

CITY OF LONG BEACH

DEPARTMENT OF PLANNING & BUILDING

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ZONING DIVISION

March 15, 2001

CHAIRMAN AND PLANNING COMMISSIONERS
City of Long Beach
California

SUBJECT: Request for a Conditional Use Permit to Allow Relocation of Looff's Lite-A-Line (Amusement Games) from The Pike Property to the subject site (Council District 6)

LOCATION: 2500 Long Beach Boulevard

APPLICANT: Daniel Cartagena
P. O. Box 1105
Long Beach, CA 90801

RECOMMENDATION

Approve subject to attached conditions.

REASONS FOR RECOMMENDATION

1. The subject operation is a unique amusement game that is different from a regular arcade operation. No children will be allowed to play.
2. Parking spaces are provided on the site by reducing the existing building floor area. As a result, the total number of parking spaces conform to the parking standards required by the Zoning Code.
3. No alcoholic beverage will be served on the premises.
4. The applicant intends to remodel the building with a new glass storefront, new molding at the parapet, and removal of non-conforming signs. These changes will significantly improve the streetscape of this section of Long Beach Boulevard.
4. Security cameras will be used at various locations and a floor manager will monitor all operations including the parking lot area.

5. Limiting business hours of operation addresses the sites proximity to residential uses.

BACKGROUND

The subject site, located at the east side of Long Beach Boulevard and south of Willow Street, is currently improved with a commercial building. The prior use for this building was a grocery store.

Loff's Lite-A-Line has been established in the City since the 1940's. Recently, Camden Company, the new property owner of the Pike Property, has secured approvals for the construction of 538 apartment units and 25,000 sq. ft of commercial uses for the site south of Ocean Boulevard, between Pine Avenue and Chestnut Place. The construction work for this new development will commence shortly. Thus, the owner of this amusement establishment is seeking to relocate to this location.

The following is a summary of the zoning, general plan, and land uses on and around the site:

	ZONING	GENERAL PLAN	LAND USE
SITE	PD-29 (Long Beach Boulevard Planned Development District)	LUD#7 (Mix Uses)	Vacant Commercial Building
NORTH	PD-29	LUD#7 (Mix Uses)	Commercial
SOUTH	PD-29	LUD#7 (Mix Uses)	Commercial
EAST	R-2-N	LUD# 2 (Mixed Style Homes)	Residential
WEST	PD-29	LUD#7 (Mix Uses)	Commercial

Looff's Lite-A-Line is a unique Bingo style skill pinball game. Each player competes with each other at one of sixty-four individual tables that are all linked together. While not required by any government body, traditionally players must be 21 years of age. Typically, each customer provides his/her name and address in order to receive special bonus for play. According to the owner, this system provides a private club atmosphere and security. A detailed description of this operation prepared by the applicant is attached.

Originally, the applicant proposed to reuse the entire building on the site. In addition to the traditional pinball game, a separate room for a penny arcade was also proposed. As the site exists with 19 parking spaces, this building has a parking deficiency of 21 spaces (a total of 40 spaces required for a building area of 9,500 sq. ft.) Additionally, planning staff had concerns that the penny arcade would attract children to play as the site is located adjacent to a residential neighborhood.

In response to staff's concerns, the applicant has revised the proposal by eliminating the penny arcade and converting a portion of the building for additional parking. As a result, a total of 25 spaces will be provided on site. The applicant also proposes to improve the building facade with new molding at the parapet, new stucco, new paint, and a new glass storefront. Unattractive old signs including an existing non-conforming pole sign will be removed, and the existing "Loof's" sign will be reinstalled here.

The following table summarizes the changes between the original proposal and the current one:

	Original Proposal	Current Proposal
Lite-A-Line	3,892 sq. ft.	3,802 sq. ft.
Penny Arcade	2,414 sq. ft.	N/A
Historical Artifact Storage & Shop	2,125 sq. ft.	1,037 sq. ft.
Office	1,118 sq. ft.	658 sq. ft.
Gross floor area (excluding rest rooms)	9,548 sq. ft.	5,497 sq. ft.
on-site parking	19 spaces	25 spaces
Required parking (4/1000 of gross building floor area)	40 spaces	22 spaces

The proposed use is a unique land use and is not listed in the zoning code, but is similar to an arcade use. An arcade use requires approval of a Conditional Use Permit located within the Long Beach Boulevard Planned Development District.

CURRENT ACTION REQUESTED

The action requested is the approval of a Conditional Use Permit to allow relocation of Loff's Lite-A-Line. The Planning Commission may only take this action if it concludes that the facts of the case support the mandatory findings. Section 21.52.203 of the Zoning Code prescribes certain conditions for reviewing such applications. It states that such site shall

not be located within five hundred feet of a residential district or a public school except in the CB or CT zones. However, the Zoning Code also allows the hearing body to waive these conditions with written findings, and the hearing body may impose additional conditions that are deemed reasonable and necessary in granting the permit.

