



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Boulevard, 5th Floor • Long Beach, CA 90802 • (562) 570-6194 FAX (562) 570-6068

November 30, 2017

CHAIR AND PLANNING COMMISSIONERS

City of Long Beach
California

RECOMMENDATION:

Adopt Mitigated Negative Declaration ND 07-17 and approve a Site Plan Review (SPR17-077) and Conditional Use Permit (CUP17-018) for the Alamitos Beach Concession Stand Rebuild Project, which involves replacement of an existing concession stand and café with three new buildings, an outdoor recreational area, and improvements to the southern portion of the existing parking lot within the project site located at 780 E. Shoreline Drive in the Park (P) zoning district. (District 2)

APPLICANT: City of Long Beach
Public Works Department
c/o Tony Resendez
333 W. Ocean Boulevard
Long Beach, CA 90802
(Application No. 1703-10)

DISCUSSION

The 1.22-acre project site is located at the western end of Alamitos Beach and is adjacent to the City's downtown waterfront area (Exhibit A – Location Map). Local vehicular access to the site is provided by Ocean Boulevard and Beach Access Road. There are also beach bicycle and pedestrian paths adjacent to the south side of the project providing access to the site.

Areas immediately adjacent to the project site include a sandy beach area, volleyball courts, a rinse station and the existing bicycle and pedestrian paths to the south, sandy beach areas to the east, the existing surface parking lot associated with the existing concession stand to the north, and the Marina Green park to the west. Surrounding land uses include commercial, office, and high-rise residential uses to the north, beach areas associated with Alamitos Beach to the east and south, and the Long Beach Marina, Rainbow Lagoon Park and the Long Beach Convention Center to the west.

The project site is located in General Plan Land Use District (LUD) No. 11, Open Space and Park District. While parks and open space uses are the primary land uses permitted in this LUD, commercial and commercial recreation uses are also permitted if intended to preserve natural areas, promote the mental and physical health of the community, and improve the park visitor's overall experience. The proposed project meets the intent of this General Plan LUD as the project would serve visitors of the surrounding park and beach areas.

The project site is located in the Park (P) zoning district, which is a district established to set aside and preserve publicly owned natural and open areas for active and passive public use for recreational, cultural and community service activities. Such areas are characterized by landscaped open space, beaches or inland bodies of water.

The project site is situated in the California Coastal Zone, specifically in the area of the Coastal Zone under the State's permit jurisdiction. Therefore, the project would require approval of a Coastal Development Permit from the California Coastal Commission.

The proposed project involves replacement of the existing concession stand and café with three new buildings, an outdoor recreation area, and improvements to the southern portion of the existing on-site surface parking lot (Exhibit B – Project Site Plan and Elevations). The project would be aligned with the existing pedestrian and bicycle paths east of the site, creating a promenade area in front of the project site facing the beach. The three new buildings would total 5,562 square feet and replace the existing one-story 2,234-square-foot concession stand for a net increase in floor area of 3,328 square feet.

Building A, totaling 4,315 square feet with a maximum height of 27 feet, would provide the concession stand/restaurant. This building would consist of a semi-enclosed ground level and an open outdoor roof deck. The 3,380-square-foot first floor would feature a modern restaurant/café, a kitchen, and restroom facilities. This restaurant/café would include indoor seating and a larger ground level deck containing outdoor seating areas. The restaurant proposes the sale of alcoholic beverages. The 935-square-foot open roof deck would provide outdoor seating with views of the ocean and Long Beach Marina. This building would be a low rectilinear design incorporating architectural features similar to shipping container structures. The building would include metal panels that would shut down when the restaurant is closed and slide open to reveal an inner material of cedar siding designed to give the building an inviting appearance. The southeastern side of this building would feature tall glass doors connecting ground floor interior seating with exterior uses on the ground level deck. The roof deck would feature acid-etched glass guardrails designed to be visible, non-reflective, bird-safe materials. The building would also have sliding doors on the southwestern end of the site to provide public access to a games counter with board games and amenities for games in the grassy area east of the project site.

Building B, totaling 817 square feet and 12 feet in height, would provide restroom and storage facilities to serve both project patrons and beach visitors. This building would be locked for security purposes during the evening hours. Building C, totaling 430 square feet and 12 feet in height, would store the recreational rental equipment for project patrons and beach visitors. For all three buildings, the building exteriors would consist of profiled metal panels similar to shipping container materials.

In addition to the three buildings, the project would also provide a play space and recreational area on the southern portion of the project site. This play space would include concrete seating with integrated skateboard guards, a grassy mound, a scramble wall with recycled poly-lumber cladding, a slide, and a small pedestrian pathway. The outdoor recreation area would also include outdoor games and ping pong tables.

