

**SITE PLAN REVIEW
FINDINGS
5716 East 2nd Street
Application No. 2106-01 (SPR21-030)
August 25, 2021**

Pursuant to Section 21.25.506 of the Long Beach Municipal Code, the Site Plan Review Committee or 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:

1. 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 project scope subject to a Site Plan Review entitlement for the exterior remodel of an existing restaurant building at 5716 East 2nd Street to include a new entry, windows, doors, and canopy at the existing façade and the conversion of a portion of the existing parking lot to outdoor dining with a new steel patio structure, landscape and hardscape improvements, and perimeter gate enclosure. The remainder of the parking lot will receive a grind and overlay of asphalt paving. The existing curb cut for vehicle entry from 2nd Street will be demolished and a sidewalk with a full height curb constructed in its place. Five (5) parking stalls would be provided onsite with three (3) optional tandem parking stalls for valet use. A separate Administrative Use Permit covers the off-site, joint-use parking for nine (9) parking stalls at 5790 East 2nd Street to serve a restaurant located at 5716 East 2nd Street in the CNP Zoning District. No new floor area would be added as part of the project.

The subject site is in General Plan Land Use District No. 8P (Pedestrian-Oriented Retail Strip District), within the CNP (Neighborhood Pedestrian) Zoning District, and within the Coastal Zone.

The General Plan Land Use Element (1989) identifies this land use district as a valuable resource as it creates a special ambiance where patrons arrive by foot. Additionally, the general plan specifies that restaurants and bars are consistent with this district (General Plan Page 68). This project proposes to remodel an existing restaurant and at the same time as including a new outdoor patio and site improvements. The continued operation of the restaurant with the proposed site improvements would be consistent with the general plan intent for community-serving businesses that encourage pedestrian orientation, which includes orienting the use towards the pedestrian realm.

The CNP Zoning District complements the general plan as it is established towards serving pedestrians and encourages overall pedestrian activity.

The Local Coastal Program (LCP) identifies the subject site and the south side of 2nd Street (Area E) for light commercial uses. As the proposed restaurant is open to the public, both residents and visitors will benefit. Therefore, the proposed restaurant is consistent with the LCP.

The project is compatible in design, character, and scale with its surroundings, which include the adjacent one- and two-story commercial (restaurant, bar, and personal service uses) in the project vicinity. The introduction of the outdoor patio and associated landscaping would result in the closure of an existing curb cut on 2nd Street to provide a continuous sidewalk along 2nd Street, therefore, enhancing the pedestrian experience. Furthermore, the addition of landscaping and permeable paving onsite will assist with reducing the urban heat island effect. The incorporation of varying design treatments breaks up the solid façade of the existing building and opens the existing restaurant to the pedestrian environment.

2. 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 is in the Neighborhood Pedestrian (CNP) Zoning District and is designated as Land Use District (LUD) No. 8P (Pedestrian-Oriented Retail Strip District) in the General Plan. Pursuant to Section 21.32.230 of the Zoning Ordinance, special development standards apply for the design of commercially zoned buildings.

A. ARCHITECTURAL THEMES. ARCHITECTURAL THEMES, MODULES AND MATERIALS PRESENT ON THE MAIN FACADE OF THE BUILDING SHALL BE USED ON ALL OTHER FACADES.

The proposed project would include remodeled elevations that feature cement plaster with murals along visible elevations. Along the 2nd Street façade, a system of living vines would be planted to soften the exterior. The new exterior elevations would feature new window openings, where none previously existed, with new steel canopy over the front window, and exterior lighting. The new building materials and design features will be carried through on all facades visible from the public right-of-way.

The new outdoor patio would feature a steel frame canopy with vegetation and trees placed surrounding and within the patio area. The introduction of living vegetation would soften the overall design of the existing structure and new improvements.

B. CHANGE OF MATERIAL. EACH SIDE OF A BUILDING MUST CONTAIN A PRIMARY AND AN ACCENT MATERIAL, AND THE ACCENT MATERIAL(S) MUST COVER NOT LESS THAN TEN PERCENT (10%) OF THE FACADE.

The elevations would include both primary and accent materials. The primary material would consist of plaster wall materials with a new mural, while new steel accent materials and vegetation would be featured along the elevations.

