



Planning Commission 2038-2040 E. 4th Street

January 5, 2023

Conditional Use Permit (CUP22-022) 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 at 2038-2040 E. 4th Street located in the Neighborhood Pedestrian (CNP) Zoning District. (District 2)

Application No. 22206-16

Project Site

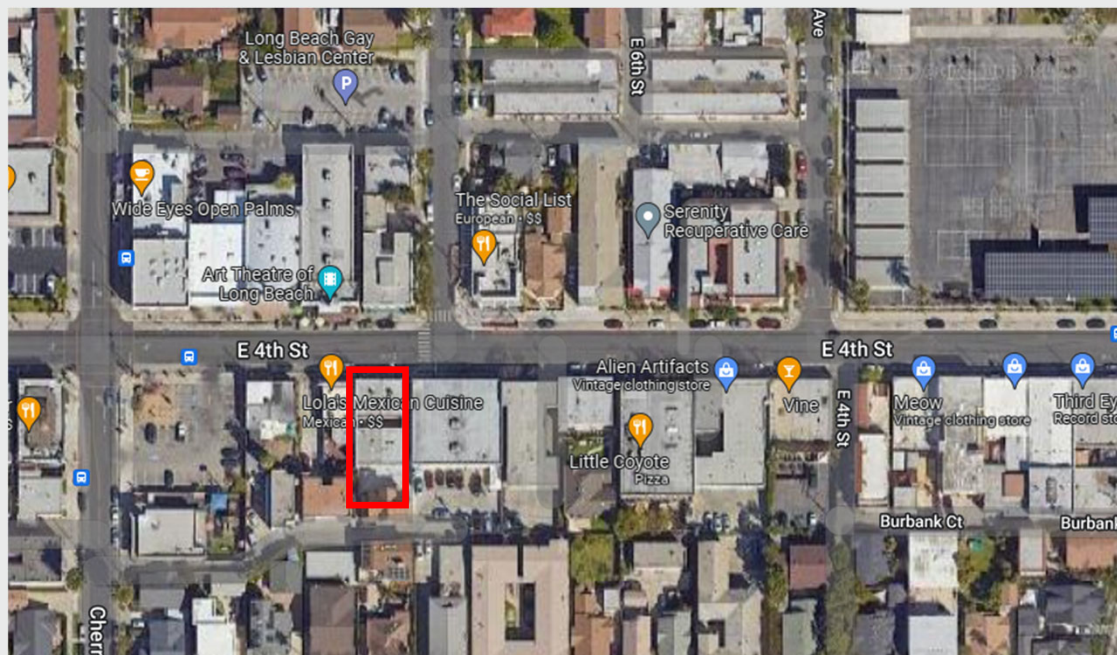


Background:

- 1,943-square-foot tenant space, formerly a fitness training and office space use

CUP Proposal:

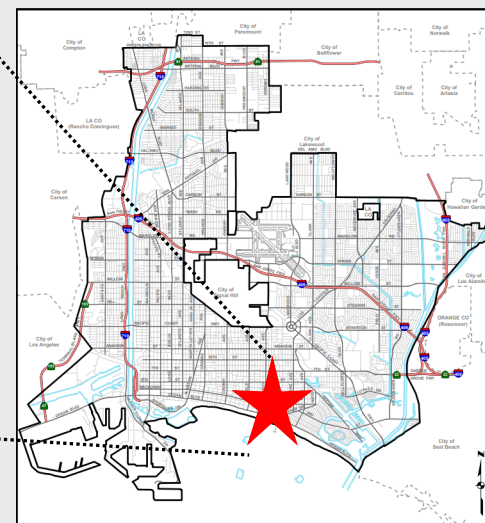
- On-site consumption of beer, wine and distilled spirits (ABC License Type-47) for a new restaurant



Zoning: CNP

General Plan (2019): NSC-L / 3 ST

Adjacent Uses: Commercial, Retail, Restaurant and Residential



Slide 3

AS1

i assume you will be updateing the talking points?

