approval to address potential negative impacts to the community. Furthermore, staff has also consulted this CUP request with the Long Beach Police Department, who have indicated no objection to approval of the Conditional Use Permit.

- E. The use shall not be located within five hundred feet (500') of a public school, or public park, except: (1) locations in the greater downtown area; or (2) stores of more than twenty thousand (20,000) square feet of floor area, and also providing fresh fruit, vegetables and meat in addition to canned goods.**

The nearest public park, El Dorado Park, is approximately 1,000 feet to the southwesterly side of the site and the nearest public school, McBride High School, is located approximately 2,000 feet west of the project site, which is in conformance with Section 21.52.201 of the Zoning Regulations.

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.

This standard is not applicable as the project contains less than 50,000 square feet of new non-residential development. The project will result in a net increase of 13,281 square feet.

FINDINGS
Site Plan Review (MOD19-003)
7575 Carson Boulevard
Application No. 1901-17
August 22, 2019

Pursuant to Section 21.25.506 of the Long Beach Municipal Code, the Site Plan Review Committee or the Planning Commission shall not approve a Site Plan Review unless the following findings are made. These findings and staff analysis are presented for consideration, adoption and incorporation into the record of proceedings:

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

The proposed project located at 7575 Carson Boulevard would update an existing shopping center with a 42,948 square feet of building area for a future Dave & Buster's restaurant and a future tenant located in the Community-Automobile Oriented District (CCA) Zone.

The project site is bounded by Carson Boulevard to the north, the San Gabriel River to the west, El Dorado Park to the south and the San Gabriel River Freeway to the east. Adjacent to the site is commercial uses north of Carson Boulevard located in the City of Lakewood, commercial and single-family homes to the east located in the City of Hawaiian Gardens, and McBride High School along with single-family homes to the west of the site.

The project is developed with a contemporary style and design which includes a combination of stucco, aluminum store fronts, metal canopies, stone veneer, vertical and horizontal architectural elements found within the commercial center and landscaping. The project will improve the existing center's compatibility with the surrounding neighborhood through improved access, parking, landscaped and shared patio area. The Site Plan Review Committee was acceptable of the design and have requested additional landscaping elements along the north elevation to further soften the design as a condition of approval.

- 2. THE DESIGN CONFORMS TO ANY APPLICABLE SPECIAL DESIGN GUIDELINES ADOPTED BY THE PLANNING COMMISSION OR SPECIFIC PLAN REQUIREMENTS, SUCH AS THE DESIGN GUIDELINES FOR R-3 AND R-4 MULTI-FAMILY DEVELOPMENT, THE DOWNTOWN DESIGN GUIDELINES, PD GUIDELINES OR THE GENERAL PLAN;**

The project site is located in a Community-Automobile Oriented District (CCA) and is consistent with the zoning and meets the development standards of the CCA zoning district. The site is located in General Plan Land Use District (LUD) No. 8-

Major Commercial Corridor District. LUD 8 allows for retail, restaurant and related service uses primarily intended to serve the community needs and would be compatible land uses for the proposed project. Therefore, the project is consistent with this designation, and is in conformance with the General Plan.

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

The project site contains landscaping throughout the existing shopping center require the removal of some trees located in the existing outdoor dining area. Although the trees will be removed for the building area expansion, staff has added a condition of approval to add more trees and landscaping to the north elevation where the expansion will occur. The landscaping for the project site will add to the overall mixture of ground cover, shrubs, and potted plants which will be irrigated, and maintained per all applicable City standards.

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

As conditioned from the Public Works Department, the project will require the construction of all off-site improvements needed to provide full Americans with Disabilities Act (ADA) accessibility compliance within the public right-of-way adjacent to the project site. The project would also be required to dedicate and improve additional right-of-way necessary to satisfy unfulfilled ADA requirements. Additionally, the scope of work of this project will has been determined to require resolving any impacts to the existing underground/above ground utilities. All of the public improvements are necessary and required to ensure the proposed project's impacts from increased use of the public facilities and infrastructure are in compliance with all standards.

5. THE PROJECT CONFORMS WITH ALL REQUIREMENTS SET FORTH IN CHAPTER 21.64 (TRANSPORTATION DEMAND MANAGEMENT), WHICH REQUIREMENTS ARE SUMMARIZED IN TABLE 25 1 AS FOLLOWS:

The project contains less than 25,000 square feet of new non-residential development. The project is an existing shopping center that is expanding by 13,281 square feet, and therefore not subject to these requirements.

6. THE APPROVAL IS CONSISTENT WITH THE GREEN BUILDING STANDARDS FOR PUBLIC AND PRIVATE DEVELOPMENT, AS LISTED IN SECTION 21.45.400.

This standard is not applicable as the project contains less than 50,000 square feet of new non-residential development. The project will result in a net increase of 13,281 square feet.