The project would include on-site lighting consisting of pedestrian scaled lighting (approximately 12 to 16 inches in height), down lights, step lights, and linear perimeter lights on the buildings and outdoor furniture. Backlit walls would be provided on all project buildings. Lighting will be hooded, shielded, or cut-off to focus the light downward and prevent light spillage onto adjacent properties. Appropriate security lighting would also include light and glare shields to avoid light intrusion off-site.

The project would also add a landscaped median between the existing pedestrian and bicycle pathway and an additional dedicated bicycle lane further south of the pedestrian path on the beach. This project would relocate five of the existing volleyball courts south of the project site area to accommodate the additional bicycle lane; however, relocation of the existing palm trees currently located south of the site would not be required. The addition of a bicycle lane as part of this project would reposition a sharp curve in the existing alignment in order to improve both pedestrian and bicyclist safety.

Landscaping would primarily consist of palm trees near the project site entrance and on the eastern portion of the site, with drought-tolerant plants along the eastern perimeter of the site, and grassy areas in the open space area proposed between Building A and Buildings B and C. All project landscaping would be irrigated via an automatic drip irrigation system with a programmable weather-smart controller to achieve maximum water efficiency. Existing grassy areas north of the three proposed buildings would be preserved as open space.

Based on the Zoning Code requirements of 10 parking spaces per 1,000 square feet of indoor dining area and 5 parking spaces per 1,000 square feet of outdoor dining area, the project would be required to provide a total of 40 parking spaces. The proposed project would improve and expand the existing on-site parking lot from 146 spaces to 155 spaces through replacement of 3 spaces and 6 new spaces along with a new drop-off area. The project would also relocate the existing electric vehicle (EV) station closer to the parking lot drop-off area and regrade existing disabled-accessible

parking spaces. In addition, the project would incorporate 25 bicycle racks on the northeastern and southeastern portions of the project site.

The applicant is requesting Site Plan Review approval for construction of the three proposed buildings and associated site improvements. Per Zoning Code Section 21.35.020, Site Plan Review is required for projects in the Park (P) zoning district to ensure that the proposed buildings would be consistent with the serenity, setting, and open-space character of the project site park. Staff finds that the project's low rectilinear building design, borrowing from a shipping container aesthetic, is harmonious, consistent, and complete within the design among these buildings, and the project is compatible in design, character, and scale with neighboring structures and the surrounding community.

The applicant is also requesting Conditional Use Permit (CUP) approval for the following land uses in the Park (P) zoning district: alcohol sales; restaurants (with or without alcohol beverage sales); and Commercial Recreation uses. The Zoning Code defines Commercial Recreation land uses in Section 21.15.565 to be any recreational use and/or activity for which a fee is charged by a private, for-profit person, partnership or corporation where that entity has the discretion to set the fee independently of the City's Recreation Commission or Council. The applicant has confirmed that the rental of recreational equipment will be operated by a private entity without control of rental fees through the City, therefore the equipment rental land use would meet this definition.

The restaurant land use is considered a positive addition to beach recreational activities and would enhance the visitor-serving nature of this coastal area. Alcohol sales at the restaurant would involve the sale of beer, wine, and distilled spirits for on-site consumption only, which would require a Type 47 alcohol license from the State of California Alcohol Beverage Control (ABC). On-site consumption would be permitted for both the restaurant indoor dining area and the outdoor dining area. In considering a CUP for the sale of beer, wine, and distilled spirits, staff evaluated the number of existing alcohol licenses in the subject Census Tract (5766.01) in which this restaurant would be located, as well as the total number of reported crimes in 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 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). The project site is in a slightly over concentrated area, with four on-sale ABC licenses recommended for this Census Tract while there are currently a total of six existing on-sale ABC licenses in this Tract. The reporting district for the project site, Reporting District 273, is not considered to be a district with high crime.

Staff consulted with the LBPD on this alcohol sales request and the LBPD expressed no opposition to approval provided the approval includes security measures including lighting and video surveillance. Conditions of approval Nos. 13 through 24 address these concerns regarding the requested alcohol sales. Staff believes that approval of

the CUP for alcohol sales would have a minimal impact on the surrounding community since this land use would not be in a high crime area and the recommended conditions of approval would require the implementation of a number of operational measures designed to reduce any potential negative effects from the alcohol sales land use.

Staff supports Site Plan Review and Conditional Use Permit approval for the project as necessary components of beach concession amenities that will increase and enhance active and passive beach recreational activities, based on the attached Findings (Exhibit C – Findings of Approval) and subject to the attached approval conditions (Exhibit D – Conditions of Approval).

PUBLIC HEARING NOTICE

Public hearing notices were distributed on November 13, 2017, in accordance with the requirements of Chapter 21.21 of the Long Beach Municipal Code. At the time of writing of this report, staff has received one comment letter from a public agency (Caltrans) and two letters from local residents (see Environmental Review below). All written public testimony received following preparation of this report will be provided to the Planning Commission prior to or at the date of the public hearing.

