

May 19, 2022

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Accept Categorical Exemption CE22-043 and approve Conditional Use Permit (CUP21-018) to allow on-site alcohol sales and consumption of beer, wine and distilled spirits (ABC License Type 47) at a new restaurant with a bar in an existing 2,187-square-foot tenant space, located at 4111 Viking Way in the Community Pedestrian-Oriented (CCP) Zoning District. (District 5)

APPLICANT: 4111 Viking, LLC
c/o Praveen Nair
42 Oak Tree Lane
Irvine, CA 92612
(Application 2109-12)

DISCUSSION

The subject site is located on the northwesterly side of Viking Way between Village Road to the north and Carson Street to the south, within the Community Pedestrian-Oriented Zoning District (Attachment A – Vicinity Map). The site has a Community Commercial General Plan Land Use Element PlaceType, which allows a wide range of local and community-serving commercial uses. Surrounding uses include commercial to the east and west, commercial and Heartwell Park to the south, and parking lots, commercial and residential uses to the north. Property improvements include approximately 116,000 square feet of commercial space in a one to two story configuration withing various parcels that make up the Parkview Village commercial development (Attachment B - Site Photos).

The applicant is seeking approval of a Conditional Use Permit (CUP) to allow on-premises alcohol sales within a new restaurant (Cali Chilli), in an existing 2,187-square-foot tenant space. The Type 47 Alcoholic Beverage Control (ABC) license allows the sales of beer, wine and distilled spirits for on-site consumption. The previous use within this tenant space also included a restaurant with on-site consumption alcohol sales that had a fixed bar. As the prior restaurant had a Type 41 ABC license which only allows the sale of beer and wine for on-site consumption,



adding an ABC license that includes distilled spirits requires a CUP. The applicant is also proposing minor interior improvements to the floor plan, which include upgrades to the kitchen equipment, restrooms, storage rooms and converting a storage space at the end of the tenant space into an office. The size of the 779 square-foot dining area and 114 square-foot fixed bar of the previous restaurant will remain the same and the bar area will also be utilized as a lunch serving counter (Attachment C – Plans). As this use is considered a restaurant with a fixed bar, and based on the previous use being a restaurant with a fixed bar with no expansion of the dining area or bar, a total of 11 parking spaces are needed. Off street parking is available for the tenant spaces along the northern, eastern and southern parcels.

The subject tenant space is a part of the Parkview Village commercial development, where a total of 322 off-street parking stalls are available across 13 of the 17 parcels that make up the development. A total of 300 parking spaces, including the proposed use, is required on site based on the current active businesses operating within the development in compliance with the current parking standards of the Long Beach Municipal Code (LBMC). Therefore, this parking arrangement satisfies the special parking condition for alcohol beverage sales. As described in the Operations Plan, the restaurant will provide a fine dining casual Indian Cuisine experience that will serve breakfast, lunch and dinner menu items. The restaurant proposes a unique menu that has a broad range of pan Indian culinary by Michelin Star Chef Manjunath Mural. The business will operate daily, Monday through Sunday from 7:00 a.m. to 12:00 a.m. with a staff of ten to twelve employees total (Attachment D - Operations Plan).

In accordance with LBMC Section 21.25.201, the purpose of a CUP is to allow the review of a proposed use to determine if it is compatible with the adjacent uses or can be made compatible with the surrounding uses, with conditions. In addition, LBMC Section 21.52.201 establishes a number of requirements for projects that propose alcohol beverage sales that require a CUP. Conditions include requirements for compliance with parking, that there not be an overconcentration of alcohol licenses within a Census Tract, and that the use not be in a reporting district with a high crime rate as reported by the Long Beach Police Department (LBPD). LBMC Section 21.25.100 allows these and conditions to be waived subject to written findings.

According to the ABC License Report, the subject property is within Census Tract 5712.01 which, which allows a maximum of three (3) on-site alcohol licenses. There are currently nine alcohol licenses for on-site consumption sales within this Census Tract (Attachment E – ABC Stats). Adding a tenth off-sales alcohol license at this location will contribute to the existing over concentration of off-site sales within the census tract. However, adding a new alcohol license in this tenant space will not introduce a new use as the previous business was a restaurant with a fixed bar which served alcoholic beverages. While alcoholic beverage sales generate a small percentage of the overall sales, the CUP for a type 47 liquor license is requested as a service and convenience to the customers as an integral part of the dining experience. The proposed restaurant with on-site consumption alcohol sales improves nearby residents' access to a variety of goods and services, consistent with General Plan Strategy No. 10 (Land Use Element page 118) – to “create complete neighborhoods with identifiable centers and a full range of supporting neighborhood-serving uses to meet the daily needs of

residents.” . The diversity of offerings proposed at the restaurant establishment improves nearby residents’ access to a variety of goods and services needed on a daily basis. The recommended conditions of approval are intended to ensure the use operates in a manner compatible with the surrounding area. Such proposed conditions include requiring visibility into the restaurant space by restricting film or other similar obstructions from being installed along the tenant space windows or door, and mandatory staff training to ensure that staff are adequately trained to address any issues that might arise in association with the sale of alcohol (Attachment F - Conditions of Approval).

The site is located within LBPB Reporting District 676 within the East Division. Per the LBPB statistics, an area is considered high crime if there are 97 or more crimes reported. A total of 32 crimes have reported in Police Reporting District 676, therefore it is not designated as a high crime area. The LBPB has reviewed the CUP request for this location and has no objection to its approval. Additionally, the site is not located within 500 feet of a public school, however the site is located within approximately 215 feet from a public park (Heartwell Park). Although the location is within 500 feet of a public park, the alcoholic beverages will only be allowed to be consumed on site within the restaurant which prevent negative impacts within the park such as consuming alcoholic beverage at the park. The site is not within a high crime area and additional conditions pertaining to lighting and security have been included to maintain the safe conditions within the surrounding community. Furthermore, the site will be equipped with a surveillance system, which will include cameras installed inside of the restaurant, as well as at the entrance and exits of the tenant space to deter criminal activity and promote safety. Therefore, all findings can be made in the affirmative (Attachment G- Findings).

The proposed CUP for the on-site sale of beer, wine and distilled spirits at this location is an accessory to a sit-down restaurant that includes a bar and is not anticipated to cause substantial adverse effects on the neighboring land uses with the recommended conditions. Therefore, staff recommends that the Planning Commission approved the CUP, subject to conditions of approval.

PUBLIC HEARING NOTICE

A total of 313 public hearing notices were distributed on May 3, 2022, in accordance with the requirements of Chapter 21.21 of the LBMC. At the time of writing this report, staff has received no inquiries on this project.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act this project is eligible for a categorical exemption per Section 15301 as the project consists of the sale of alcohol at a new restaurant within an existing commercial building.

Respectfully submitted,

CHAIR AND PLANNING COMMISSIONERS

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SERGIO GUTIERREZ
PROJECT PLANNER



ALEXIS OROPEZA
CURRENT PLANNING OFFICER



ALISON SPINDLER-RUIZ
ACTING PLANNING BUREAU
MANAGER



OSCAR W. ORCA
DIRECTOR OF DEVELOPMENT
SERVICES

OO:ASR:AO:sg

Attachments:

- Attachment A – Vicinity Map
- Attachment B – Site Photos
- Attachment C – Plans
- Attachment D – Operation Plan
- Attachment E – ABC Stats
- Attachment F – Conditions of Approval
- Attachment G – Findings