Alison Spindler-Ruiz, 1/5/2023

Existing Conditions



5



- Dine-in Casual Greek Cuisine that will serve breakfast, lunch, and dinner
- Staff of 5 to 10 employees per shift,
- Hours of Operation:
 - Sunday – Thursday: 8:00 a.m. to 11:00 p.m.
 - Friday and Saturday: 8:00 a.m. to 12:00 p.m.

Interior Renderings



ENTRY
NOT FOR CONSTRUCTION
9/29/22



BAR + BOOTHS + LOUNGE
NOT FOR CONSTRUCTION
9/29/22



ENTRY
NOT FOR CONSTRUCTION
9/29/22



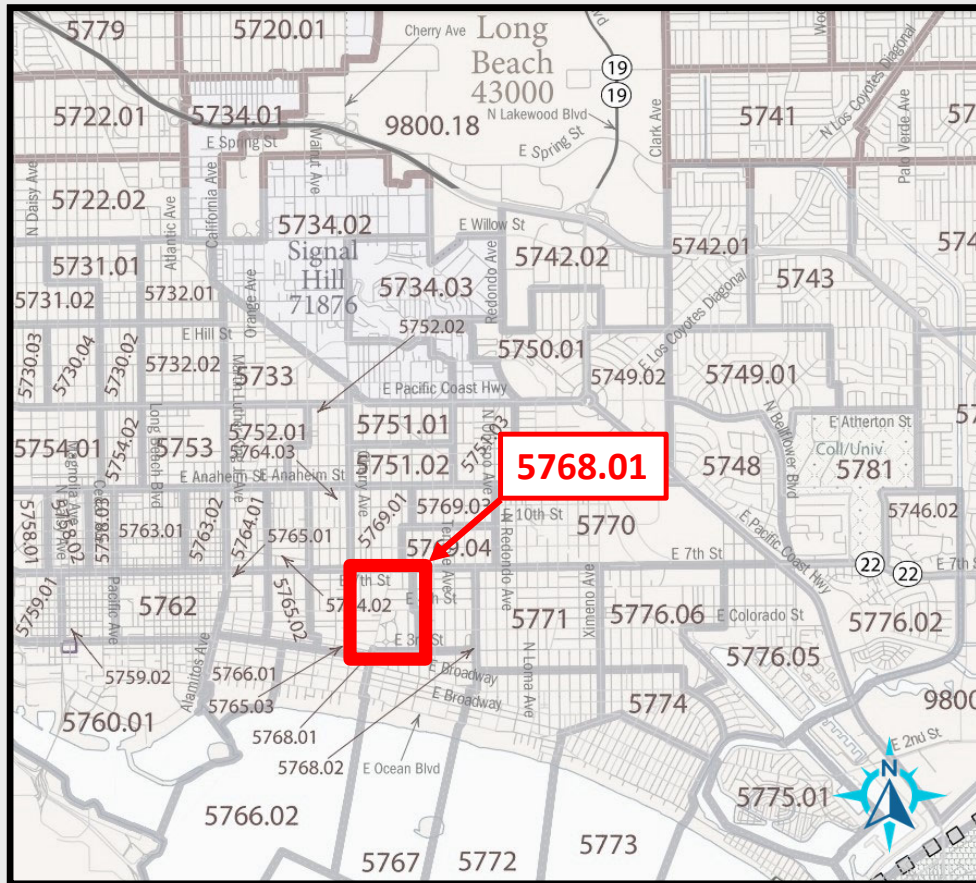
FROM THE LOUNGE
NOT FOR CONSTRUCTION
9/29/22



BAR + BOOTHS
NOT FOR CONSTRUCTION
9/29/22



Stats



LB Police Stats:

- Census Tract: 5768.01
- Number of Licenses envisioned: 4
- Number of licenses existing: 18
- Within Police District 434
- Site is NOT in a high crime district
 - 116 considered high crime
 - 99 reports within the district

ABC Stats (Cont.)