ENVIRONMENTAL REVIEW

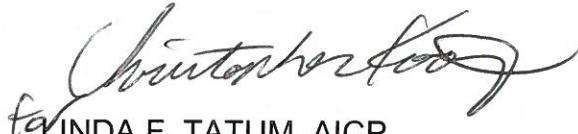
Pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, a Mitigated Negative Declaration (MND 07-17) has been prepared for this project (Exhibit E – Mitigated Negative Declaration MND 07-17). The MND was circulated for a public review period from September 8, 2017 to October 10, 2017. Written comments were received from Caltrans along with emails from two local residents. One resident expressed support for the project and the other resident expressed concerns regarding outdoor noise at nearby special events. The Caltrans comment letter stated Caltrans does not expect the project to result in any direct adverse impacts to existing State transportation facilities and offered recommendations on transport of heavy construction equipment and discharge of storm water. None of the comments received identified potential environmental impacts not analyzed in the MND or provided evidence requiring recirculation of the MND. The MND included mitigation measures for Aesthetics, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, and Noise.

In compliance with Assembly Bill (AB) 52, which requires lead agencies to evaluate a project's potential to impact tribal cultural resources, consultation letters were sent to seven tribal councils on June 14, 2017, based on a list provided by the State's Native American Heritage Commission. One tribal council representative, Andrew Salas of the Gabrieleno Band of Mission Indians – Kizh Nation, requested consultation with the City. During consultation, staff provided information on potential ground disturbing

activities during project construction, which would involve excavation of less than five feet below ground surface. While the project would include some minor ground disturbance activities, it was acknowledged by both staff and Mr. Salas that it would be unlikely for project construction to unearth any tribal artifacts or human remains since the project site was originally at or below water level and substrate on the site is composed of sand bulldozed into place and sand that naturally accumulated due to jetty placement. This consultation was concluded in a July 26, 2017 email from Andrew Salas to staff in which Mr. Salas concluded that ground disturbance would be minimal for this project and therefore he had no further concerns regarding potential impacts to Tribal Cultural Resources for this project.

The MND determined that the project, in compliance with all mitigation measures set forth in the MND, would not result in any significant adverse environmental impacts. The preparation and public availability of the MND have been carried out in compliance with the provisions of CEQA and the CEQA Guidelines. Staff therefore recommends the Planning Commission adopt MND 07-17 and approve the Site Plan Review and Conditional Use Permit requests for the Alamitos Beach Concession Rebuild Project at 780 E. Shoreline Drive.

Respectfully submitted,


LINDA F. TATUM, AICP
PLANNING BUREAU MANAGER


AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

AJB:LFT:cc

Attachments: Exhibit A – Location Map
 Exhibit B – Project Site Plan and Elevations
 Exhibit C – Findings of Approval
 Exhibit D – Conditions of Approval
 Exhibit E – Mitigated Negative Declaration ND 07-17

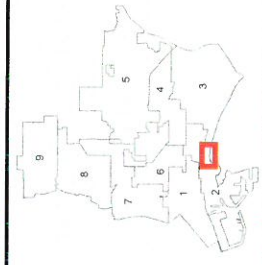


Exhibit A

Subject Property:
780 E Shoreline Dr
Application No. 1703-10
Council District 2
Zoning Code : P



SITE PLAN REVIEW FINDINGS
780 E. Shoreline Drive
Application No. 1703-10/ SPR17-077
November 30, 2017

Pursuant to Section 21.25.506 of the Zoning Ordinance, the Planning Commission shall not approve a Site Plan Review unless the following findings are made. These findings and staff analysis are presented for consideration, adoption, and incorporation into the record of proceedings.

A. THE DESIGN IS HARMONIOUS, CONSISTENT, AND COMPLETE WITHIN ITSELF AND IS COMPATIBLE IN DESIGN, CHARACTER, AND SCALE WITH NEIGHBORING STRUCTURES AND THE COMMUNITY IN WHICH IT IS LOCATED;

The proposed project involves the replacement of the existing concession stand and café on the project site with three new buildings, an outdoor recreational area, and improvement to the southern portion of the existing on-site surface parking lot within the project site located at 780 E. Shoreline Drive. Building A, the concession stand/restaurant, would total 4,315 square-feet with a maximum building height of 27 feet. This building would consist of a semi-enclosed ground level and an open outdoor roof deck. The 3,380 square-foot first floor would feature a restaurant/café, kitchen, and restroom facilities. Building B, a restroom and storage facility, would total 817 square feet with a 12-foot building height. Building C, the recreational rental equipment storage building, would total 430 square feet with a 12-foot building height.

This Site Plan Review approval would also allow improvement of an outdoor recreational area in the southern portion of the project site, addition of a landscaped median between the existing pedestrian and bicycle pathway and an additional dedicated bicycle lane further south of the pedestrian path on the beach, and improvements to the southern portion of the existing on-site surface parking lot including expansion from 146 spaces to 155 spaces through replacement of 3 spaces and 6 new spaces along with a new drop-off area.

