



# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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Long Beach, CA 90802

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August 22, 2019

## CHAIR AND PLANNING COMMISSIONERS

City of Long Beach  
California

### RECOMMENDATION:

Accept Categorical Exemption CE19-019 and approve a modification to an approved Site Plan Review for the demolition of approximately 29,667 square feet of building area to construct a 41,394 square feet restaurant and a 1,554 square foot tenant space for a total of 42,948 square feet of new building area; two (2) Conditional Use Permits to allow the restaurant (Dave & Buster's) to include: 1) an amusement arcade; and 2) the on-site sale and consumption of alcoholic beverages (beer, wine and distilled spirits) within the Long Beach Town Center, located at 7575 Carson Boulevard in the Community-Automobile Oriented (CCA) Zoning District. (District 5)

APPLICANT: Jeff Axtel for Vestar  
7575 Carson Boulevard  
Long Beach, CA 90808  
(Application No. 1901-17)

### **DISCUSSION**

The project site at 7575 Carson Boulevard is located within the Long Beach Towne Center south of Carson Boulevard, north of El Dorado Park, east of the San Gabriel River and west of the San Gabriel River Freeway (Exhibit A – Location Map). The site is located on an existing 102-acre shopping center located in the Community-Automobile Oriented District (CCA) Zone. The site is currently developed with 858,707 square feet of building area comprised of retail stores, restaurants, fast food restaurants with drive-through lanes and a movie theater.

Prior to this site being developed as a regional shopping center, it once housed the Naval Hospital. In June of 1991, the Defense Base Closure and Realignment Commission recommended the closure of the hospital. A Reuse plan was created (Naval Properties Reuse) and approved by City Council in July of 1993 which established this area to be developed with a commercial center. In November of 1995, the Planning Commission certified the Environmental Impact Report for the project (EIR 37-92), recommending that City Council rezone the site to a CCA zone with a 45-feet/4-Story height overlay and

commercial center to proceed. In December of 1995, the City Council adopted the Statement of Overriding Considerations for the EIR, amended the General Plan Designation of the property and rezoned the site to CCA with the height overlay.

The Long Beach Towne Center (regional commercial shopping center) was later approved by City Council on January 16, 1997, that included: 1) A Site Plan Review request for the overall site, 2) Sixteen (16) Conditional Use Permits for the Edwards Cinema Theater with an electronic video arcade, three (3) fast food uses with drive through lanes, 2) two (2) off-premises alcohol licenses as well as nine (9) on-site consumption alcohol licenses; 3) Standards Variance to exceed the overall height of 45-feet in building height for the Edwards Cinema and the Sign Program; and 4) A Request for a finding of the General Plan Conformity for the vacation of Dovey Drive. The commercial shopping center itself is classified into four categories which consists of 1) The major stores aligned along the rear of the property; 2) The Entertainment Complex that includes the central plaza with fountain, outdoor dining area, landscaping, decorative paving and a mixture of restaurants uses 4) The 12 buildings, once pads, that now include sit down and drive-through restaurants.

As the project scope of work includes the demolition existing building area to two new tenant spaces, Site Plan Review is required for the modification of the previously approved permit. The scope of work includes the demolition of approximately 29,667 square feet of building area to construct a 41,394 square foot restaurant and a 1,554 square foot tenant space for a total of 42,948 square feet. The proposed project would result in a total net increase of 13,281 square feet of building area to the existing commercial shopping center. The proposed project will allow for a new restaurant (Dave & Buster's) to operate as well as provide opportunity for a future business in the newly developed 1,554 square foot tenant space located at the northeasterly side of the project site.

### **PROJECT DESCRIPTION**

The project will retain much of the existing building area throughout the commercial center. The proposed scope of work is in the center of the Entertainment complex site which is central to the commercial center. The project will include the demolition of the 13,217 square foot indoor food court, the 7,182 square foot outdoor dining area located adjacent to the food court, and tenant spaces B3, B4, B5, B6, B8 and B9 for a total of 21,860 square feet of combined building area. A total of two tenant spaces will be replaced and added to the commercial center to include a 1,554 square foot shell for a future tenant and a 41,394 square foot Dave & Buster's restaurant with an amusement arcade and on-site alcohol sales (Type-47 License). As this project proposes an amusement arcade and on-site alcohol sales, the approval of two Conditional Use Permits are required.

