

November 7, 2019

CHAIR AND PLANNING COMMISSIONERS

City of Long Beach
California

RECOMMENDATION:

Accept Categorical Exemption CE-18-216 and approve two Conditional Use Permits to establish on premise alcohol sales (Alcoholic Beverage Control License – Type 47 [On-Sale General for Bona Fide Public Eating Place]) within two 1,250-square-foot restaurant tenant spaces and outdoor patio area at the Uptown Commons shopping center located at 625 E. Artesia Blvd., Units A & B, in the Community Automobile Oriented (CCA) Zoning District. (District 9)

APPLICANT: Tom Carpenter
Atlantic and Artesia LLC.
610 Newport Center Drive, Suite 1520
Newport, CA 92660
(Application 1907-02)

DISCUSSION

The site is located at the southwest corner of Atlantic Avenue and Artesia Boulevard (Exhibit A – Vicinity Map) and is currently being developed with a 11,013-square-foot shopping center consisting of six individual one-story buildings and surface parking lot.

The applicant is requesting the sales of alcohol within two 1,250-square-foot side-by-side restaurant tenant spaces. In addition to service within the building, patrons will be allowed to carry and consume drinks in the 3,150-square-foot outdoor patio area of the shopping center (Exhibit B – Plans & Photographs). Unit A (the southerly portion of the building), will be occupied by Portside Fish Company owned and operated by Chef Fernando Valladares, which will become its second proposed Long Beach location. Unit B (the northerly portion of the building), will be occupied by Shomi Noods Ramen Bar owned and operated by Chef Michael Pham, which will be the company's third location (Exhibit C – Owner Biography and Business Operation Plan).

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 (5702.02) in which these restaurants are located, as well as the total number of reported crimes in the subject Police Reporting District. Section 21.52.201 of

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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 restaurants are not located in an over concentrated district for on-site alcohol sales (three existing and six are allowed), however per LBPD Reporting District (341), the restaurants are in a high crime area (rating of 138 with high being 115) (Exhibit D – ABC/PD Stats). Additionally, the restaurants will be located approximately 315-feet away from Jordan High School within the 500-foot minimum distance away from a public school (Exhibit E – Buffer Map).

Staff consulted with ABC and the LBPD for this application and they expressed no opposition to approval provided that the use incorporate security measures such as security cameras, lighting and a security guard to ensure minimization of any negative impacts associated with the operation of the project. These measures have been included as Conditions #19 and #23. Staff believes that the approval of this Conditional Use Permit application will have minimal impact on the surrounding land uses because the use is not located in an over concentrated census tract for on-site alcohol sales 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. Furthermore, the sale of alcohol is an accessory to a full-service restaurant.

Accordingly, staff recommends that the Planning Commission approve the CUP subject to conditions (Exhibit F – Findings and Exhibit G – Conditions of Approval).

PUBLIC HEARING NOTICE

629 Public Hearing Notices were distributed on October 21, 2019 in accordance with the provision of the Zoning Ordinance. At the time of writing this report, staff has received no comments on this project.

ENVIRONMENTAL REVIEW

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, the project was found exempt per Section 15332 – Infill Development, the construction portion of the project is currently in construction which was previously approved for the construction of this shopping center. The sale of on-premise alcohol sales will occur within that development (CE 18-216).

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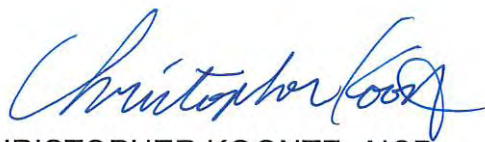
Respectfully submitted,



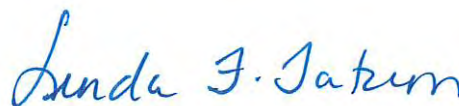
NICK VASUTHASAWAT
PROJECT PLANNER



ALEXIS OROPEZA
CURRENT PLANNING OFFICER



CHRISTOPHER KOONTZ, AICP
PLANNING BUREAU MANAGER



LINDA F. TATUM, FAICP
DIRECTOR OF DEVELOPMENT SERVICES

LFT:CK:AO:nv

Attachments:

Exhibit A – Vicinity Map
Exhibit B – Plans and Photographs
Exhibit C – Owner Biography and Business Operation Plan
Exhibit D – ABC/PD Stats
Exhibit E – Buffer Map
Exhibit F – Findings and
Exhibit G – Conditions of Approval