C. BUILDING FINISHED GRADE. ALL NEW COMMERCIAL BUILDINGS REQUIRING SITE PLAN REVIEW SHALL HAVE THE FIRST HABITABLE FLOOR LEVEL NOT MORE THAN FOUR FEET (4') ABOVE GRADE WITHIN THE FRONT THIRTY FEET (30') OF THE LOT.

The grade of the remodeled building would not be modified as part of this application.

Additionally, per Section 21.32.230.D, special design standards apply for commercial buildings in CNP, CNA and CNR districts. All new and remodeled commercial buildings in the neighborhood commercial zoning districts shall comply with the following design standards. Alternative designs may be approved through Site Plan Review. Site Plan Review is required for exterior remodeling of fifty feet or more of building frontage.

1. EXTERIOR DESIGN. EXTERIOR ELEVATIONS SHOULD BE DESIGNED WITH EXTENSIVE ARTICULATION TO CREATE VISUAL INTEREST AND ENHANCE PEDESTRIAN ACTIVITY ALONG THE SITE. THREE DIMENSIONAL (3-D) ELEMENTS SUCH AS CORNICES, PILASTERS AND STRUCTURAL BAYS SHOULD BE USED TO BREAK UP THE FACADE PLANES. GROUND FLOOR FACADES SHOULD BE DISTINGUISHED FROM UPPER FLOORS BY CORNICES, CHANGES OF MATERIAL AND/OR OTHER ARCHITECTURAL DEVICES. FACADES WIDER THAN FIFTY FEET (50') SHOULD BE DESIGNED WITH A MODULAR EXPRESSION THAT BREAKS THE FACADE SCALE TO A WIDTH OF FIFTY FEET (50') OR LESS.

The proposed remodel includes the introduction of new window openings and accents, such as steel canopies and lighting fixtures, would provide articulation and visual interest to the existing building. The modifications to window openings would break up the building plane, provide relief for the front elevation, and function as an architectural device to open the building and enhance the overall design aesthetic. In addition, the new windows orient the building towards the street, which enhances its pedestrian orientation.

In addition to modifications related to the window openings, the addition of canopies and vines intended to grow on the 2nd Street building elevation would function as accents that provide the depth of architectural devices, while also softening the building façade.

- 2. STREET WALL. AT LEAST TWO-THIRDS (2/3) OF THE FRONT BUILDING FACADE SHOULD BE LOCATED AT THE FRONT PROPERTY LINE. THIS DOES NOT APPLY IN THE CNA AND CNR DISTRICTS.**

The revised building will maintain the existing building footprint.

- 3. WINDOWS. GROUND FLOOR WINDOWS SHOULD COMPRISE AT LEAST TWO-THIRDS (2/3) OF THE AREA OF THE GROUND FLOOR FRONT FACADE. SUCH GLASS SHOULD BE CLEAR WITH AN EXTERIOR DAYLIGHT REFLECTANCE OF NOT MORE THAN EIGHT PERCENT (8%). GROUND FLOOR WALL SECTIONS WITHOUT WINDOWS SHOULD BE NOT MORE THAN FIVE FEET (5') IN WIDTH.**

The new windows are clear anodized windows. The elevation along the front façade 2nd Street will include a new 15-foot wide window along the 32-foot-2-inch-wide elevation. While this area does not comprise the 2/3 width requirement, the SPR Committee has found that the incorporation of a new window system on the front and side elevation, where none previously existed, along with the provided living vine system would meet the intent of this provision of the code. The new improvements substantially reorient the building to the 2nd Street pedestrian environment, which is the intent of the design standards for the CNP zone.

- 4. ENTRANCES. ENTRANCES SHOULD COMPRISE NO MORE THAN ONE-THIRD (1/3) OF THE WIDTH OF THE GROUND FLOOR FACADE. ENTRANCES SHOULD BE RECESSED NO MORE THAN FIVE FEET (5') IN DEPTH AND SHOULD BE LOCATED NO MORE THAN FIFTY FEET (50') APART.**

There would be no change the existing building entrance, which will remain facing the existing parking lot. A new perimeter gate enclosure would secure the outdoor patio and entrance and would not be more than 1/3 of the façade width. The entrance would not exceed the 1/3 ratio established for commercial buildings.

