

Councilmember O'Donnell,

I am writing to express my concern and opposition to a requested permit to open and operate a check cashing business at 2201 Lakewood Blvd, in Council District 5. I am a homeowner living on Ximeno Avenue in your district and approximately one block from the proposed business location.

Check cashing businesses are very important to people that do not have some type of transaction bank account. However, this does not describe the residents of the neighborhood surrounding this section of Lakewood Blvd., which is predominately occupant owned single-family residences with some rental single-family residences. This leads me to believe that if this permit is granted, the customer base will be from outside the neighborhood. If this permit is granted, I feel certain that the business will have a detrimental effect on the local neighborhood and I urge you to do whatever is in your power to oppose this permit application.

Sincerely,

Carol Jeffcoate

2214 Ximeno Ave

Long Beach, CA 90815



Lani Merlina
<lmerlina@verizon.net
>

To: Steven_Valdez@LongBeach.gov
cc: Alex Merlina <ALEX_MERLINA@denso-diam.com>
Subject: My statement for the Denial of Payday Advance Service

01/23/2006 01:23 PM

To Steven Valdez,
I would like to state my opinion regarding the proposed permit for request to open and operate a deferred deposit service business (otherwise known as Payday Advance Service). The project location is 2201 Lakewood Blvd, and is located around the corner from my home.

I am a resident of the Artcraft manor neighborhood and I do not want the proposed deferred deposit service business as a part of my neighborhood. My reasons for my concern and support of the denial are below.

- It would lower property value. I'm in support of businesses and city projects that improve the look and safety of my neighborhood. The proposed Payday Advance Service business would do neither. Most often I see these businesses in "bad" - higher crime neighborhoods.
- I don't want people in my neighborhood that can't control their finances. In my opinion, using a Payday Advance Service is an unintelligent use of your finances and lack of control of them.
- I have a small child and I want to do everything possible to create a safe neighborhood for him to grow up in.

You had mentioned over the phone that you believed a petition against the proposed permit for the deferred deposit service business for 2201 Lakewood Blvd had been started. If you have any information about how I can add my name please advise.

Thanks for your time,
Lani Merlina



MerlinaLogoSignature.jpg
Lani Merlina
lmerlina@verizon.net
562.500.4214

**CITY OF LONG BEACH**

DEPARTMENT OF PLANNING & BUILDING

333 West Ocean Boulevard, 7th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

ZONING DIVISION

March 16, 2006

Attachment #2

CHAIRMAN AND PLANNING COMMISSIONERS
City of Long Beach
California

SUBJECT: Request for a Conditional Use Permit for check cashing/money transfer store in a neighborhood shopping center. (Council District 6)

LOCATION: 2201 Lakewood Blvd.

APPLICANT: Permit Place
c/o Mike Robinson
10900 East 183rd Street
Los Angeles, CA

RECOMMENDATION

Deny Conditional Use Permit.

BACKGROUND

This Conditional Use Permit request was continued from at the February 2, 2006 Planning Commission meeting. At that meeting, the Planning Commission expressed concerns that the use was mischaracterized as a "check cashing" and that staff should investigate the manner in which payday advance can be differentiated from "check cashing" businesses. The Planning Commission also directed staff to draft conditions of approval, define payday advance services and check cashing services, as well as analyze crime data in other jurisdictions with payday advance services (specifically Check Into Cash). Due to community interest in the request, Staff also sought to hold a neighborhood meeting on the application.

Check cashing is defined, according to section 21.15.475 of the Long Beach Municipal Code, as a commercial land use that generally includes some or all of a variety of financial services including cashing of checks, warrants, drafts, money orders, or other commercial paper serving the same purpose; deferred deposit of personal checks whereby the check casher refrains from depositing a personal check written by a customer until a specific date; money transfers; payday advances; issuance of money orders; distribution of governmental checks and food stamps; payment of utility bills; issuance of bus passes and tokens; sale of phone cards; and similar uses. "Check cashing" does not include a state or federally chartered bank, savings association, credit union, or industrial loan company. "Check cashing" also does not include a retail seller engaged primarily in the business of selling consumer goods, including consumables, to retail buyers that cashes checks or issues money orders for a minimum flat fee not exceeding two dollars (\$2.00) as a service to its customer that is incidental to its main purpose or business.

This definition of check cashing is taken directly from Section 1789.35 of the California Civil Code. Based on this definition staff feels that it is not appropriate to differentiate payday advance services and check cashing services since both services provide cash over the counter in exchange for a personal check for deposit either immediately or at a later date. The deposit time, required information and operational policy are the only differences between the two services.

Check Cashing and Payday Advance Services:

Check cashing and payday advance services are both regulated by the State of California under Civil Code 1789.35 (see Attachment 4) and defined as follows:

- (1) Check cashing businesses cash payroll, government, personal, and other types of checks, among other related services, while taking a commission off the face-value of the check.
- (2) Pay day lender businesses (also known as deferred deposit transaction businesses and advanced pay day lenders) provide small cash loans based on a borrower's personal check held for future deposit or on electronic access to a borrower's bank account. Generally the borrower must include the fee for the loan in the face value of the personal check.

