



# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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March 7, 2019

CHAIR AND PLANNING COMMISSIONERS  
City of Long Beach  
California

## RECOMMENDATION:

Accept Categorical Exemption CE-18-238 and approve a Conditional Use Permit (CUP18-031) for the operation of a bar within an existing 1,109 square-foot commercial tenant space, in conjunction with an Administrative Use Permit (AUP19-007) for joint-use parking located at 2222 E. Anaheim Street in the Community Pedestrian-Oriented (CCP) District (Council District 4).

APPLICANT: Sophia Sandoval  
5451 La Pasada Street  
Long Beach, CA 90815  
(Application No. 1810-13)

## PROJECT DESCRIPTION

The project site is located on the south side of Anaheim Street, between Dawson Avenue and Raymond Avenue (Exhibit A – Location Map). The site is 19,500 square-feet in area and is developed with a multi-tenant commercial building of approximately 8,500 square-feet with ten parking spaces and a two-story, eight-unit apartment building. The site is within the Community Pedestrian-Oriented (CCP) District and has a General Plan Designation of LUD #8A for Traditional Retail Strip Commercial. It is bordered to the north, east and west by a variety of strip commercial businesses and to the south by residential properties. The applicant proposes to establish a full bar within a vacant tenant space of 1,109 square-feet (Exhibit B – Plans & Photos).

In requesting to operate an establishment with alcohol sales as a primary use at this location, the applicant proposes to establish a Type 48 license for the on-site consumption of beer, wine and distilled spirits within a public space (On-sale General Public Premises), as classified by the California Alcoholic Beverage Control Board (ABC). Pursuant to Section 21.32.130 of the Long Beach Municipal Code (LBMC), the operation of an establishment with on-site alcohol sales as a principal use requires the approval of a Conditional Use Permit (CUP). LBMC Section 21.52.201 outlines the findings that must be made in order to approve a CUP for alcoholic beverage sales uses (Exhibit C – Findings).

Finding #1 states that the operator of the use shall provide parking for the use equivalent to the parking required for new construction regardless of the status of the previous use as to legal nonconforming rights. Based on plans submitted by the applicant, the proposed establishment will consist of a 206 square-foot service bar area and a 126 square-foot area

devoted to dining. The applicant is also proposing to incorporate an outdoor patio area with additional tables. Due to the site's proximity to residential uses and the lack of outdoor space to accommodate the patio (except within required vehicular circulation paths), staff has included a Condition of Approval prohibiting the use of any outdoor space for any business activity (Exhibit D – Conditions of Approval). The parking requirement for bar area is 20 spaces per 1,000 square-feet of floor area while the requirement for dining area is ten spaces per 1,000 square-feet. Excluding the outdoor patio area, the parking requirement for the proposed bar is six spaces.

The project site consists of a multi-tenant commercial building that includes a beauty salon, computer repair shop, small convenience store, and a restaurant, in addition to the vacant tenant space proposed for the bar. The property also has ten on-site parking spaces for use by the existing tenants. Pursuant to LBMC Section 21.41.223, the incorporation of joint-use parking requires the approval of an Administrative Use Permit (AUP). While AUPs are typically subject to the review and approval of the City of Long Beach's Zoning Administrator, staff has included this request for joint-use parking for the Planning Commission's consideration in tandem with the CUP for an ABC use. Joint-use parking arrangements require submission of a signed affidavit showing that the applicable uses have only a partial overlap in their hours of operation.

The applicant has submitted a parking affidavit detailing the hours of operation for each of the on-site tenant spaces (Exhibit E – Parking Affidavit). Staff has determined that the only tenant space with a high parking demand during peak hours (12:00 p.m. – 2:00 p.m.) is the Cambodian restaurant, which operates from 7:00 a.m. – 3:00 p.m. The remaining tenant spaces consist of retail or personal service uses, which generate a lower demand for parking throughout the day. Therefore, staff is recommending (with the input of the Long Beach Police Department) hours of operation for the bar from 2:00 p.m. – 12:00 midnight Sunday through Thursday and 2:00 p.m. – 2:00 a.m. on Friday and Saturday. With the proposed hours of operation and a parking requirement of 6 spaces, staff does not anticipate any parking issues with the ten on-site parking spaces.

Additional findings state that a new CUP shall not be approved in a reporting district with an over concentration of on- or off-sale premises, as recommended by ABC; nor in a reporting district with a high crime rate as reported by the Long Beach Police Department (LBPD). As reported by the LBPD, the project site is located within Census Tract 5769.01, where up to six establishments may sell alcohol based on ABC criteria for population which establishes a threshold for overpopulation within a census tract (Exhibit F – Alcoholic Beverage Control Statistics). Currently, there are three ABC licenses in this census tract, which is three below the ABC threshold.

The site is located within Police Reporting District 454, which is considered a high-crime rate area based on a crime rate of 128, which is greater than the high-crime rate threshold of 115. Establishments licensed for alcohol sales within the project site's census tract are listed below by address and distance from the project site. Although the project site is located within a high-crime Reporting District, staff has consulted with the Long Beach Police Department (LBPD) to address concerns regarding potential nuisance impacts on the surrounding neighborhood. Several stringent Conditions of Approval have been

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included to closely monitor the operation of the bar and ensure that the use does not threaten public health, safety or welfare.

Due to the proximity of the bar to residential units, a condition has been included to prohibit any outdoor activity for the proposed bar. Other conditions include: the following recommended hours of operation, recommended by Long Beach Development Services and LBPD - 2:00 p.m. – 12:00 midnight from Sunday through Thursday and 2:00 p.m. – 2:00 a.m. on Friday and Saturday, with the option to apply for a modification at a later date; the prohibition of any expansion of bar or dining area above (206 square-feet and 126 square-feet, respectively) what is included with this approval; the prohibition of any loitering or queuing of patrons beyond the interior of the tenant space; and the prevention of any loud noises coming from the tenant space. The incorporation of Conditions of Approval gives staff the authority to periodically re-inspect the project site and monitor the use. Any violations of these conditions can serve as grounds for permit revocation at a noticed public hearing. Staff recommends that the Planning Commission approve the Conditional Use Permit, subject to Conditions of Approval.

### PUBLIC HEARING NOTICE

In accordance with provisions of the Zoning Ordinance, 2229 Public Hearing notices were mailed on February 15, 2019. At the time of preparation of this report, staff has not received any correspondence regarding the 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, as the project consists of the operation of a bar within an existing multi-tenant commercial building. (Exhibit F – CE 18-238).

Respectfully submitted,

  
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PROJECT PLANNER

  
ALEXIS OROPEZA  
SENIOR PLANNER

  
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PLANNING BUREAU MANAGER

  
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Attachments:

- Exhibit A – Location Map
- Exhibit B – Plans & Photos
- Exhibit C – Findings
- Exhibit D – Conditions of Approval
- Exhibit E – Parking Affidavit
- Exhibit F – Alcoholic Beverage Control Statistics
- Exhibit G – Categorical Exemption 18-238