The proposed project is harmonious, consistent, and complete within itself. Building A would be designed as a low rectilinear building incorporating architectural features reminiscent of shipping container structures. This building would include exterior metal panels that would slide open, revealing the building's interior cedar siding. The southeastern side of this building would feature tall glass doors connecting ground floor interior seating with exterior uses on the ground level deck. The roof deck would feature acid-etched bird-safe glass guardrails. Buildings B and C would repeat this design through similar materials including exterior metal panels and interior

cedar siding.

The project is compatible with the design, character, and scale with neighboring structures and the surrounding community. The proposed buildings are similar in appearance and massing with other similar publicly accessible beach structures, with a design intended to enhance its beach setting by emphasizing a relaxed and inviting atmosphere. The scale and character of these buildings are appropriate to the intended restaurant and recreational equipment rental functions. These buildings would not create any shade/shadow nuisances to surrounding areas or properties, nor would these buildings alter or restrict access to or use of any surrounding structures or properties. The associated project site improvements involving an outdoor recreation area, surface parking lot upgrades, and bicycle lane realignment would complement and enhance the project's public coastal recreation benefits.

B. THE DESIGN CONFORMS TO ANY APPLICABLE SPECIAL DESIGN GUIDELINES ADOPTED BY THE PLANNING COMMISSION OR SPECIFIC PLAN REQUIREMENTS, SUCH AS THE DESIGN GUIDELINES FOR R-3 AND R-4 MULTI-FAMILY DEVELOPMENT, THE DOWNTOWN DESIGN GUIDELINES, PD GUIDELINES, OR THE GENERAL PLAN;

The project site is in General Plan Land Use District (LUD) No. 11, Open Space and Park District. While parks and open space uses are the primary land uses permitted in this LUD, commercial and commercial recreation uses are also permitted if intended to preserve natural areas, promote the mental and physical health of the community, and improve the park visitor's overall experience. The proposed project meets the intent of this General Plan LUD as the project would serve visitors of the surrounding park and beach areas.

The project site is in the Park (P) zoning district, which is a district established to set aside and preserve publicly-owned natural and open areas for active and passive public use for recreational, cultural and community service activities. Such areas are characterized by landscaped open space, beaches or inland bodies of water. The Park zoning district requires all building construction in this district to be designed, treated and finished to blend with the open and landscaped surroundings and that all mechanical appurtenances, storage and maintenance equipment shall be screened from public view. This project complies with the Park zoning district design and screening requirements. The project buildings would be in a low rectilinear layout with exterior profiled metal panels that present an appearance similar to cargo vessel shipping containers. The Building A rooftop mechanical equipment would be visually screened from public view. All maintenance equipment would be stored out of public view when not in use and all recreational rental equipment would be stored out of public view when not on

display for use during business hours.

The project site is situated in the California Coastal Zone, specifically in the Coastal Zone area under the State's permit jurisdiction. Therefore, the project would require approval of a Coastal Development Permit from the California Coastal Commission. The project site is not within any Specific Plan, Downtown Plan, or any other special planning district.

C. THE DESIGN WILL NOT REMOVE SIGNIFICANT MATURE TREES OR STREET TREES, UNLESS NO ALTERNATIVE IS POSSIBLE;

Project landscaping would primarily consist of palm trees near the site entrance and on the eastern portion of the site. There are no trees present on the project site that would be completely removed by project implementation. The palm trees near the project site northern entrance and on the eastern portion of this site may be relocated during project construction. The remainder of the existing project site trees would remain in place throughout project implementation. Any removal of existing on-site trees would be compensated through compliance with the tree replacement requirements of the Long Beach Municipal Code, including the City's Tree Maintenance Policy. Compliance with the City's tree removal requirements would ensure the project would not conflict with any local tree protection policies or ordinances.

D. THERE IS AN ESSENTIAL NEXUS BETWEEN THE PUBLIC IMPROVEMENT REQUIREMENTS ESTABLISHED BY THIS ORDINANCE AND THE LIKELY IMPACTS OF THE PROPOSED DEVELOPMENT;

The applicant would be required to comply with all project public improvement requirements, including exterior lighting, landscaping, fencing, maintenance, and security video surveillance. Anticipated increases in coastal visitor demand for project amenities and recreational rental equipment necessitates these public improvements. The applicant would also comply with any public improvement requirements, including parkway improvements and property dedications, if determined by the Department of Public Works to apply to this project.

E. THE PROJECT CONFORMS TO ALL REQUIREMENTS SET FORTH IN CHAPTER 21.64 (TRANSPORTATION DEMAND MANAGEMENT); AND

The project contains less than 25,000 square feet of new, non-residential development and thus is exempt from Transportation Demand Management requirements. However, the project is accessible by two separate bus lines along Ocean Boulevard and Alamitos Avenue. Access to the Metro Blue Line is within walking distance of the project site, roughly one-half mile to the

northwest. Additionally, the project has incorporated 25 bicycle parking spaces on the northeastern and southeastern portions of the project site.