Payday Advance (Deferred Deposit Advance):

Payday advance loans are small, short-term, single-payment loans given as cash over the counter. In exchange, the lender receives a personal check, dated for the borrower's next payday, for the amount of the loan and finance charge. The borrower may redeem his or her check by paying off the loan by the agreed-upon day, or the lender may deposit the forward-dated check for collection after the loan maturity date. Payday advance customers are generally required to provide one form of identification, a current pay stub, and a bank account. The following regulations apply to all deferred deposit businesses in the California:

1. A check casher may defer the deposit of a personal check written by a customer for up to 30 days.
2. The face amount of the check shall not exceed three hundred dollars (\$300).
3. Each deferred deposit shall be made pursuant to a written agreement that has been signed by the customer and by the check casher or an authorized representative of the check casher. The written agreement shall contain a statement of the total amount of any fees charged for the deferred deposit, expressed both in United States currency and as an annual percentage rate (APR).
4. The written agreement shall authorize the check casher to defer deposit of the personal check until a specific date not later than 30 days from the date the written agreement was signed and executed.
5. The written agreement shall not permit the check casher to accept collateral.

Check Cashing:

Check cashing business are defined as businesses that cash checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. Some check cashing businesses also offer wire transfers and money orders. Patrons are required to provide at least one form of ID (Military ID, Drivers License, Alien ID, Passport) in order to cash a check. There is no dollar

limit to cash a check for immediate deposit. Payment for a check can be given to a customer in cash or on a prepaid Visa Check card.

The fees charged for check cashing are limited to the following, based on Section 1789.35 of the Civil Code: 1) "A check casher shall not charge more than 3% for cashing a check with identification or 3.5 % without identification. 2) The fees to set up an initial account may not exceed 10 dollars. For immediate deposit checks the fee shall not exceed 12% of the face value of the check or 15% of the value of the check for deferred deposit.

The fees of the top payday advance and check cashing services are shown below at maximum state regulations:

	Company	Fees for \$255	APR for a \$300	Total	Bounced Check Fee
Payday Advance	Check Into Cash	\$45	460.08%	\$300.00	\$15.00
Check Cashed	Nix Check Cashing	\$7.65 (3% of the check)	N/A	\$262.65	\$15.00

Of the thirty-three (33) existing check-cashing facilities licensed by our Business License Bureau, the majority is comprised of small liquor stores or local markets. Nineteen (19) provide payday advance services along with check cashing and other ancillary services. Eleven (11) facilities only provide check cashing and three (3) provide payday advance services.

Long Beach Police Department Reports:

The Long Beach Police Department gathered crime reports from the three (3) payday advance locations citywide, as a means to determine a prevalent difference between payday advance services and check cashing. This survey (Attachment B) provided all incidents of crime for the last ten years for payday advance services. From that survey, incidents of burglary and robbery, which are common to check cashing businesses, were found at two locations in the city. In addition to city data provided, analysis of check cashing in other cities was gathered to determine if Check Into Cash had occurrences of crime at their respective markets. As shown on the attached memo, there were two incidents found on site: one robbery and one murder and attempted robbery occurred at the site. Although the data is limited, it can be seen that similar crimes occur on the site of payday advance facilities as those at a check cashing facility. Police and Sheriff personnel interviewed from other jurisdictions also saw no distinction of crimes between payday advance and check cashing services. According to Officer James Dickey of the Long Beach Police Department, "In the area of crime prevention and public safety, a check cashing operation/pay day advance would require a greater level of security and customer policies than most other businesses." For example, check-cashing uses that require three forms of identification, a picture, and a bank statement have a better chance to prevent theft from occurring.

Community Meeting:

Check Into Cash presented their operation to the community on February 28, 2006. Nine members of the community were present and all were in opposition to the proposal. Some of the concerns expressed at the community meeting were related to property values, increased crime and location. All residents present at the meeting were in opposition to the operation at the proposed location. Also many residents questioned the demographics map the applicant provided, which showed the location of their customers based on annual salary. Residents offered that the demographics map was incorrect and felt that no one in their neighborhood would use a check cashing facility.

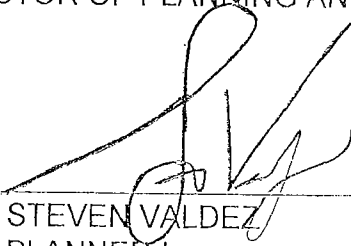
ACTION REQUESTED

Based on the evidence provided, staff considers check cashing and payday advance services to be similar and recommend denial of the Conditional Use Permit. Findings are included in the previous staff report. Draft conditions of approval and findings are also attached as requested.