- Per ABC License Report, subject site is within census tract with maximum allowance of 4 on-site alcohol sales; currently 18 within census tract, 19 with proposed on-site alcohol sale
- Proposed project is not adding an establishment whose primary business involves the sale of alcohol such as a bar
- The proposed primary and accessory use 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.”
- Recommended conditions of approval are intended to ensure the use operates in a manner compatible with the surrounding area.
 - Conditions include requiring visibility into the restaurant space and;
 - Mandatory staff training to ensure staff is adequately trained to address any issues that might arise in association with the sale of alcohol.
- Police Department has reviewed CUP Request and has no objection to its approval
 - Conditions pertaining to lighting and security have been included to help mitigate any potential negative impacts to the surrounding community.

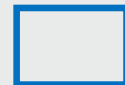
Parking



- Site contains no on-site parking
- No expansion on tenant space, interior remodeling only.
- Previous use (office and fitness training use) required 20 spaces. Proposed restaurant required to provide 14 spaces. Legal non-conforming parking rights apply to proposed restaurant.
- Shopping area along 4th Street has a public parking lot at the southeast corner of Cherry Avenue and 4th Street that supports this shopping area.



Project Site



Public Parking Lot

Findings

Conditional Use Permit Findings

1. Proposed use is consistent with General Plan Land Use Element (NSC-L) Placetype
2. Proposed use will not be detrimental to the surrounding community including public health, safety or general welfare, environmental quality or quality of life;
3. The approval is in compliance with the special conditions for specific conditional uses, as listed in [Chapter 21.52](#);
 - a) **Use shall provide parking for the use equivalent to the parking required for new construction regardless of the previous use as to legal nonconforming rights.**
 - As mentioned, non-conformity parking rights apply, and shopping area is supported by nearby public parking
 - b) **Night lighting and other Security measures**
 - Conditioned to provide adequate security lighting along with security cameras
 - c) **Prevention of loitering or other activity**
 - Conditioned to require prevention of loitering or other activity at the site
 - d) **Use shall not be in a reporting district with more than the recommended maximum concentration of the applicable on or off-premise sales use, as recommended by the Long Beach Police Department.**
 - While use shall contribute to over-concentration, proposed use is consistent with General Plan Strategy No. 10, be conditioned to operate in compatible manner, and reviewed by LBPD with no objection
 - e) **Use shall not be located within 500 feet of a public school or park**
 - Subject site not located within 500 feet of a park but is located approximately 415 from Luther Burbank Elementary School. Although within 500 feet of a public school, school exists adjacent to a commercial corridor with several restaurants including some that serve alcohol
4. No additional square footage, therefore Green Building Standards provision does not apply

Conditions of Approval

Conditions:

- Maintain as a sit-down restaurant with a full food menu
- No live entertainment
- Limiting window obstruction into restaurant
- Mandatory staff training to ensure staff is adequately trained to address any issues that might arise in association with the sale of alcohol.
- Operating Hours
 - On Conditions of approval, operating hours are listed on Sunday to Thursdays from 8 am to 11 am.
 - Request that condition will be revised to end at 11 **pm** not **am**, from Sunday to Thursdays

CEQA/Noticing/Recommendation

CEQA

The project qualifies for a categorical exemption under the following exemptions under the California Environmental Quality Act (CEQA):

- 15301 (Existing Facilities)

Noticing

Noticing of the hearing was completed in accordance with Section 21.21 of the Municipal Code.

- No public comments have been received in response to the required noticing.

Staff Recommendation

Approve the Conditional Use Permit for On-Site Consumption Alcohol Sales (Type 47) in conjunction with a new Greek Restaurant subject to conditions of approval.



Thank you

Baltazar Barrios

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