



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

411 West Ocean Blvd., 3rd Floor, Long Beach, CA 90802 Phone: 562-570-6194

September 5, 2019

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Accept Categorical Exemption CE-19-152 and approve a Conditional Use Permit and a Local Coastal Development Permit to allow the sale of beer, wine, and distilled spirits for on-site consumption within an existing building where a tenant improvement is in progress for a restaurant at 6420 E. Pacific Coast Highway, Suite 230, within the Southeast Area Development and Improvement Plan (PD-1) Zoning District. (District 3)

APPLICANT: Toby Reece, Ola Mexican Kitchen, Inc.
21040 Pacific Coast Highway, Suite F 200
Huntington Beach, CA 92648
(Application 1905-27)

DISCUSSION

The project site is located at the southwest corner of Marina Drive and 2nd Street (Exhibit A - Vicinity Map). The site is located within the Southeast Area Development and Improvement Plan (SEADIP) (PD-1), zone subarea 17, and is currently being developed with nine (9) buildings including the restaurant. The commercial center will be anchored by Whole Foods and will provide 1,120 parking spaces along with landscaping and open space. The project is expected to be completed and open for business by October of 2019 (Exhibit B - Plans & Photographs). The applicant is requesting approval of a Conditional Use Permit to allow the sale of beer, wine, and distilled spirits for on-site consumption (Alcohol Beverage Control – License Type 47) in conjunction with a restaurant. The restaurant use is allowed by right and not subject to the approval of a CUP.

In considering a Conditional Use Permit (CUP) application for the sale of beer, wine and distilled spirits, staff evaluated the number of existing alcohol licenses in the subject Census Tract (5776.04) in which this market is 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 the California Department of Alcoholic Beverage Control (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). Pursuant to Section 21.52.100, all special conditions shall be met unless findings of fact can be made to support the use. The restaurant is not located in a high crime area per LBPD; however, it is an over concentrated district for on-site alcohol sales. In the subject census tract

(5776.04), one license for on-site alcohol sales is allowed; there 26 licenses currently active (Exhibit C - Map of Existing Alcohol Licenses).

Staff consulted with the LBPD for this application and they expressed no opposition to approval given the fact there are no residents within 500 feet of this site and security measures such as security cameras and lighting have been incorporated to ensure minimization of any negative impacts associated with the operation of the project. These measures have been included as Conditions #13 and #18. Staff believes that the approval of this CUP application will have minimal impact on the surrounding land uses because the use is not located in a high crime area and because the conditions of approval recommended for the project will require the implementation of a number of operational measures designed to reduce any potential negative effects from the proposed on-site sales of alcohol.

A Local Coastal Development Permit (LCDP) is required whenever a discretionary application is considered within the designated coastal area. Such applications are required to be consistent with the certified Local Coastal Program and not affect any affordable housing. The on-site sales of alcohol are consistent with the non-residential provisions found in the certified Local Coastal Program, which allocate this site to commercial uses. Additionally, no low and moderate-income housing will be removed as a result of this use.

Accordingly, staff recommends that the Planning Commission approve the CUP and LCDP subject to conditions (Exhibit D - Findings & Exhibit E - Conditions of Approval).

PUBLIC HEARING NOTICE

A Notice of Application was sent to the local community groups on June 5, 2019, and 324 public hearing notices were distributed on August 19, 2019, in accordance with the provision of the Zoning Ordinance. At the time of writing this report, staff has received no inquiries on this 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 Class 1(a), as the project consists of the operation of a restaurant within an existing commercial building (CE 19-152).

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Respectfully submitted,




JORGE RAMIREZ
PROJECT PLANNER



CHRISTOPHER KOONTZ, AICP
PLANNING BUREAU MANAGER



ALEXIS OROPEZA
CURRENT PLANNING OFFICER



LINDA F. TATUM, FAICP
DIRECTOR OF DEVELOPMENT SERVICES

LT:CK:AO;jr

Attachments:

- Exhibit A - Vicinity Map
- Exhibit B - Plans & Photographs
- Exhibit C - Map of Existing Alcohol Licenses
- Exhibit D - Findings
- Exhibit E - Conditions of Approval