

September 21, 2023

**CHAIR AND PLANNING COMMISSIONERS**

City of Long Beach  
California

**RECOMMENDATION:**

Accept Categorical Exemption CE23-103; and,

Approve a Conditional Use Permit (CUP23-009) and modification to an approved permit and adopt the proposed findings and conditions of approval thereto, for the modifications to an existing 4,659-square-foot restaurant with drive through that includes: a 236-square-foot addition, additional drive through lane and new bypass lane, canopies, and interior and exterior improvements located at 7681 Carson Boulevard (APN: 7075-001-948) in the Community Commercial Automobile-Oriented (CCA) Zoning District. (District 4)

**APPLICANT:** Chick-Fil-A  
c/o Randy Kimoto  
5200 Buffington Road  
Atlanta, GA 30349  
(Application No. 2303(CUP23-009, MOD23-008))

**DISCUSSION**

This project was originally scheduled for the Planning Commission meeting of September 7, 2023. The Planning Commission continued the item to a date certain of the September 21, 2023 to allow for the complete agenda description. The Project site is located on the south side of Carson Street, between Long Beach Towne Center (Internal Private Street) to the west and the Interstate 605 (I-605) to the east within a 19,418 square foot parcel located in the Regional Commercial (CHW) Zoning District (Attachment A - Vicinity Map). The site is located within the easterly most portion of the Long Beach Towne Center (Towne Center), a 102-acre shopping center with approximately 1,014,988 square feet of building area that has a range of uses consisting of retail stores, restaurants, fast food restaurants with lanes, offices, and a movie theater. The site has a Community Commercial (CC) General Plan Land Use Element (LUE) PlaceType, which allows a wide range of local- and community-serving commercial uses. Surrounding uses include commercial uses (Denny's and El Pollo Loco) and I-605 off ramp to the north located in City of Lakewood, a fast-food restaurant with a drive-through (In-In-Out), and multiple commercial uses and parking lot to the south,



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west, and east of the site, including Regal Edwards Cinemas, Barnes & Noble, and PetSmart (Attachment B - Site Photos).

Prior to this site being developed as a regional shopping center, it once housed the Naval Hospital to the east of the site and a community garden for the former Long Beach Jail Honor Farm to the west (project site). 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 the City Council in July 1993 which established this area to be developed as a commercial center. In November 1995, the Planning Commission certified the Environmental Impact Report (EIR 37-92) for the project, recommending the City Council rezone the site to a Community Commercial Automobile-Oriented (CCA)/CHW zone with a 45-feet/four-story height overlay and commercial center to proceed. In December 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/CHW with the height overlay.

The Towne Center (regional commercial shopping center) was later approved by the City Council on January 16, 1997, that included: 1) A Site Plan Review (SPR) request for the overall site, 2) 16 Conditional Use Permits (CUP) for the Regal Edwards Cinema Theater with an electronic video arcade, three fast food uses with lanes, 2) two off premises alcohol licenses as well as nine on-site consumption alcohol licenses; 3) Standards Variance to exceed the overall height of 45-feet in building height for the Regal Edwards Cinema and the Sign Program; and, 4) A General Plan Conformity finding for the vacation of Dovey Drive. In April 2001, the approximately 143,000-square-foot retail store (Wal-Mart) was approved by the Planning Commission.

The applicant proposes an additional drive through ordering lane located on the eastside entrance of the existing drive-thru, a new drive-thru bypass lane on the westside, a 236 square foot addition, canopies, and interior and exterior improvements to an existing 4,659 square foot fast-food restaurant (Chick-Fil-A). Pursuant to Section 21.32 of the Long Beach Municipal Code (LBMC), the approval of a CUP for each new or modified existing is required in the CHW Zoning District. The purpose of a CUP and Modification to Approved Permit (Application No. 0410-18) is to allow for the individual review of certain uses to determine whether that use, in that location, is compatible with the surrounding uses or can be made compatible with conditions of approval. In addition to the CUP requirement, the Zoning Code includes special findings that must be made for a drive-through, as well as special operating standards which drive-through facilities must comply with.

The project will expand an existing 4,659-square-foot fast-food restaurant by 236 square feet and maintain the existing sixty-four (64) parking stalls, which is over the required number of parking spaces of twenty (20) parking spaces. The building addition will house a separate drive-thru only kitchen/order fulfillment area and an additional drive through service area. The interior remodel will include relocation of patron restrooms and reduction of indoor dining areas to accommodate relocated employee offices and reduction of the order counter to house the new drive through only kitchen facility. The proposed site layout regarding

pedestrian access, vehicle access, and the parking lot layout will remain as existing and conditions of approval will address the addition of raised pedestrian crossings and maintenance and enhancement of the existing exterior dining patio to activate pedestrian access. All existing landscaping that will be removed for construction and grading will be replaced with 5,070 square feet of attractive drought tolerant landscaping, conditions of approval will address code complaint tree substitutions and relocation of a mature tree (Attachment C – Plans). The proposed project will maintain a landscape buffer between Carson Street and the drive through lane. Exterior modification includes new order point canopies above the drive through lanes, new paint colors, and wall mounted trellis screens. Conditions of approval will address the addition of climbing vines to said trellis screens.