F. THE APPROVAL IS CONSISTENT WITH THE GREEN BUILDING STANDARDS FOR PUBLIC AND PRIVATE DEVELOPMENT, AS LISTED IN SECTION 21.45.400.

The project would be consistent with the Title 24 Energy Code and the California Green Buildings Standards Codes. The project proposes to incorporate the following sustainability features: low-flow toilets, low-flow showerheads, low-flow kitchen faucets, tankless water heaters, light-emitting diode (LED) recessed can lighting, LED exterior coach lighting, LED surface mount fixtures, LED pendant lighting, pre-plumbing/pre-wiring the restaurant for a condensing water heater, and relocation of an electric vehicle (EV) station.

CONDITIONAL USE PERMIT FINDINGS
780 E. Shoreline Drive
Application No. 1703-10/CUP17-018
November 30, 2017

Pursuant to Section 21.25.206 of the Long Beach Municipal Code, a Conditional Use Permit can be granted only when positive findings are made consistent with the following criteria set forth in the Zoning Ordinance. These findings and staff analysis are presented for consideration, adoption and incorporation into the record of proceedings:

1. THE APPROVAL IS CONSISTENT WITH AND CARRIES OUT THE GENERAL PLAN, ANY APPLICABLE SPECIFIC PLANS SUCH AS THE LOCAL COASTAL PROGRAM AND ALL ZONING REGULATIONS OF THE APPLICABLE DISTRICT;

The project site is in General Plan Land Use District (LUD) No. 11, Open Space and Park District. While parks and open space uses are the primary land uses permitted in this LUD, commercial and commercial recreation uses are also permitted if intended to preserve natural areas, promote the mental and physical health of the community, and improve the park visitor's overall experience. The proposed project meets the intent of this General Plan LUD as the project would serve visitors of the surrounding park and beach areas.

The project site is in the Park (P) zoning district, which is a district established to set aside and preserve publicly owned natural and open areas for active and passive public use for recreational, cultural and community service activities. Such areas are characterized by landscaped open space, beaches or inland bodies of water.

The project site is situated in the California Coastal Zone, specifically in the area of the Coastal Zone under the State's permit jurisdiction. Therefore, the project would require approval of a Coastal Development Permit from the California Coastal Commission.

The proposed project includes three land uses that require Conditional Use Permit approval: alcoholic beverage sales with permitted or conditionally permitted uses; restaurants with or without alcoholic beverage sales; and Commercial Recreation uses as defined in Section 21.15.565 of the Long Beach Zoning Code to include any recreational use and/or activity for which a fee is charged by a private, for-profit person, partnership or corporation where that entity has the discretion to set the rental fee independently of the City's Recreation Commission or Council.

All three conditionally permitted land uses would enhance the coastal recreational opportunities of local residents and beach visitors. The project

is consistent with the intent of General Plan LUD No. 11 and the Park zoning district to encourage active and passive public use of the project site and surrounding park and beach areas. Project approval would include conditions of approval to prevent nuisances and minimize potential negative impacts to surrounding areas.

2. THE PROPOSED USE WILL NOT BE DETRIMENTAL TO THE SURROUNDING COMMUNITY INCLUDING PUBLIC HEALTH, SAFETY OR GENERAL WELFARE, ENVIRONMENTAL QUALITY OR QUALITY OF LIFE; AND

The sale of alcoholic beverages for on-site consumption only associated with a restaurant is not expected to be detrimental to the surrounding community. Conditions of approval are included to ensure minimization of any negative impacts associated with the operation of the proposed project. Conditions include security measures to prevent nuisances and loitering and to ensure safe operations of the facility.

3. THE APPROVAL IS IN COMPLIANCE WITH THE SPECIAL CONDITIONS FOR SPECIFIC CONDITIONAL USES, AS LISTED IN CHAPTER 21.52.

Section 21.52.210 states that the following conditions shall apply to all alcoholic beverages sales uses requiring a Conditional Use Permit:

A. The operator of the 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.

The project site is located within a portion of Alamitos Beach by the parking lot accessing Shoreline Drive via the Beach Access Road signalized intersection. The proposed project would improve and expand the existing on-site surface parking lot from 146 spaces to 155 spaces and would include a new drop-off area. The project would also relocate the existing electric vehicle (EV) station closer to the parking lot new drop-off area and regrade existing disabled-accessible parking spaces. In addition to vehicular parking, the proposed project would incorporate 25 bicycle spaces on the northeastern and southeastern portions of the project site. Based on the City parking requirements of 10 parking spaces per 1,000 square-feet of indoor dining area and 5 parking spaces per 1,000 square-feet of outdoor dining area, the proposed project would be required to provide a total of 40 parking spaces. Since the adjacent parking lot serving the project site currently has 146 spaces and project implementation would increase this parking supply to 155 spaces, the project would be in compliance with the required number of parking spaces.