Planning staff believes the intent of these conditions written for an arcade use is to minimize potential adverse impacts upon minors as a regular arcade operation tends to attract school children. As the proposed use is unique (adult only), staff finds that it is different from a regular arcade use and recommends the following positive findings to support the project:

CONDITIONAL USE PERMIT FINDINGS

A. 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.

One of the objectives of the zoning regulation is to encourage the renewal of areas experiencing blight, deterioration and obsolescence. The applicant proposes to renovate an abandoned commercial building with new facade and to reduce the existing building floor area in order to provide required on-site parking. These changes are beneficial to the community.

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

The applicant intends to maintain the traditional practice of operating this business for players at least 21 years of age. To further ensure that the adjacent residences will not be adversely affected by this establishment, Planning staff recommends that business hours be limited to no later than midnight during weekdays (Sunday - Thursday) and 2:00 a.m. on Friday and Saturday.

Additionally, Loof's Lite-A-Line has a good track record for controlling loitering and littering problems and providing necessary security measures. The applicant has also agreed not to sell alcohol on the premises.

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

The following special conditions shall apply to all arcade uses requiring a Conditional Use Permit (Sec. 21.52.203):

1. The site shall not be located within five hundred feet (500' of a residential district or a public school except in the CB or CT zones;

The intent of this condition is to prevent such a use from locating too close to residences where minors may be attracted to arcade games. As the proposed establishment has rules that each player must be 21 years of age to play, a waiver of this condition is justified.

2. No person owning, controlling, managing or having charge of any amusement machine shall permit any such machine to be operated by any person under the age of eighteen (18) years between eight (8:00) a.m. and three (3:00) p.m. on any day in which the Long Beach Unified School District is in session; and

The current establishment doesn't allow minors to play. This requirement is incorporated as a condition of approval.

3. The operator shall demonstrate an ability to prevent problems related to potential noise, litter, loitering crowd control and parking.

The current establishment has not presented problems related to potential noise, litter, loitering crowd control and parking. This requirement is, however, incorporated as a condition of approval.

REDEVELOPMENT REVIEW

The subject site is located in the Central Long Beach Redevelopment Project Area. The Central Project Area Committee (PAC) at its meeting of March 1, 2001 voted to support the latest proposal. Redevelopment Agency staff has also reviewed the proposed relocation and has no objection to it.

ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act, the proposed project qualifies for a Categorical Exemption (CE-01-09).

PUBLIC HEARING NOTICE

Fifty-seven notices of public hearing were mailed to property owners within the required mailing radius plus Central Long Beach Business Association, Wrigley Association, Wrigley Village Business Association, and to the 6th District Council office.

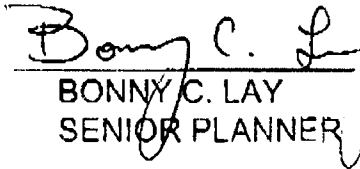
IT IS RECOMMENDED THAT THE PLANNING COMMISSION:

Approve Conditional Use Permit subject to attached conditions.

Respectfully submitted,

EUGENE J. ZELLER
DIRECTOR OF PLANNING AND BUILDING

By:


BONNY C. LAY
SENIOR PLANNER

Approved:


ROBERT BENARD
ZONING ADMINISTRATOR

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Attachments: 1. Conditions of Approval
 2. Location Map

CONDITIONS OF APPROVAL

Case No. 0101-14 (CUP)

Date: March 15, 2001

1. The use permitted hereby on the site, in addition to uses permitted in the PD-29 district shall be Looff's Lite-A-Line (a unique Bingo style skill pinball game).
2. This permit and all rights hereunder shall terminate within one year of the effective date of the permit unless construction or the use has commenced or a written time extension is granted, based on a written request submitted prior to the expiration of the one year period as provided in Section 21.406 of the Long Beach Municipal Code.
3. This approval shall be invalid if the owner(s) and applicant(s) have not returned a written acknowledgment of their acceptance of the conditions of approval on forms supplied by the Planning and Building Department. This acknowledgment must be submitted within one month from the date of approval of the Conditional Use Permit.
4. Violation of any of the conditions of this Conditional Use Permit shall be cause for the issuance of an infraction, citation, prosecution, and/or revocation and termination of all rights thereunder by the City of Long Beach.
5. In the event of transfer of ownership of the property involved in this application, the new owner shall be fully informed of the use and development of said property as set forth by this Conditional Use Permit together with all conditions which are a part thereof. The specific requirements must be recorded with all title conveyance documents at time of closing escrow if the same use is to be continued.
6. This approval is required to comply with these Conditions of Approval as long as this use is on this site. As such the site shall allow periodic re-inspection to verify compliance. When such inspection is carried out, the property owner or the responsible party of the property shall reimburse the City for the cost according to the special building inspection established by City Council.
7. All operational conditions of this Conditional Use Permit shall be posted in a location visible to the public, in such a manner as to be readable when the use is open for business.
8. The Director of Planning and Building is authorized to make minor modifications to the approved concept design plans or any of the conditions without benefit of an additional public hearing before the Planning Commission if such modifications shall achieve substantially the same results as would strict compliance with said plans and conditions and if no detrimental effects to neighboring properties are caused by said modifications.