The fast-food restaurant proposes to maintain its current hours of operation, operating from 6:00 AM – 11:30 PM Monday through Saturday and will be closed on Sundays. By expanding the fast-food restaurant, adding an additional ordering lane, and new bypass lane the restaurant's goal is to create a more efficient order service process, which in return will provide a less congested path of circulation for all vehicles in the shopping center and providing a safer environment for pedestrians.

Special Development Standards for Facilities are identified in Section 21.45.130 of the Zoning Regulations, some of which requires the facility to have adequate vehicle queuing and adequate buffering to control any spillover impacts. As redesigned, the drive-through conforms to City's Drive-Through Design Guidelines by providing a minimum of four queueing vehicles to each menu board. To address vehicular and pedestrian travel hazards, a condition of approval will be placed to require the installation or reinstallation of caution signage and raised crosswalks that intersect with the drive-through facilities (Attachment D – Conditions of Approval). Per the Queuing Analysis prepared within the Traffic Study for this site, the project will provide adequate vehicle peak queuing for this project (19 peak queued vehicles). A more detailed analysis of compliance with the Special Development Standards is included as part of the Findings for this application (Attachment E - Findings). In cooperation with staff the overall project underwent a design review before the final site plan now before the Planning Commission. The various development standards and design guidelines require balancing against each other, and the final design best satisfied all the various aesthetic, safety, environmental and traffic concerns.

As the site has a LUE PlaceType of CC, which is commercially focused, the development of the facilities will align with the CC PlaceType uses described in the LUE, which encourage a wide range of local and community-serving commercial uses in buildings. Commercial uses permitted within this PlaceType include auto sales and repair, appliance sales and repair, furniture stores, hardware stores, clothing stores, restaurants, grocery stores, fast-food outlets, and similar uses. Additionally, the CC PlaceType is the only PlaceType reserved for commercial activities only and is found in limited locations across the city. There is a Special Development Standard contained in LBMC 21.45.130 for consideration of opportunity cost related to housing or other uses that could potentially better meet the housing and economic goals of the General Plan when considering a drive-through as housing is not a permitted use in the CC PlaceType, the proposed drive-through facility does

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not conflict with the development of future dwelling units. Furthermore, the Drive-through Guidelines has a specific drive-through uses to the most suitable locations including within shopping centers and on freeway-adjacent lots, the proposed project site meets both of these criteria. Based on the location of the project site, given the site is within a regional shopping center and close proximity to the freeway, this site is suitable for the drive-through facilities, which provides consistency with LU Policy ended to "Pursue new developments and businesses that add to the City's economic base, particularly those that generate sales tax and property tax increment revenue".

Pursuant to the Long Beach Climate Action Plan (LB CAP) adopted by City Council in August 2022, all discretionary projects that require environmental review pursuant to the California Environmental Quality Act (CEQA) shall comply with the LB CAP Consistency Review Checklist. The purpose of the checklist is to require projects to implement relevant Green House Gas emission reduction and adaptation actions, while providing a streamlined review process for proposed new development projects undergoing environmental review pursuant to CEQA. The LB CAP Checklist is only required for discretionary projects that are subject to and not exempt from CEQA. Projects that are exempt from CEQA are deemed to be consistent with the LB CAP, and no further review is necessary, with the exception of the Class 32 "In-Fill Development Projects" categorical exemption (CEQA Guidelines Section 15332). The proposed project is exempt per Section 15303, Class 3 – New Construction or Conversion of Small Structures and deemed compliant with the LB CAP.

### PUBLIC HEARING NOTICE

A total of 67 notices of public hearing were distributed on August 23, 2023, for the September 7, 2023 Planning Commission meeting in accordance with the requirements of Chapter 21.21 of the Zoning Regulations. Because the Planning the Planning Commission continued this item to a date certain of September 21, 2023, a notice of public hearing was not required to be distributed. As of the preparation of this report, no correspondence was received by staff.

### ENVIRONMENTAL REVIEW

Pursuant to CEQA Section 15303, Class 3 – New Construction or Conversion of small structures the project consists of the modification of an existing facility.

Respectfully submitted,



LIANA ARECHIGA  
PROJECT PLANNER



ALEXIS OROPEZA  
CURRENT PLANNING OFFICER

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ALISON SPINDLER-RUIZ, AICP  
PLANNING BUREAU MANAGER  
SERVICES



CHRISTOPHER KOONTZ, AICP  
DIRECTOR OF DEVELOPMENT

CK: ASR:AO:la

Attachments:

- Attachment A – Vicinity Map
- Attachment B – Site Photos
- Attachment C – Plans
- Attachment D – Conditions of Approval
- Attachment E – Findings