B. The operator of the use shall provide night lighting and other security measures to the satisfaction of the Chief of Police.

The project would include on-site lighting consisting of pedestrian scaled lighting (approximately 12 to 16 inches in height), down lights, step lights, and linear perimeter light on the buildings and outdoor furniture. The project would also provide backlit walls on all project buildings. Lighting will be hooded, shielded, or cut-off to focus the light downward and prevent light spillage onto adjacent properties. The project Conditions of Approval include a requirement to provide appropriate security lighting with light and glare shields to avoid light intrusion onto adjacent buildings and the surrounding areas in accordance with Long Beach Municipal Code Section 21.41.259 and specifies that other security measures may be required to the satisfaction of the Long Beach Police Department (Condition No. 44). In addition, Condition No. 24 would require exterior video security cameras and adequate video surveillance of the surrounding area to the satisfaction of the Police Department.

C. The operator of the use shall prevent loitering or other activity in the parking lot that would be a nuisance to adjacent uses and/or residential neighborhoods.

Condition of Approval No. 23 will require the operator to prevent loitering and other related nuisances.

D. The 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, except: (1) locations in the greater downtown area; or (2) stores of more than 20,000 square feet of floor area, and also providing fresh fruit, vegetables, and meat, in addition to canned goods.

In consideration of a Conditional Use Permit application for the sale of alcoholic beverages, staff evaluates the number of existing alcohol licenses in the subject Census Tract (5766.01) in which the project site restaurant is located, as well as the total number of reported crimes in the subject Police Reporting District (Reporting District 273). While the project site Census Tract is slightly over concentrated for on-sale alcohol licenses as reported by Alcohol Beverage Control (ABC), presently having six existing on-sale licenses with four the ABC recommended maximum, the project site is not in a high crime area as reported by the Long Beach Police Department (LBPD). Staff consulted with the LBPD on this application and the LBPD expressed no opposition provided

security measures such as security cameras are included in the approval conditions. Security measures, including surveillance cameras, are provided in Condition Nos. 13 through 24 to address these security concerns.

- E. The use shall not be located within 500 feet of a public school or public park, except: (1) locations in the greater downtown area; or (2) stores of more than 20,000 square feet of floor area, and also providing fresh fruit, vegetables, and meat in addition to canned goods.**

Although the project site is in a public park, the subject site is located within the greater downtown Long Beach area.

**CONDITIONS OF APPROVAL
APPLICATION No. 1703-10
Site Plan Review SPR17-077
Conditional Use Permit CUP17-018
780 E. Shoreline Drive
Date: November 30, 2017**

1. This permit and all development rights hereunder shall terminate two years from the effective date (final action date) of this permit unless construction is commenced or a time extension is granted, based on a written and approved request submitted prior to the expiration of the two year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
2. This permit shall be invalid if the owner(s) and applicant(s) have failed to return written acknowledgment of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30 days from the effective date of approval (final action date). Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval to the satisfaction of the Director of Development Services.
3. If, for any reason, there is a violation of any of the conditions of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.

Special Site Plan Review Conditions:

4. This Site Plan Review approval allows the replacement of the existing concession stand and café on the project site with three new buildings, an outdoor recreational area, and improvement to the southern portion of the existing on-site surface parking lot within the project site located at 780 E. Shoreline Drive. Building A, the concession stand/restaurant, would total 4,315 square feet with a maximum building height of 27 feet. This building would consist of a semi-enclosed ground level and an open outdoor roof deck. The 3,380-square-foot first floor would feature a restaurant/café, kitchen, and restroom facilities. Building B, a restroom and storage facility, would total 817 square feet with a 12-foot building height. Building C, the recreational rental equipment storage building, would total 430 square feet with a 12-foot building height.

This Site Plan Review approval would also allow improvement of an outdoor recreational area in the southern portion of the project site, addition of a

landscaped median between the existing pedestrian and bicycle pathway and an additional dedicated bicycle lane further south of the pedestrian path on the beach, and improvements to the southern portion of the existing on-site surface parking lot including expansion from 146 spaces to 155 spaces through replacement of 3 spaces and 6 new spaces along with a new drop-off area.

The project shall be developed in accordance with the plans submitted and filed under Application No. 1703-10/SPR 17-077. Project site development would be in full compliance with all applicable development standards of the Park (P) zoning district.