Respectfully submitted,

SUZANNE M. FRICK
DIRECTOR OF PLANNING AND BUILDING

By:



STEVEN VALDEZ
PLANNER I

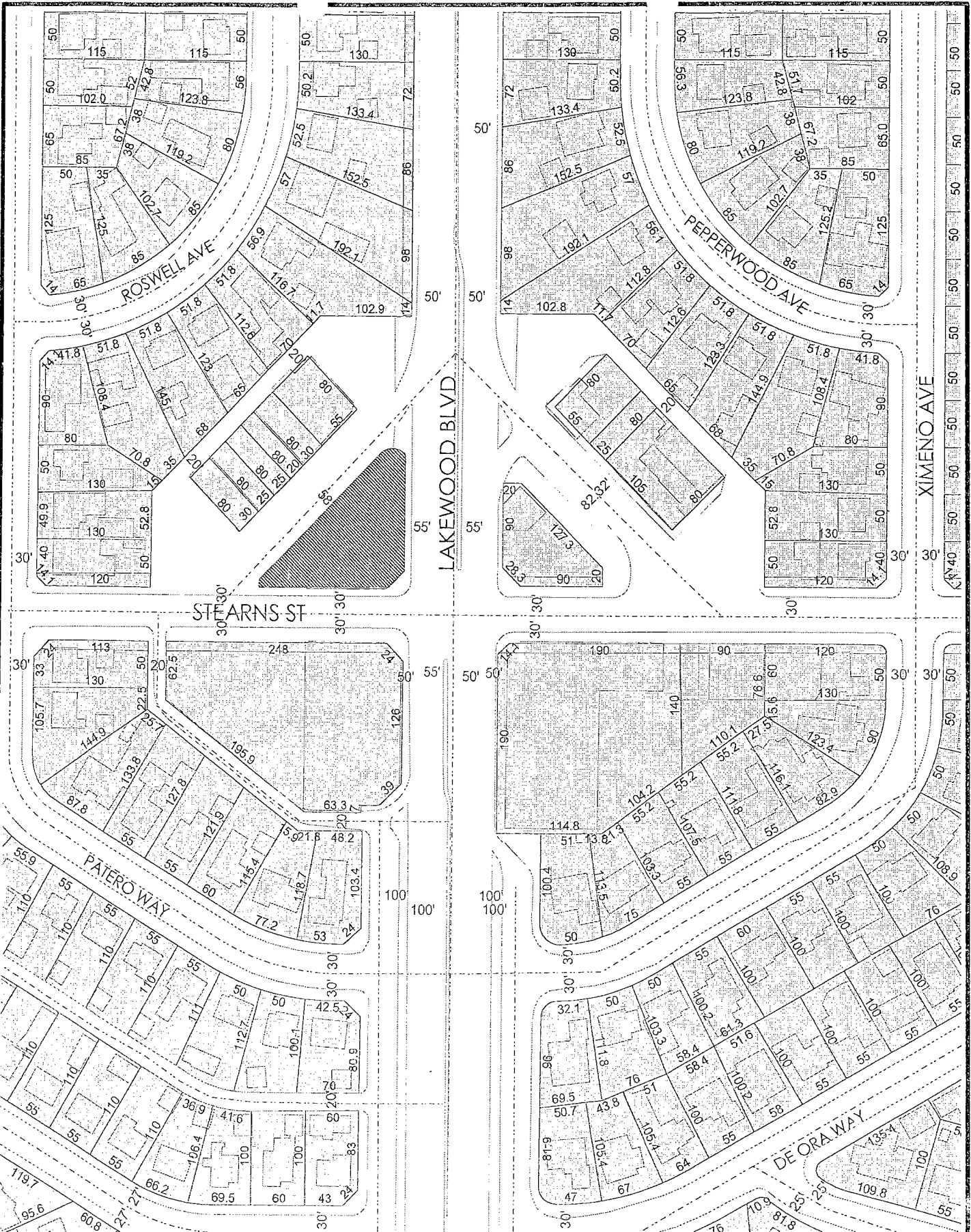
Approved:



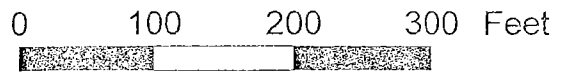
CAROLYNE BIHN
ZONING OFFICER

Attachments

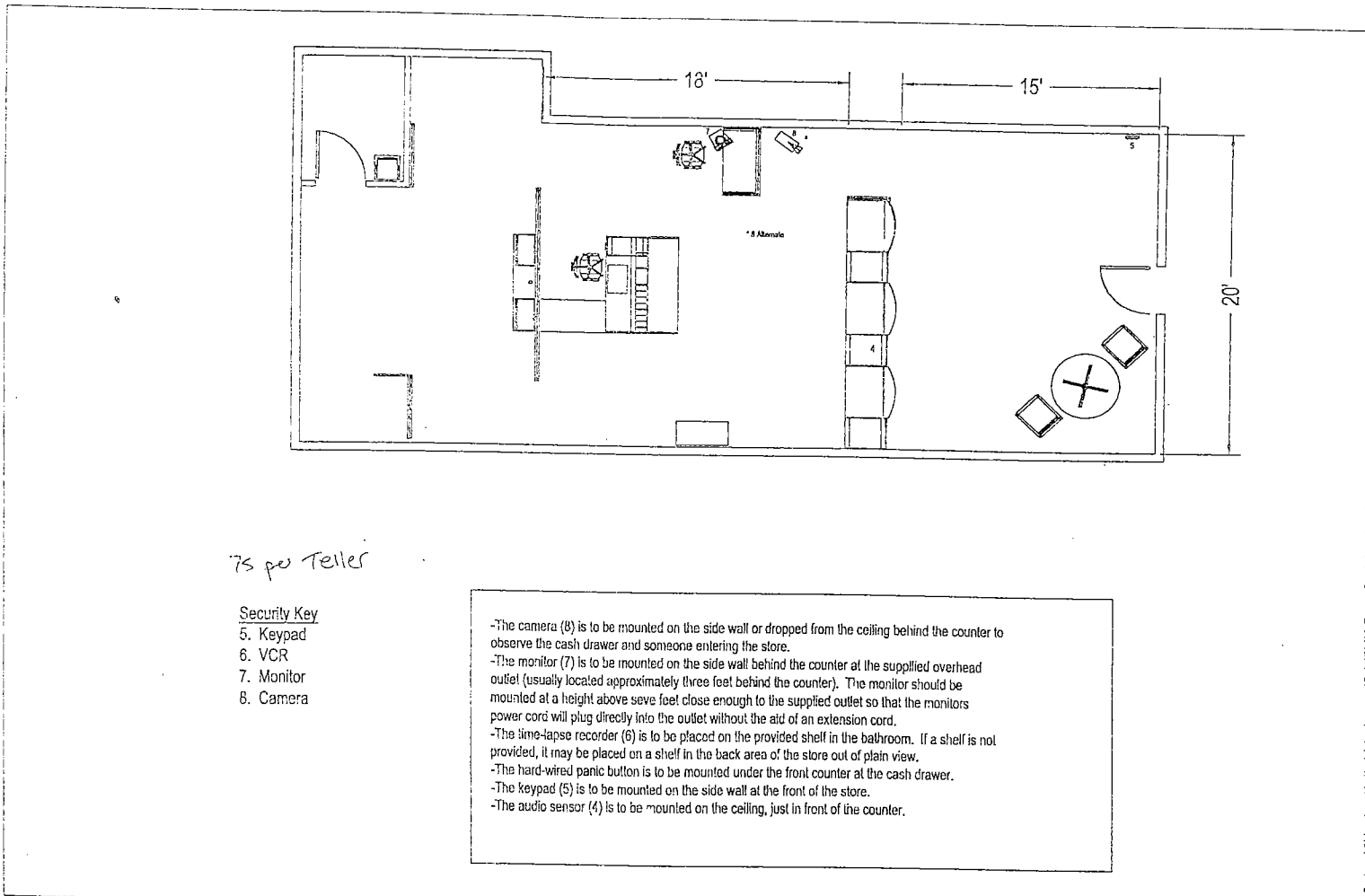
1. Vicinity Map
2. Floor Plans
3. Police Department Memorandum
4. California Civil Code 1789.35-1789.38
5. Conditions of Approval and Findings
6. February 2, 2005 Staff Report
7. Draft Minutes from the February 2 meeting.



SUBJECT PROPERTY:
2201 Lakewood Blvd.
Case No. 0510-12



Scale = 1:1,800



7s per Teller

- Security Key
- 5. Keypad
 - 6. VCR
 - 7. Monitor
 - 8. Camera

-The camera (8) is to be mounted on the side wall or dropped from the ceiling behind the counter to observe the cash drawer and someone entering the store.

-The monitor (7) is to be mounted on the side wall behind the counter at the supplied overhead outlet (usually located approximately three feet behind the counter). The monitor should be mounted at a height above seven feet close enough to the supplied outlet so that the monitor's power cord will plug directly into the outlet without the aid of an extension cord.

-The time-lapse recorder (6) is to be placed on the provided shelf in the bathroom. If a shelf is not provided, it may be placed on a shelf in the back area of the store out of plain view.

-The hard-wired panic button is to be mounted under the front counter at the cash drawer.

-The keypad (5) is to be mounted on the side wall at the front of the store.

-The audio sensor (4) is to be mounted on the ceiling, just in front of the counter.

COELST
COMMERCIAL SECURITY SYSTEMS

9115 HERRICK STREET
 WESTON-MASSACHUSETTS 02187
 PHONE: 508-291-6555
 FAX: 508-291-6558

No.	Date:	Revision:

This design is based solely on the information that was supplied to Coelst. The design will be affected with the return of field measurements and may differ from the original information that was supplied to Coelst. It is the customer's responsibility to provide all the information needed for the design to be completed as shown.