- 5. AWNINGS. STORE FRONT AWNINGS ARE ENCOURAGED. AWNINGS SHOULD BE PLACED BELOW THE GROUND FLOOR CORNICE (OR BELOW THE SILLS OF THE SECOND STORY WINDOWS IF NO CORNICE EXISTS). AWNINGS SHOULD BE DIVIDED INTO SECTIONS TO REFLECT THE MAJOR VERTICAL DIVISIONS OF THE FACADE.**

The proposed façade would include the introduction of a steel canopy over the new window opening on the front elevation, which would add visual and architectural interest to a commercial building.

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

The site is currently developed with a one-story restaurant and surface parking lot. No vegetation exists on the site, therefore no mature trees would be removed. As part of the proposed site improvements, new vegetation would be added as part of the development of the new outdoor patio area and reconfiguration of the site.

As conditioned, street trees abutting the site shall be in conformance with the amount and species pursuant to Section 21.42.050 of the City Municipal Code. The installation of new street trees consistent with applicable standards will provide a continuous perimeter of broad, leafy shade canopies around and throughout the project site.

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

The Project consists of a façade remodel to an existing commercial building and onsite improvements. Improvements to the public right-of-way adjacent to the project site will include the construction of Americans with Disabilities Act (ADA) compliant sidewalks, curbs, intersection improvements adjacent to the project, and street trees adjacent to the project site (see 2106-01 conditions of approval). As conditioned, the Project would require staging to preserve access to the coast.

5. THE PROJECT CONFORMS WITH ALL REQUIREMENTS SET FORTH IN CHAPTER 21.64 (TRANSPORTATION DEMAND MANAGEMENT), WHICH REQUIREMENTS ARE SUMMARIZED IN TABLE 25 1 AS FOLLOWS:

Table 25-1
 Transportation Demand Management Ordinance Requirements

TDM Requirements	New Nonresidential Development		
	25,000+ Square Feet	50,000+ Square Feet	100,000+ Square Feet
Transportation Information Area	♦	♦	♦
Preferential carpool/vanpool parking		♦	♦
Parking designed to admit vanpools		♦	♦
Bicycle parking		♦	♦
Carpool/vanpool loading zones			♦
Efficient pedestrian access			♦
Bus stop improvements			♦
Safe bike access from street to bike parking			♦
Transit review	For all residential and nonresidential projects subject to EIR		

The project contains less than 25,000 square feet of new non-residential development. Therefore, this finding does not apply to the proposed project.

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

The project will comply with green building standards for private development, as applicable to the scope of work, per the requirements of Section 21.45.400. The project design does not include the expansion of the existing structure nor the construction of new condition building space. Therefore, requirements for LEED Certification and the provision of solar ready roofs does not apply. As conditioned and in conformance with Section 21.45.400, the project would provide canopy trees, bicycle parking, and trash collection areas featuring a designated area for recyclable materials. Therefore, the project would be in conformance with the Green Building Standards outlined for public and private development, as listed in Section 21.45.400 of the Long Beach Municipal Code.

**ADMINISTRATIVE USE PERMIT
FINDINGS
5716 East 2nd Street
Application No. 2106-01 (AUP21-026)
November 18, 2021**

Pursuant to Section 21.25.407 of the Long Beach Municipal Code, the Zoning Administrator shall not approve an Administrative Use Permit unless the following findings are made. 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 subject site is in General Plan Land Use District No.8P (Pedestrian-Oriented Retail Strip District), within the CNP (Neighborhood Pedestrian) Zoning District, and within the Coastal Zone.¹

The General Plan Land Use Element (1989) identifies this land use district as a valuable resource as it creates a special ambiance where patrons arrive by foot. Additionally, the general plan specifies that restaurants and bars are consistent with this district (General Plan Page 68). This project proposes to remodel an existing restaurant, including a new outdoor patio, and providing off-site, joint-use parking at 5790 East 2nd Street. The proposed improvements to the restaurant site include a building remodel, introduction of outdoor dining, curb cut closure, and overall greening of the site to orient the use toward the pedestrian realm. The off-site and joint-use parking intends to utilize existing parking off-site in order to provide more outdoor dining.