5. The applicant shall be in full compliance with all Mitigation Measures specified in the Mitigation Monitoring and Reporting Program for Mitigated Negative Declaration ND 07-17 (State Clearinghouse No. 2017091025).
6. A minimum of 155 on-site parking spaces shall be permanently maintained and in useful operation on the project site. The number of Electric Vehicle (EV) charging stations and spaces shall meet California Green Building Standards Code Chapter 5 Section 5.106.5.3 requirements.
7. A minimum of 25 bicycle spaces shall be provided for and maintained on the project site. The type, spacing and placement of exterior bicycle racks shall follow the guidelines of the Bicycle Master Plan to the satisfaction of the Director of Development Services.
8. Noise levels emanating from the project's open space areas shall not exceed applicable noise standards specified in Long Beach Municipal Code Section 8.80.150 Exterior Noise Limits.
9. Prior to start of any demolition or construction activities, the applicant shall submit a construction plan for pedestrian and bicyclist protection, construction area perimeter fencing, construction staging, and routing of construction vehicles.
10. The applicant shall maintain a refuse and recycling receptacle location by the southeastern end of the on-site parking lot as shown on the plans submitted and filed under Application No. 1703-10/SPR17-077. All refuse and recycling receptacles shall be subject to the standards and requirements of Long Beach Municipal Code Section 8.60.
11. Prior to issuance of any building permits, the applicant shall obtain approval of a Coastal Development Permit from the California Coastal Commission.

Special Conditional Use Permit Conditions

12. The uses permitted on the subject site under Application No. 1703-10/CUP 17-018, in addition to the other uses permitted in the Park (P) District, shall be alcoholic beverage sales with permitted or conditionally permitted uses, restaurants with or without alcoholic beverage sales, and Commercial Recreation uses as defined in Zoning Code Section 21.15.565.
13. Patrons shall be required to show valid identification to verify age at the point of sale for alcohol.
14. Alcoholic beverages shall be dispensed, sold, and served in containers that are easily distinguishable from non-alcoholic beverage containers.
15. All sales or service of alcoholic beverages in the licensed premises shall be made only from the concession counter. No deliveries of alcoholic beverages shall be permitted. The sale of alcoholic beverages for consumption off-premises is strictly prohibited.
16. The applicant shall post and maintain professional quality signs measuring 12 inches by 12 inches with lettering no smaller than 2 inches in height that read "No Alcoholic Beverages Beyond This Point" at all building and outdoor dining exits.
17. The hours of operation shall not extend before sunrise or after sunset. The sale of alcoholic beverages shall stop one hour prior to the close of the business.
18. Windows shall not be obscured by placement of signs, dark window tinting, shelving, racks or similar obstructions.
19. There shall be no exterior advertising or sign of any kind, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages.
20. The applicant shall maintain full compliance with all applicable laws, Alcoholic Beverage Control (ABC) regulations, ordinances and stated conditions. In the event of a conflict between this permit and ABC license requirements, the more stringent regulation shall apply.
21. No publicly accessible telephones shall be maintained on the exterior of the premises. Any existing publicly accessible telephones shall be removed.

22. Exterior security lighting shall be installed and maintained to the satisfaction of the Long Beach Police and Development Services Departments.
23. The operator of the approved use shall prevent loitering in the project site, including landscaping areas serving the use, during and after hours of operation. The operator must clean all walkway areas of trash and debris on a daily basis. Failure to comply with this condition shall be grounds for permit revocation. If loitering and/or noise problems develop, the Director of Development Services may require additional preventative measures such as, but not limited to, additional security lighting and video surveillance.
24. The operator shall install exterior video security cameras and adequate video surveillance to the surrounding area. The cameras shall record video for a minimum of 30 days and be made available to the Long Beach Police Department (LBPd) upon request. A Public Internet Protocol (IP) address and user name/password to allow the LBPd to view recorded video from the cameras over the Internet. The operator shall also provide LBPd the ability to view live stream video surveillance. All video security cameras shall be installed to the satisfaction of the LBPd Police Chief, Director of Technology Services, and Director of Development Services.
25. No exterior recycling center or exterior vending machines shall be permitted on the project site.

Standard Conditions

26. In the event of transfer of ownership of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions which are a part thereof. These specific requirements must be recorded with all title conveyance documents at time of closing escrow.
27. The applicant shall submit a Master Sign Program for review and approval by the Director of the Development Services Department.
28. Prior to the issuance of a building permit, the applicant shall submit complete landscaping and irrigation plans for the review and approval of the Director of Development Services. The landscaping plan shall be in full compliance with Zoning Code Chapter 21.42 and shall include drought tolerant street trees to be installed consistent with the specifications of the Street Tree Division of the Department of Public Works. Approved root guards shall be provided for all street trees.
29. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Development Services Department. These conditions

must be printed on the site plan or a subsequent reference page.