The proposed project floor plan layout will accommodate approximately 16,906 square feet of arcade and prize floor area combined, two bars totaling 4,957 square feet, 2,377 square feet of dining area throughout the site, a 4,675 square foot kitchen, 2,213 square feet of rooms for private events and 2,085 square feet of office space (Exhibit B – Plans). In considering a CUP application for an amusement arcade, staff evaluated the proximity to a residential district and public schools and the ability to prevent problems related to potential noise, litter, loitering, crowd control and parking. Based on confirmation from the applicant,

the project once included 875 square feet established for billiards and have decided to remove this from the scope of work. The site is located approximately 2,000 feet from McBride High School (west of the site) and approximately 2,000 feet from a residential district (R-1-N District west of the site). Furthermore, the applicant has provided an operations 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 6:00 am to midnight Sunday through Saturday and one (1) security guard on premises from midnight to 6:00 am Sunday through Saturday (Exhibit C – Security Plan).

Throughout the review of the project, it was determined that there are outdated sections within Chapters 5 and 9 in the City's Municipal Code that prohibit the usage of pinball gaming machines. The references classified these machines as a way of gambling. Staff is currently in the process of amending the pertinent sections of Chapters 5 and 9 in the City's Municipal Code. Pinball gaming machines are common games integrated within the future tenant's business operations and are now viewed as a game of skill. A condition of approval has been added to this project to restrict the pinballs from being incorporated on the premises until the referenced sections of the code are amended and in effect. A City Council hearing date has not been scheduled at this time and is expected to go before the City Council before the end of the 2019 calendar year.

The proposed restaurant with an amusement arcade and sale of on-site alcohol beverages (Dave & Buster's) will operate between the hours of 11:00 a.m. to 12:00 a.m. Sundays through Thursdays and 11:00 a.m. to 2:00 a.m. on Fridays and Saturdays. The restaurant will occasionally open early during school vacations, holidays and special events. The restaurant has a strict policy on minors on the premises. According to the applicant's response to staff's comments, guests under 18 years of age must be accompanied by an adult 25 years of age or older and identification will be checked upon entry for those who are under 30 years of age.

In considering a CUP application for the sale of beer, wine and distilled spirits at this location, staff evaluated the number of existing alcohol licenses in the subject Census Tract (9800.06). Per Section 21.52.201 of the Zoning Regulations, applications for alcoholic beverage sales uses shall not be in a reporting district with more than the maximum concentration of the applicable on or off-premises sales, as recommended by the California Department of Alcoholic Beverage Control (ABC), except for locations in the greater downtown area or grocery stores of more than 20,000 square feet. According to the ABC License Report, 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. This information helps to establish a threshold for overpopulation within a census tract. There are currently twelve active on-site licenses in this census tract. Approval of this Conditional Use Permit would allow an additional Type 47 license for the proposed Dave & Buster's restaurant and entertainment use at the subject site for total of thirteen on-site alcohol licenses for this census tract. However, staff has included several conditions of approval to address potential negative impacts to the community (Exhibit D – Finding & Conditions of Approval).

The Zoning Regulations also require that alcoholic beverage sale uses not be located within a crime reporting district with a high crime rate, as reported by the Long Beach Police Department (LBPD). This site is not located in a high-crime district. 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 a Responsible Alcohol Service Program (ServeSafe Program) that is nationally recognized, has a BARS Program that includes a secret shopper program to enforce proper ID checks, and a responsible alcohol program to further prevent underage drinking and proper measure of handling intoxicated guests. Staff has also consulted this CUP request with LBPD, who have indicated no objection to approval of the Conditional Use Permit.

The zoning regulations state that alcoholic beverage sales uses shall not be located within five hundred feet of a public school or public park. The nearest public park, El Dorado Park, is approximately 1,000 feet from the project site (south) and the nearest public school, McBride High School, is approximately 2,000 square feet away from the project site (west).