Check Into Cash
 2201 North Lakewood Landing
 Suite B
 Long Beach, CA 92660
 Store # 09189

Coelst Corporation
 Approved: Approved as Made: Ready & Placed:
 By: _____ Date: _____
 Drawings must be signed & returned before print can be processed.

Project No: 01005
 Date: 6/10/95
 Drawing Scale: 3/16" = 1'-0"
 Drawn By: ASK

A-5



Date: February 7, 2006
To: Steven Valdez, Planner, Zoning Administration
From: Steven L. Ditmars, Lieutenant, Information Technology Division
Subject: Check Cashing/Pay Advance

As we spoke about, please see listed below the crime stats for the four locations you requested. The stats are representing a date range of 01/01/2000 through 02/21/06 (Except for the last location which is in the City of Lakewood which is a date range of 06/04/93 to 02/16/06). This data is a list of crime reports taken not the actual amount of times the Police were called to the locations (calls for service). Keep in mind that these locations may have been another business at one time, so you'll need to find out when the business's opened so that you're looking at the correct data.

2201 Lakewood Blvd (City of Long Beach)

09/09/02 Repossessed Vehicle

6425 E. Spring Street (City of Long Beach) (Est. January 99)

12/11/01 Offensive Words in Public
 03/10/04 Private Towed Vehicle

2211 E. 7th Street (City of Long Beach) (Est. January 05)

07/14/00 Petty Theft
 07/22/00 Petty Theft
 08/11/00 Private Towed Vehicle
 09/22/00 Private Towed Vehicle
 01/03/01 Vandalism
 08/09/01 Lost or Stolen Property
 08/10/01 Parole Violation
 01/19/02 Vandalism
 04/04/02 Drinking in Public
 07/13/02 Robbery
 08/24/02 Private Towed Vehicle
 11/25/02 Robbery
 06/05/03 Burglary
 07/27/03 Robbery
 09/19/03 14 Private Towed Vehicles
 10/03/03 Private Towed Vehicle
 10/31/03 Private Towed Vehicle
 11/07/03 Private Towed Vehicle
 12/19/03 Private Towed Vehicle
 02/02/05 Private Towed Vehicle
 02/21/05 Private Towed Vehicle

March 6, 2006

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03/09/05 Private Towed Vehicle
03/30/05 Private Towed Vehicle
04/25/05 Private Towed Vehicle
05/05/05 Private Towed Vehicle
07/30/05 Burglary
08/13/05 Private Towed Vehicle
09/19/05 Bomb Threat/False Imprisonment*
10/07/05 Private Towed Vehicle
10/21/05 Private Towed Vehicle
12/13/05 Warrant Arrest
12/27/05 Stolen Vehicle
01/23/06 Robbery**

*Suspect enters location and says he has a bomb. Suspect locks all employees and a customer in the business. Suspect orders employees to take off their clothes. Suspect holds employees hostage for 3 hours. This was a SWAT call out.

**3 suspects enter the store; 1 armed with a handgun. Armed suspect drags an employee on her hands and knees to the safe. Employee enters code and tells suspect there is a 10-minute delay. Suspect threatens to shoot employee in the head. The suspect's left with the loss.

5529 Woodruff Avenue (City of Lakewood) (Est. 1999)

06/04/93 Grand Theft
06/28/99 Impounded Vehicle
03/09/01 Robbery
02/07/03 Murder and Attempted Robbery*
05/24/04 Threatening Phone Calls
10/01/05 Burglary

*Suspect enters location armed with a handgun. Security Guard tries to intervene and is shot and killed by the suspect.

If you have any questions or require additional information, please contact James Dickey at (562) 570-5805.

SD:JRD:jrd

CALIFORNIA CIVIL CODE SECTION 1789.30-1789.38

1789.30. Every check casher, as applicable to the services provided, shall post a complete, detailed, and unambiguous schedule of all fees for (a) cashing checks, drafts, money orders, or other commercial paper serving the same purpose and making any deferred deposit thereof, (b) the sale or issuance of money orders, and (c) the initial issuance of any identification card. Each check casher shall also post a list of valid identification which is acceptable in lieu of identification provided by the check casher. The information required by this section shall be clear, legible, and in letters not less than one-half inch in height. The information shall be posted in a conspicuous location in the unobstructed view of the public within the check casher's premises.

1789.31. (a) As used in this title, a "check casher" means a person or entity that for compensation engages, in whole or in part, in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. "Check casher" does not include a state or federally chartered bank, savings association, credit union, or industrial loan company. "Check casher" also does not include a retail seller engaged primarily in the business of selling consumer goods, including consumables, to retail buyers that cashes checks or issues money orders for a minimum flat fee not exceeding two dollars (\$2) as a service to its customers that is incidental to its main purpose or business. (b) As used in this title, "deferred deposit" means a transaction whereby the check casher refrains from depositing a personal check written by a customer until a specific date, pursuant to a written agreement, as provided in Section 1789.33. (c) This section shall become inoperative on March 1, 2004, and as of January 1, 2005, is repealed, unless a later enacted statute that is enacted before January 1, 2005, deletes or extends the dates on which it becomes inoperative and is repealed.