30. The Director of Development Services is authorized to make minor modifications to the project plans or to any of the conditions of approval if such modifications shall not significantly change/alter the approved project. Any major modifications shall be reviewed by the Site Plan Review Committee or Zoning Administrator, respectively.
31. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, fences and the perimeter of the site (including all public parkways).
32. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau must be secured.
33. Any graffiti found on site must be removed within 24 hours of its appearance.
34. Separate building permits are required for signs, fences, retaining walls, flagpoles, pole mounted yard lighting foundations and planters.
35. All construction refuse containers and dumpsters shall be permitted on-site only during the hours of construction activities and shall be removed from the project site every day at the end of the daily construction activities.
36. All required utility easements shall be provided to the satisfaction of the concerned department or agency.
37. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):
 - a. Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;
 - b. Saturday: 9:00 a.m. - 6:00 p.m.; and
 - c. Sundays: not allowed
38. Any off-site improvements found to be damaged shall be replaced to the Director of Public Works.
39. Site development, including landscaping, shall conform to the approved plans on file in the Development Services Department. The applicant shall comply with all comments from Long Beach Police, Fire, Gas & Oil, and Public Works Departments and the Building Bureau. At least one set of approved plans containing Planning, Building, Fire, and, if applicable, Health

Department stamps shall be maintained at the job site, at all times for reference purposes during construction and final inspection.

40. Prior to the issuance of a building permit, the applicant must depict all utility apparatus, such as, but not limited to, backflow devices and Edison transformers, on both the site plan and the landscape plan. These devices shall not be located in any front, side, or rear yard area that is adjacent to a public street. Furthermore, this equipment shall be properly screened by landscaping or any other screening method approved by the Director of Development Services.
41. Where feasible, all landscaped areas shall be planted with drought tolerant plant materials. All landscaped areas shall be provided with water conserving automatic irrigation systems designed to provide complete and adequate coverage to sustain and promote healthy plant life. The irrigation system shall not cause water to spray or flow across a public sidewalk.
42. All landscaped areas must be maintained in a neat and healthy condition, including public parkways and street trees. Any dying or dead plant materials must be replaced with the minimum size and height plant(s) required by Chapter 21.42 (Landscaping) of the Zoning Regulations. At the discretion of City officials, a yearly inspection shall be conducted to verify that all irrigation systems are working properly and that the landscaping is in good healthy condition. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by City Council.
43. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
44. The project site shall provide appropriate security lighting with light and glare shields so as to avoid any light intrusion onto adjacent or abutting buildings and surrounding areas pursuant to Section 21.41.259. Other security measures may be required to be provided to the satisfaction of the Long Beach Police Department.
45. All rooftop mechanical equipment shall be fully screened from public view. Said screening must be architecturally compatible with the building in terms of theme, materials, colors and textures. If the screening is not specifically designed into the building, a rooftop mechanical equipment plan must be submitted showing screening and must be approved by the Director of Development Services and the Building Bureau prior to the issuance of a building permit.
46. Adequately sized trash enclosure(s) shall be designed and provided for this

project as per Section 21.46.080 of the Long Beach Municipal Code. The designated trash area shall not abut a street or public walkway and shall be placed at an inconspicuous location on the project site.

47. Approval of this development project is expressly conditioned upon payment (prior to building permit issuance or prior to Certificate of Occupancy, as specified in the applicable Ordinance or Resolution for the specific fee) of impact fees, connection fees and other similar fees based upon additional facilities needed to accommodate new development at established City service level standards, including, but not limited to, sewer capacity charges, Park Fees and Transportation Impact Fees.
48. The applicant shall file a separate plan check submittal to the Long Beach Fire Department for their review and approval prior to the issuance of a building permit.
49. The plans submitted for plan review must explicitly call out and describe all materials, textures, accents, colors, window, door, planter, and paving details that were approved by the Site Plan Review Committee and/or the Planning Commission. No substantial changes shall be made without prior written approval of the Site Plan Review Committee and/or the Planning Commission.
50. All grading and construction activities shall conform to Rule 403 of the South Coast Air Quality Management District and shall include the following:
 - a. Use water trucks and hoses to wet exposed and graded areas at least twice daily with complete coverage on all active areas and periodic wash-downs of public streets in the vicinity of all entrances and exits to the project site. Increase frequency of watering to three or more times per day whenever winds exceed 15 miles per hour, and cease grading activities during period of winds greater than 30 miles per hour.
 - b. Water material being excavated and stockpiled.
 - c. Water grading and cover materials being transported.
 - d. Maintain grading and construction equipment in proper tune.
 - e. Schedule truck trips to avoid peak hours (7-9 a.m. and 4-6 p.m., weekdays).
 - f. Discontinue construction during stage II smog alerts (ozone more than or equal to 0.35 ppm.)
 - g. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):

Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;

Saturday: 9:00 a.m. - 6:00 p.m.; and

Sundays: not allowed

51. Prior to issuance of a building permit, please contact the Gas and Oil Department for information on gas meter location requirements.
52. The project shall fully comply with all applicable provisions of Section 21.64.030, Transportation Demand and Trip Reduction Measures, of the Long Beach Municipal Code, to the satisfaction of the Director of the Development Services Department.
53. As a condition of any City approval, the applicant shall defend, indemnify, and hold harmless the City and its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul the approval of the City concerning the processing of the proposal/entitlement or any action relating to, or arising out of, such approval. At the discretion of the City and with the approval of the City Attorney, a deposit of funds by the applicant may be required in an amount sufficient to cover the anticipated litigation costs.