The development will be accessed from three (3) existing primary drive approaches located along Carson Boulevard. The site provides onsite vehicular circulation via two-way drive aisles through the commercial center. 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 net increase of the site, which is in compliance with the parking standards of the Zoning Code.

The design of the new tenant spaces is consistent with the architectural design of the center which is comprised of stucco cladding, aluminum storefronts, metal canopies and architectural trims and projections. The proposed design of the proposed restaurant's south east elevation will consist of stucco cladding with a projecting trim along with vertical and horizontal score lines to help break the massing ranging in 25 feet in height, a 15-foot high metal canopy along the entrance and a vertical projecting architectural element with a curved and sloping tower feature with an overall height of 38 feet. The tenant spaces southwest elevation consists of stucco cladding with horizontal score lines and painted vertical crossing on the façade and the same vertically slopped and curved architectural element ranging at a height of 32 feet as the secondary entrance to the restaurant. The same architectural concept is found throughout the northeast and north west elevations, however, the vertical architectural project along theses elevations are flat with no curved or slopped feature with an overall height of 33 feet. The proposed 1,554 square foot tenant space provides similar architectural features while also included stone veneer to provide more articulation to the new design of the spaces. As this site was approved by the City Council in December of 1995 with a 4-story, 45 feet height overall to the commercial center, the proposed building heights for this site complies with the Zoning Code.

The project is consistent with the zoning and development standard of the CCA district. This site is located in General Plan Land Use District (LUD) No. 8 – Major Commercial Corridor District. The district allows for retail, restaurant and similar uses by right. The existing mix of uses, site design and proposed uses are intended and appropriately conditioned to serve the surrounding residential community. Therefore, this project is consistent with the designation and is in conformance with the General Plan.

The Site Plan Review Committee and staff determined that the project's architecture, design and layout are compatible with the existing commercial shopping center and the surrounding area. Planning Staff finds that the proposed CUP's allow the restaurant (Dave & Buster's) to include: 1) an amusement arcade; and 2) the on-site sale and consumption of alcoholic beverages (beer, wine and distilled spirits) will not cause any substantial adverse effects on neighboring land uses or the community at large (Exhibit E – Findings). Staff prepared conditions of approval to ensure that the project is developed and operated in accordance with the plan. Staff recommends that the Planning Commission approve the proposed project which consists of a modification to an approved Site Plan Review for the demolition of approximately 29,667 square feet of building area to construct a 41,394 square foot restaurant and a 1,554 square foot tenant space for a total of 42,948 square feet of new building area and two Conditional Use Permits to allow the restaurant (Dave & Buster's) to include: 1) an amusement arcade; and 2) the on-site sale and consumption of alcoholic beverages (beer, wine and distilled spirits) within the Long Beach Town Center, subject to conditions of approval.

### **PUBLIC HEARING NOTICE**

A total of 125 public hearing notices were distributed on August 5, 2019, in accordance with the requirements of Chapter 21.21 of the Long Beach Municipal Code. At the time this report was written, staff received no public inquiries on this project.


### **ENVIRONMENTAL REVIEW**

In accordance with the Guidelines for implementation of the California Environmental Quality Act (CEQA), this project is exempt per Section 15332 In-Fill Development Projects (Exhibit F - Statement of Support & Technical Studies).

Respectfully submitted,

  
SERGIO GUTIERREZ  
PROJECT PLANNER

  
ALEXIS OROPEZA  
CURRENT PLANNING OFFICER

  
CHRISTOPHER KOONTZ, AICP  
PLANNING BUREAU MANAGER

  
LINDA F. TATUM, FAICP  
DIRECTOR OF DEVELOPMENT SERVICES

LFT:CK:AO:sg

Attachments:      Exhibit A – Location Map  
                         Exhibit B – Plans  
                         Exhibit C – Security Plan  
                         Exhibit D – Conditions of Approval  
                         Exhibit E – Findings  
                         Exhibit F – Statement of Support & Technical Studies