The CNP Zoning District complements the general plan as it is established towards serving pedestrians and encourages overall pedestrian activity. Restaurants with bars are an allowed use within this district by means of a Conditional Use Permit. The offsite, joint-use parking is allowed within this district by means of an Administrative Use Permit. The off-site, joint-use parking would be located east of the site at 5790 East 2nd Street, approximately 332 feet to the east, which is used as a car wash. This distance is within the 600-foot maximum distance criteria for off-site parking established in the Zoning Code (LBMC Section 21.41.222). The parking configuration would accommodate nine (9) parking spaces for restaurant use, three (3) parking spaces for the car wash use, and associated areas for car

¹ The General Plan Land Use Element was updated in 2019 and has not yet been certified as part of the City's Local Coastal Program. Therefore, the previous General Plan Land Use Element (1989), designation of Land Use District (LUD) No. 8P in the 1989 General Plan remains applicable to the project site.

wash activities. As conditioned, the restaurant parking spaces would be painted, identified with signage, and available for use during the operational hours of the restaurant. While the car wash hours of operation would overlap (8 am to 5 pm), the nature of the use and the ability to prioritize restaurant employees parking offsite would allow for the joint use of the parking areas. During restaurant dinner hours (5 pm to closing), a valet service would be provided at 5716 East 2nd Street to enable the efficient movement of vehicles. Conditions of approval also require a Transportation Demand Management (TDM) plan to reduce trips and incentivize alternative transportation modes. As conditioned, the applicant shall provide a status report back to the ZA on an annual basis for three (3) years to demonstrate the functionality of the offsite, joint use parking operations. for three (years). If documented complaints are filed, the annual review would be completed sooner. The inclusion of conditions of approval would ensure proper operations controls, as well as monitoring provisions. Non-compliance with operating conditions could result with revocation of the AUP and LCDP. Thus, as conditioned, the proposed restaurant and bar would be consistent with the zoning regulations.

The Local Coastal Program (LCP) identifies the subject site and the south side of Second Street (Area E) for light commercial uses. As the proposed restaurant is open to the public, both residents and visitors will benefit. Therefore, the proposed restaurant is consistent with the LCP.

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

The proposal is to allow nine (9) off-site, joint-use, parking spaces at 5790 East 2nd Street for the benefit of a restaurant at 5716 East 2nd Street, during the operational hours of 7:00 am to 11:00 pm Sunday-Thursday and 7:00 am to 1:00 am Friday and Saturday. The proposed parking will be located east of the site at 5790 East 2nd Street, approximately 332 feet to the east, which is used as a car wash. While the car wash hours of operation would overlap (8 am to 5 pm), the nature of the use and the ability to prioritize restaurant employees parking offsite would allow for the joint use of the parking areas. The nine (9) parking spaces will be maintained offsite along with three (3) parking spaces to serve the car wash, as shown on building permits. During restaurant dinner hours (5 pm to closing), a valet service would be provided at 5716 East 2nd Street to enable the efficient movement of vehicles. As conditioned, the applicant shall provide a status report back to the Zoning Administrator demonstrating the functionality of the offsite, joint use parking operations.

The project has been conditioned to abide by the noise standards (see Chapter 8.80, LBMC), and to prevent loitering on the site. Overall, the approval of an the off-site, joint-use, parking spaces will provide the required parking and therefore it

will not be detrimental to public health, safety, general welfare, environmental quality or quality of life.

3. THE APPROVAL IS IN COMPLIANCE WITH THE SPECIAL CONDITIONS FOR THE USE ENUMERATED IN CHAPTER 21.52; AND

This specific requirement does not apply to the proposed use.

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

The project will comply with green building standards for private development, as applicable to the scope of work, per the requirements of Section 21.45.400. The project design does not include the expansion of the existing structure nor the construction of new condition building space. Therefore, requirements for LEED Certification and the provision of solar ready roofs does not apply. As conditioned and in conformance with Section 21.45.400, the project would provide canopy trees, bicycle parking, and trash collection areas featuring a designated area for recyclable materials. Therefore, the project would be in conformance with the Green Building Standards outlined for public and private development, as listed in Section 21.45.400 of the Long Beach Municipal Code.