9. Site development, including landscaping, shall conform to plans approved and on file in the Department of Planning and Building.
10. All landscaped areas must be maintained in a neat, and healthy condition, including public parkways and street trees. Any plant materials that happen to die must be replaced. Furthermore, 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.
11. All structures shall conform to Building Code requirements. Notwithstanding this Conditional Use Permit, all required permits from the Building Bureau must be secured.
12. Any off-site improvements found damaged shall be replaced to the satisfaction of the Director of Public Works.
13. The operator of the use shall provide security measures to the satisfaction of the Chief of Police.
14. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the licensee shall be removed or painted over within 24 hours of its discovery.
15. The operator of the use shall prevent loitering on the premises during and after hours of operation. The operator must clean the parking and landscaping areas of trash debris on a daily basis. Failure to do so shall be grounds for permit revocation. If loitering problems develop, the Chief of Police and Director of Planning and Building may require additional preventive measures such as, but not limited to, additional lighting or private security guards.
16. The operator of the use shall be responsible for maintaining free of litter the premises and the area adjacent to the licensed premises over which they have control.
17. No alcoholic beverages shall be served on the property and players shall be a minimum of 21 years of age.

18. The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or abut the parking lot. Low Sodium Lighting shall be avoided. Additionally, the position of such lighting shall not disturb the normal privacy and use of any neighboring residences.
19. Exterior public pay phones and exterior roof access shall not be allowed.
20. Address shall be clearly marked on front of structure and roof top for air support identification.
21. The applicant shall provide necessary fire prevention measures to the satisfaction of the Fire Chief.
22. Prior to issuance of a business license, the site shall be improved as follows to the satisfaction of the Director of Planning & Building:
 - a. Exterior facade shall be renovated in accordance with the plans approved by the Planning Commission. These improvement works include new molding at the parapet, new stucco, new paint, and a new glass storefront. Additionally, old signs including the existing non-conforming pole sign shall be removed;
 - b. Additional Palm trees (a minimum of 12' trunk height) shall be planted along 25th Street;
 - c. All storefront glass shall be clear glass;
 - d. Surveillance cameras with closed circuit television monitors and an alarm system shall be installed;
 - e. Doors shall swing in the direction of egress;
 - f. The existing driveway at the corner of Long Beach Boulevard and 25th Street shall be relocated easterly to be not less than 35' from the intersection; and
 - g. The building and facilities must be accessible to and usable by the physically disabled per Title 24, California Code of regulations. Plans shall show all required fixtures and clearances fore restrooms, parking, seating, door landings, door strikes, sidewalk and corridor widths.
23. Business hours shall be limited to no later than midnight during weekdays (Sunday - Thursday) and 2:00 a.m. on Friday and Saturday.
24. Prior to issuing a business license for the proposed use, the applicant shall make the following street improvement to the satisfaction of the Director of Public Works:
 - a. ADA compliance within the public right-of-way adjacent to the site;

- c. Removal of a non-conforming pole sign that protrudes on the public right-of-way;
 - d. Street trees with root barriers adjacent to the site on 25th Street;
 - e. On-site alley lighting along the abutting public alley;
 - f. Removal of unused driveways and replacement with standard full height curb;
 - g. Approval of the proposed driveway location.
25. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action, or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnity, or hold harmless the City of Long Beach.

TO: BONNIE
FROM: DAN

Loffs' Lite-A-Line is a unique Bingo style skill pinball game. Each player competes at one of sixty-four individual tables that are all linked together. The game is played by propelling a metal ball with a plunger onto the playing field that contains a grid of twenty-five holes that correspond to a backboard with twenty-five lights. The object is to sink the ball in a sequence that lights up a line of lights on the backboard. The first player to accomplish this is the winner.

While not required by any government body our rules have always been that each player must be 21 years of age to play. Typically each customer provides his name and address for the privilege of receiving three games for the price of one any day he participates. This provides a friendly situation where we know our customers by name and they know us by name. This is the backbone of our security program. Because our customers are not anonymous they are accountable for their actions. This provides a Private Club atmosphere where friends come to relax and enjoy a quiet day or evening of amusement.

The Lite-A-Line game consists of four rows of sixteen tables with each row of sixteen tables attended by a line agent. Each agent is a customer service representative. They collect for each game, answer customer questions and keep the tables tidy and clean and observe all play.

An announcer sits high above all players and is an additional observer. He starts the games and announces the winning table and its prize. A cashier booth is placed in a secured location. The cashier answers the phone, is responsible for giving change and prize redemption. One extra person is on site to provide employee break times and lunch periods.

A floor manager is in charge of all operations and employees and relates the rules of play and behavior throughout the facility. He circulates inside and outside the building keeping a watchful eye on all activities. The line agents and announcer are always in direct contact with the floor manager.

Security cameras are used at various locations and are monitored by the cashier. The floor manager is notified of any unusual situations.