1789.31. (a) As used in this title, a "check casher" means a person or entity that for compensation engages, in whole or in part, in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. "Check casher" does not include a state or federally chartered bank, savings association, credit union, or industrial loan company. "Check casher" also does not include a retail seller engaged primarily in the business of selling consumer goods, including consumables, to retail buyers that cashes checks or issues money orders for a fee not exceeding two dollars (\$2) as a service to its customers that is incidental to its main purpose or business. (b) This section shall become operative March 1, 2004.

1789.32. Failure to post information as required by this title, or the imposition of fees or identification requirements contrary to the information posted, shall constitute an unfair business practice within the meaning of Section 17200 of the Business and Professions Code.

1789.33. (a) A check casher may defer the deposit of a personal check written by a customer for up to 30 days, pursuant to the provisions of this section. The face amount of the check shall not exceed three hundred dollars (\$300). Each deferred deposit shall be made pursuant to a written agreement that has been signed by the customer and by the check casher or an authorized representative of the check casher. The written agreement shall contain a statement of the total amount of any fees charged for the deferred deposit, expressed both in United States currency and as an annual percentage rate (APR). The written agreement shall authorize the check casher to defer deposit of the personal check until a specific date not later than 30 days from the date the written agreement was signed and executed. The written agreement shall not permit the check casher to accept collateral. (b) A customer who enters into a deferred deposit agreement

and offers a personal check to a check casher pursuant to that agreement shall not be subject to any criminal penalty for the failure to comply with the terms of that agreement. (c) This section shall become inoperative on March 1, 2004, and as of January 1, 2005, is repealed, unless a later enacted statute that is enacted before January 1, 2005, deletes or extends the dates on which it becomes inoperative and is repealed.

1789.35. (a) A check casher shall not charge a fee for cashing a payroll check or government check in excess of 3 percent if identification is provided by the customer, or 3.5 percent without the provision of identification, of the face amount of the check, or three dollars (\$3), whichever is greater. Identification, for purposes of this section, is limited to a California driver's license, a California identification card, or a valid United States military identification card. (b) A check casher may charge a fee of no more than ten dollars (\$10) to set up an initial account and issue an optional identification card for providing check cashing services. A replacement optional identification card may be issued at a cost not to exceed five dollars (\$5). (c) A check casher shall provide a receipt to the customer for each transaction. (d) Subject to the limitations of Section 1789.33, a check casher may charge a fee for cashing a personal check, as posted pursuant to Section 1789.30, for immediate deposit in an amount not to exceed 12 percent of the face value of the check or for deferred deposit in an amount not to exceed 15 percent of the face value of the check. (e) A check casher shall not enter into an agreement for a deferred deposit with a customer during the period of time that an earlier written agreement for a deferred deposit for the same customer is in effect. (f) A check casher who enters into a deferred deposit agreement and accepts a check passed on insufficient funds, or any assignee of that check casher, shall not be entitled to recover damages in any action brought pursuant to, or governed by, Section 1719. (g) For a transaction pursuant to Section 1789.33, a fee not to exceed fifteen dollars (\$15) may be charged for the return of a dishonored check by a depository institution. The fee may be collected by a check casher who holds a valid permit issued pursuant to Section 1789.37, when acting under the authority of that permit. (h) No amount in excess of the amounts authorized by this section shall be directly or indirectly charged by a check casher pursuant to a deferred deposit agreement. (i) Any person who violates any provision of this section shall be liable for a civil penalty not to exceed two thousand dollars (\$2,000) for each violation, which shall be assessed and recovered in a civil action brought in the name of the people of the State of California by the Attorney General in any court of competent jurisdiction. Any action brought pursuant to this subdivision shall be commenced within four years of the date on which the act or transaction upon which the action is based occurred. (j) A willful violation of this section is a misdemeanor. (k) Any person who is injured by any violation of this section may bring an action for the recovery of damages, an equity proceeding to restrain and enjoin those violations, or both. The amount awarded may be up to three times the damages actually incurred, but in no event less than the amount paid by the aggrieved consumer to a person subject to this section. If the plaintiff prevails, the plaintiff shall be awarded reasonable attorney's fees and costs. If a court determines by clear and convincing evidence that a breach or violation was willful, the court, in its discretion, may award punitive damages in addition to the amounts set forth above. (l) This section shall become inoperative on March 1, 2004, and as of January 1, 2005, is repealed, unless a later enacted statute that is enacted before January 1, 2005, deletes or extends the dates on which it becomes inoperative and is repealed.

