

May 21, 2020

CHAIR AND PLANNING COMMISSIONERS

City of Long Beach
California

RECOMMENDATION:

Accept Categorical Exemption CE-20-020 and approve Conditional Use Permit CUP 2002-03 and Local Coastal Development Permit LCDP 20-008, to allow the sale of alcoholic beverages beer, wine, and distilled spirits for on-site consumption within an existing building where improvements are in progress for a proposed restaurant located at 180 E. Ocean Boulevard, within the Downtown Shoreline Planned Development (PD-6) Zoning District. (District 2)

APPLICANT: Tim Hanrahan
1030 W. Canton Avenue
Winter Park, FL 32789
(Application 2002-03)

DISCUSSION

The site is located at 180 E. Ocean Boulevard between Pine Avenue and the Promenade (Exhibit A – Vicinity Map). The site is located within the Downtown Shoreline Planned Development (PD-6), zone subarea 7, and is currently developed with a commercial office building. The restaurant will occupy the ground floor of the commercial building. The project is expected to be completed and open for business by the fall of 2020 (Exhibit B – Plans & Photographs). The owner of the restaurant is requesting approval for a Type 47 alcohol licenses to allow the sale of beer, wine and distilled spirits for on-site consumption through a Conditional Use Permit.

The office building was built in 1984 and a comprehensive remodel and upgrade was approved by the Zoning Administrator on November 25, 2019 (Application No. 1908-11). The proposed restaurant with alcoholic beverage service is designed to complement the upgrade of the building, landscape and public areas. The building and restaurant serve both Long Beach residents' visitors to the Long Beach Convention Center which is adjacent to and connected by an inviting walkway through the subject site.

In considering a Conditional Use Permit (CUP) application for the sale of beer, wine and distilled spirits, staff evaluated the number of existing alcohol licenses in the subject Census Tract (5760.01) in which these restaurants are located, as well as the total number of reported crimes in



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the subject Police Reporting District. Section 21.52.201 of the Zoning Code requires that a new CUP for alcohol sales not be approved 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 (LBPD). Pursuant to Section 21.52.100, all special conditions shall be met unless findings of fact can be made to support the use. The restaurant is not located in a high crime area per LBPD; however, they are in an over concentrated district for on-site alcohol sales. In the subject census tract (5760.01), five licenses for on-site alcohol sales are allowed; there are 131 licenses currently (Exhibit C – Map of Existing Alcohol Licenses). The subject site is not located within 500 feet of a public school however; it is located adjacent to Victory Park. The project site is exempt from the 500-foot distance criteria of from a park since the location is within the greater the downtown area, as the project site is. This overconcentration is not inconsistent with the visitor serving downtown setting and the concentration of restaurants that serve downtown, the convention center, the Pike and Rainbow Harbor.

Staff consulted with the LBPD for this application and they expressed no opposition to approval given the fact that the restaurant is within the Downtown area and security measures such as security cameras and lighting have been incorporated to ensure minimization of any negative impacts associated with the operation of the project. These measures have been included as conditions of approval. Staff believes that the approval of this Conditional Use Permit application will have minimal impact on the surrounding land uses because the use is not located in a high crime area, and because the conditions of approval recommended for the project will require the implementation of a number of operational measures designed to reduce any potential negative effects from the proposed on-site sales of alcohol.

A Local Coastal Development Permit (LCDP) is required whenever a discretionary application is considered within the designated coastal area. Such applications are required to be consistent with the certified Local Coastal Program and not affect any affordable housing. The on-site sales of alcohol are consistent with the non-residential provisions found in the certified Local Coastal Program, which allocate this site to commercial uses. Additionally, no low- and moderate-income housing will be removed as a result of this use.

Accordingly, staff recommends that the Planning Commission approve the CUP and LCDP subject to conditions (Exhibit D - Findings and Exhibit E - Conditions of Approval).

PUBLIC HEARING NOTICE

A Notice of Application was sent to the local community groups on February 26, 2020, and 976 Public Hearing Notices were distributed on May 7, 2020, in accordance with the provision of the Zoning Ordinance. At the time of writing this report, staff has received no inquiries on this project.

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 project consists of the operation of a restaurant within existing commercial building (CE 20-020).

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Respectfully submitted,



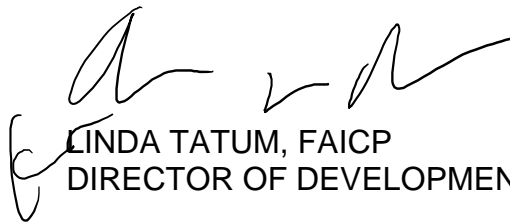
JORGE RAMIREZ
PROJECT PLANNER



ALEXIS OROPEZA
CURRENT PLANNING OFFICER



CHRISTOPHER KOONTZ, AICP
PLANNING BUREAU MANAGER



LINDA TATUM, FAICP
DIRECTOR OF DEVELOPMENT SERVICES

LT:CK:AO;jr

Attachments:

- Exhibit A - Vicinity Map
- Exhibit B - Plans & Photographs
- Exhibit C - Map of Existing Alcohol Licenses
- Exhibit D - Findings
- Exhibit E - Conditions of Approval