**LOCAL COASTAL DEVELOPMENT PERMIT
FINDINGS
5716 East 2nd Street
Application No. 2106-01 (LCDP21-027)
November 18, 2021**

Pursuant to Section 21.56.904 of the Zoning Ordinance, a Local Coastal Development Permit shall not be approved unless the following findings, in addition to any findings applicable under Chapter 21.25, are made. These findings and staff analysis are presented for consideration, adoption, and incorporation into the record of proceedings:

1. THE PROPOSED DEVELOPMENT CONFORMS TO THE CERTIFIED LOCAL COASTAL PROGRAM, INCLUDING BUT NOT LIMITED TO ALL REQUIREMENTS FOR REPLACEMENT OF LOW- AND MODERATE-INCOME HOUSING;

The project entails a Site Plan Review (SPR) for a building remodel and an Administrative Use Permit (AUP) for offsite, joint use parking. The proposal is to allow nine (9) off-site, joint-use, parking spaces at 5790 East 2nd Street for the benefit of a restaurant at 5716 East 2nd Street. There is no new building square footage proposed as part of this application. The project site is presently developed with a one-story commercial restaurant and a surface parking lot.

The Local Coastal Program (LCP) is generally organized by area. The project site is in Area E (Naples Island and the Peninsula) of the Coastal Zone (City Jurisdiction) (see map of Coastal Zone in project file 2106-01). The project site is located on the central portion of Naples along 2nd Street. Naples is nearly exclusively residential and character except for the commercial uses along Second Street, at the Colonnade, and in Naples Plaza. Area E allows for light commercial uses shall be allowed of the south side of Second Street.

The proposed project, building remodel and offsite parking, would not change the existing use onsite. The operation of the restaurant use with new outdoor patio and off-site parking would remain consistent with the commercial use onsite and meet code requirements. The remodel and offsite parking would not affect coastal access or impede the ability for the existing light commercial use to continue in conformance with the LCP. Therefore, the AUP and SPR would be consistent with the policies outlined in the LCP.

No low and moderate-income housing will be removed as a result of the project.

2. THE PROPOSED DEVELOPMENT CONFORMS TO THE PUBLIC ACCESS AND RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT. THIS SECOND FINDING APPLIES ONLY TO DEVELOPMENT LOCATED SEAWARD OF THE NEAREST PUBLIC HIGHWAY TO THE SHORELINE.

Chapter 3 of the Coastal Act deals with the public's right to use beach and water resources for recreational purposes. The chapter provides the basis for State and local government to require beach access dedication and to prohibit development, which restricts public access to the beach or/and water resources.

This second finding only applies to development located seaward of the nearest public highway to the shoreline. The subject site is not within this area. Thus, this second finding does not apply.

- 3. FOR AN APPLICATION FOR A RELIGIOUS ASSEMBLY USE, IF AN EXCEPTION OR WAIVER OF LCP REQUIREMENTS IS SOUGHT UNDER SECTION 21.52.219.8.G, THAT THE EXCEPTION OR WAIVER ALLOWS THE MINIMUM DEVIATION FROM LCP REQUIREMENTS NECESSARY TO COMPLY WITH RLUIPA, AND THAT THE DECISION MAKER HAS IMPOSED ALL CONDITIONS NECESSARY TO COMPLY WITH ALL PROVISIONS OF THE LCP, WITH THE EXCEPTION OF THE PROVISION(S) FOR WHICH IMPLEMENTATION WOULD VIOLATE RLUIPA.**

The project does not include a religious assembly use; therefore, this finding is not applicable to the proposed project

- 4. THE PROPOSED DEVELOPMENT IS SITED, DESIGNED AND MANAGED TO MINIMIZE THE TRANSPORT OF POLLUTANTS BY RUNOFF INTO COASTAL WATERS AND GROUNDWATER, AND TO MINIMIZE INCREASES IN RUNOFF VOLUME AND VELOCITY FROM THE SITE WHICH MAY ADVERSELY IMPACT COASTAL RESOURCES OR COASTAL BLUFF STABILITY. BEST MANAGEMENT PRACTICES SHALL BE IMPLEMENTED, AS APPLICABLE, INCLUDING BUT NOT LIMITED TO APPLICABLE LOCAL, REGIONAL, STATE AND FEDERAL WATER QUALITY PERMITS, STANDARDS AND GUIDANCE PROVIDED IN THE LCP, BEST PRACTICES AND OTHER MEASURES AS MAY BE RECOMMENDED BY THE CITY ENGINEER.**

The project entails a SPR for a building remodel and an AUP for offsite, joint use parking. All onsite construction related to the building façade remodel and site improvements are required to comply with all applicable local, regional, state, and federal water quality permits. Therefore, adherence to permit requirements would minimize the transport of pollutants and runoff that could impact coastal resources.