1789.35. (a) A check casher shall not charge a fee for cashing a payroll check or government check in excess of 3 percent if identification is provided by the customer, or 3.5 percent without the provision of identification, of the face amount of the check, or three dollars (\$3), whichever is greater. Identification, for purposes of this section, is limited to a California driver's license, a California identification card, or a valid United States military identification card. (b) A check casher may charge a fee of no more than ten dollars (\$10) to set up an initial account and issue an optional identification card for providing check cashing services. A replacement optional identification card may be issued at a cost not to exceed five dollars (\$5). (c) A check casher

shall provide a receipt to the customer for each transaction. (d) A check casher may charge a fee for cashing a personal check, as posted pursuant to Section 1789.30, for immediate deposit in an amount not to exceed 12 percent of the face value of the check. (e) Any person who violates any provision of this section shall be liable for a civil penalty not to exceed two thousand dollars (\$2,000) for each violation, which shall be assessed and recovered in a civil action brought in the name of the people of the State of California by the Attorney General in any court of competent jurisdiction. Any action brought pursuant to this subdivision shall be commenced within four years of the date on which the act or transaction upon which the action is based occurred. (f) A willful violation of this section is a misdemeanor. (g) Any person who is injured by any violation of this section may bring an action for the recovery of damages, an equity proceeding to restrain and enjoin those violations, or both. The amount awarded may be up to three times the damages actually incurred, but in no event less than the amount paid by the aggrieved consumer to a person subject to this section. If the plaintiff prevails, the plaintiff shall be awarded reasonable attorney's fees and costs. If a court determines by clear and convincing evidence that a breach or violation was willful, the court, in its discretion, may award punitive damages in addition to the amounts set forth above. (h) This section shall become operative March 1, 2004.

1789.37. (a) Every owner of a check casher's business shall obtain a permit from the Department of Justice to conduct a check casher's business. (b) All applications for a permit to conduct a check casher's business shall be filed with the department in writing, signed by the applicant if an individual or by a member or officer authorized to sign if the applicant is a corporation or other entity, and shall state the name of the business, the type of business engaged in, whether the applicant intends to enter into deferred deposit agreements, and the business address. Each applicant shall be fingerprinted. (c) Each applicant for a permit to conduct a check casher's business shall pay a fee not to exceed the cost of processing the application, fingerprinting the applicant, and checking or obtaining the criminal record of the applicant, at the time of filing the application. (d) Each applicant shall annually, beginning one year from the date of issuance of a check casher's permit, file an application for renewal of the permit with the department, along with payment of a renewal fee not to exceed the cost of processing the application for renewal and checking or obtaining the criminal record of the applicant. (e) The department shall deny an application for a permit to conduct a check casher's business, or for renewal of a permit, if the applicant has a felony conviction involving dishonesty, fraud, or deceit, provided the crime is substantially related to the qualifications, functions, or duties of a person engaged in the business of check cashing. (f) The department shall adopt regulations to implement this section, and shall determine the amount of the application fees required by this section. The department shall prescribe forms for the applications and permit required by this section, which shall be uniform throughout the state. (g) In any action brought by a city attorney or district attorney to enforce a violation of this section, any owner of a check casher's business who engages in the business of check cashing without holding a current and valid permit issued by the department pursuant to this section is subject to a civil penalty, as follows: (1) For the first offense, not more than one thousand dollars (\$1,000). (2) For the second offense, not more than five thousand dollars (\$5,000). (h) Any person who has twice been found in violation of subdivision (g) and who, within 10 years of the date of the first offense, engages in the business of check cashing without holding a current and valid permit issued by the department pursuant to this section is guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding six months, or by a fine not exceeding five thousand dollars (\$5,000), or by both. (i) All civil penalties, forfeited bail, or fines received by any court pursuant to this section shall, as soon as practicable after the receipt thereof, be deposited with the county treasurer of the county in which the court is situated. Fines and forfeitures so deposited shall be disbursed pursuant to the Penal Code. Civil penalties so deposited shall be paid at least once a month as follows: (1) Fifty percent to the Treasurer by warrant of the county auditor drawn upon the requisition of the clerk or judge of the court, to be deposited in the State Treasury on order of the Controller. (2) Fifty percent to the

city treasurer of the city, if the offense occurred in a city, otherwise to the treasurer of the county in which the prosecution is conducted. Any money deposited in the State Treasury under this section which is determined by the Controller to have been erroneously deposited therein shall be refunded, subject to approval of the State Board of Control prior to the payment of the refund, out of any money in the State Treasury which is available by law for that purpose.

1789.38. Any waiver of the provisions of this title is contrary to public policy, and is void and unenforceable.

**CONDITIONAL USE PERMIT
CONDITIONS OF APPROVAL
Case No. 0510-12
Date: March 16,2006**

1. The use permitted on the site, in addition to other uses permitted in the CCA zone, shall be a **check cashing business at suite "B" in an existing neighborhood shopping center at 2201 Lakewood Blvd.**
2. This permit and all development rights hereunder shall **terminate one year** from the effective date (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date) of this permit unless construction is commenced, a business license establishing the use is obtained or a time extension is granted, based on a written and approved request submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
3. This permit shall be invalid if the owner(s) and applicant(s) have failed to return **written acknowledgment** of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30 days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date). Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval to the satisfaction of the Zoning Administrator.
4. If, for any reason, there is a **violation of any of the conditions** of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.
5. In the event of **transfer of ownership** of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions, which are a part thereof. These specific requirements must be recorded with all title conveyance documents at time of closing escrow.
6. All operational conditions of approval of this permit **must be posted** in a location visible to the public, in such a manner as to be readable when the use is open for business.

