



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

411 West Ocean Blvd., 3rd Floor Long Beach, CA 90802 (562) 570-6194

August 22, 2019

CHAIR AND PLANNING COMMISSIONERS

City of Long Beach
California

RECOMMENDATION:

Accept Categorical Exemption CE-19-162 and approve a Conditional Use Permit (CUP19-021) and a Local Coastal Development Permit (LCDP19-009) to allow on-premise alcohol sales (Alcoholic Beverage Control License – Type 47) within an existing restaurant and bar located in the Commercial Neighborhood Pedestrian (CNP) Zoning District at 5283 East 2nd Street. (District 3)

APPLICANT: Matt Tavlarides
PO Box 14725
Long Beach, CA 90853
(Application 1905-41)

DISCUSSION

The subject site is located on the north side of 2nd Street between La Verne Avenue and Glendora Avenue (Exhibit A – Vicinity Map). The site is part of the 2nd Street commercial strip and is immediately abutted with residential uses to the rear. The subject site is in General Plan Land Use District No. 8P (Pedestrian-Oriented Retail Strip District), within the CNP (Commercial Neighborhood Pedestrian-Oriented) Zoning District, and within the Coastal Zone.

Table 1: Adjacent Land Uses

| Direction | Land Use |
|---------------------------------------|-------------|
| North (across an alley) | Residential |
| South (across 2 nd Street) | Commercial |
| East | Commercial |
| West | Commercial |

The existing 2,705-square-foot building was most recently used as a restaurant and bar. The new operator of the site is requesting to upgrade the previous Alcoholic Beverage Control (ABC) license to a Type 47, On-sale General for a Bona Fide Public Eating Place, in conjunction with a remodel and addition to the structure. The interior and exterior remodel of the previous restaurant was submitted to the Development Services Department under a separate building permit, as that scope of work does not require an entitlement approval. The existing bar area will be reduced to a total of 25 linear feet (Exhibit B – Plans). Building permits have not been issued for the interior and exterior scope of work.

The upgrade of the ABC license is subject to a Conditional Use Permit (CUP). Subsequently, the CUP triggers a Local Coastal Development Permit (LCDP) within the Coastal Zone.

The purpose of CUPs is to allow a review of certain land uses to ensure it is compatible with surrounding uses, or, through the imposition of development conditions, can be made compatible with surrounding uses (Exhibit C – Conditions of Approval). In addition to the required CUP findings, the Long Beach Municipal Code Section 21.52.201 establishes special conditions that must be met for alcoholic beverage sales. The findings for alcoholic beverage sales include parking, the concentration of alcohol licenses as recommended by Alcoholic Beverage Control (ABC), and that the use not be in a reporting district with a high crime rate as reported by the Long Beach Police Department (LBPD). However, these special conditions may be waived with findings of fact (LBMC 21.52.100)

The existing site has no on-site parking, similar to many of the sites along 2nd Street due to previous zoning ordinances. The applicant's plans include site improvements which add three parking spaces (Exhibit B – Plans). It should be noted, however, that the previous configuration of the tenant space required 27 spaces. The net reduction of the required parking thus brings the site closer to conformance with current development standards.

The intent of the General Plan Land Use District No. 8P (Pedestrian-Oriented Retail Strip District) is to provide strip retail uses that cater primarily to pedestrian trade. The existing General Plan Land Use Element (1989) acknowledges that this land use district "may also have less parking for automobiles, and such parking may be located behind stores instead of in front of them." Small restaurants and bars, such as the existing tenant space and use, are noted as consistent land uses in LUD No. 8P. The existing and proposed use would conform to the pedestrian-oriented nature of the underlying zoning and general plan designation.

In considering this CUP application, staff evaluated the number of existing alcohol licenses in the subject census tract (Tract 5774.00). The subject property's census tract allows for three alcohol licenses as per ABC. Since the applicant is proposing a license type change, there will be no net increase of the 20 alcohol licenses issued for this census tract.

As for the crime rates, the subject Police Reporting District (District 583) yielded a crime rate of 128, whereas a rate of 115 is considered high-crime. In reviewing this application, LBPD was consulted to offer comments as to security and design. With the imposed conditions pertaining to site lighting, site design, and site security, LBPD was not opposed to this application. Moreover, the inherent discretionary conditions afforded by the CUP secures operational guidelines in perpetuity. As conditioned, staff recommend approval of this application.

Restaurant uses are permitted uses in the CNP zone and consistent with the intended uses in the General Plan Land Use District No. 8P (Pedestrian-Oriented Retail Strip

District). The Local Coastal Program (LCP) identifies the subject site, and the shopping strip along 2nd Street as a whole, as a commercial strip serving the adjacent neighborhoods and coastal visitors. As conditioned, the proposed restaurant and bar is consistent with the purpose of the LCP, the General Plan, and the existing zoning (Exhibit D – Findings).

Staff recommends that the Planning Commission accept Categorical Exemption CE-19-162 and approve a Conditional Use Permit (CUP19-021) and Local Coastal Development Permit (LCDP19-009), to allow on-premise alcohol sales (Alcoholic Beverage Control License – Type 21) within an existing restaurant and bar, subject to Conditions of Approval.

PUBLIC HEARING NOTICE

In accordance with provisions of the Long Beach Municipal Code, 1019 public hearing notices were distributed on August 5, 2019. As of the time of writing this report, staff has received no opposition on this project and six letters of support ranging from residents, to neighborhood and business associations (Exhibit E – Letters of Support).

ENVIRONMENTAL REVIEW

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, the project is exempt per Section 15301 – Existing Facilities Class 1(a), as the scope of the project is within an existing structure. (CE-19-162).

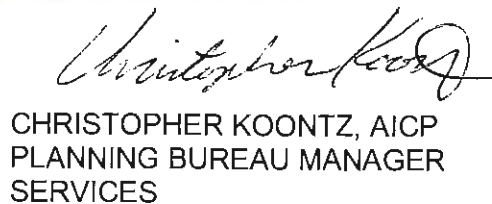
Respectfully submitted,



JONATHAN INIESTA
PROJECT PLANNER



ALEXIS OROPEZA
CURRENT PLANNING OFFICER



CHRISTOPHER KOONTZ, AICP
PLANNING BUREAU MANAGER
SERVICES



LINDA TATUM, FAICP
DIRECTOR OF DEVELOPMENT

Jl:AO:CK:LT

Attachments:

- Exhibit A – Vicinity Map
- Exhibit B – Plans
- Exhibit C – Conditions of Approval
- Exhibit D – Findings
- Exhibit E – Letters of Support