Conditional Use Permit Conditions

Date: March 16, 2006

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7. The Director of Planning and Building is authorized to make **minor modifications** to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project and if no detrimental effects to neighboring properties are caused by said modifications. Any major modifications shall be reviewed by the Zoning Administrator or Planning Commission, respectively.
8. 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. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, fences and the perimeter of the site (including all public parkways).
9. **Exterior security bars, scissor gates, and roll-up doors** applied to windows and pedestrian building entrances shall be prohibited. Should security bars be installed on the interior of the store, they shall remain open during business hours.
10. The **hours of operation** shall be limited to M-F 10: a.m. -6:00 p.m. and Saturdays 10:00 a.m.- 3:00 p.m.
11. In the event of an increase in crime as determined by the Chief of Police, a security guard shall be provided during hours of operation. A review of crime shall take place annually.
12. The floor plan shall include a customer waiting/service area of sufficient size to fully accommodate anticipated queuing lines. Such waiting/service area shall provide not less than fifty (50) square-feet for each teller window.
13. Any **graffiti** found on site must be removed within 24 hours of its appearance.
14. Prior to issuance of a business license, the business operator shall comply with the following security requirements to the satisfaction of the Long Beach Chief of Police:
 - a. **Thumbprints (and/or index fingerprints) and written records should be captured** for **EACH** transaction, along with a clear, legible photocopy of the person's identification (including a photograph).
 - The check cashing business owner/manager should contact Forgery/Fraud Detail at (562) 570-7330 prior to the release of the final permit to ensure the business has a clear understanding of the necessary procedures.

Conditional Use Permit Conditions

Date: March 16, 2006

Page 3

- b. A security plan should include high-resolution surveillance cameras** at the booth(s) and cash registers. A camera should be dedicated to the booth(s) (i.e. splitters should not be used).
- c. Installation of surveillance cameras** at the **check cashing counters** and **parking lot area**. These cameras should be high definition color with the ability capture still photographs. Cameras should be located and positioned so that a clear, unobstructed view of the patron and the vehicle is captured. Cameras placed behind glass distort images and make identification extremely difficult.
- e. Entire site should be well lit.**

 - The parking areas should be lit to a minimum of 5 foot-candle.
 - Avoid sodium lighting to limit yellowness, which casts shadows and distorts colors. Metal halide, which produces a white light, is recommended.
 - Wall pack lighting should be installed along walls to help deter vandalism and increase safety and security.
 - Ensure lighting is located under all eyebrows, canopies and awnings.
 - Lighting should be located along walls and above all points of entry/exit (especially in the alley).
- f. No signs, advertisements, or furniture should block the windows** and eliminate any visibility into/out of businesses.
- g. No exterior payphones on site.** All payphones should be removed or relocated to the inside of the store.
- h. Address should be clearly marked** on front and rear of structure as well as on the rooftop for air support identification.
- i. Business should have an alarm system installed** with panic buttons at the cashier stands and inner offices.
- j. No loitering signs should be strategically posted throughout the site.**
- k. Interior office doors and exterior delivery doors should have fish-eye style viewers** to screen person attempting to gain entry. They should also be solid core construction.

- I. **Business owners should join the Long Beach Police Department's Business Watch program.** Further information can be obtained by calling the Community Relations Division at (562) 570-7215.
13. Compliance is required with these Conditions of Approval as long as this use is on site. As such, the site shall be available for periodic reinspection conducted at the discretion of city officials, to verify that all conditions of approval are being met. The property owner shall reimburse the City for the inspection cost as per special building inspection specifications established by City Council.
14. 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, indemnify, or hold harmless the City of Long Beach.



CITY OF LONG BEACH

THE CITY PLANNING COMMISSION

333 W. Ocean Boulevard Long Beach, California 90802 562-570-6194 FAX 562-570-6068

Conditional Use Permit Approval Findings Case No. 0510-12

The applicant has requested the Planning Commission approve a Conditional Use Permit for the establishment of a check cashing business at the project site. In order to approve this request, the following findings must be analyzed, made and adopted before any action is taken to approve or deny the subject permit and must be incorporated into the record of proceedings relating to such approval or denial:

- A. **The approval is consistent with and carries out the General Plan, any applicable specific plans such as the local coastal development program and all Zoning Regulations of the applicable district;**

The zoning classification of the project site is CCA and the General Plan Land Use Designation of the project site is 8A. The CCA Zoning District allows a check cashing and money transfer business subject to the approval of a Conditional Use Permit. A Conditional Use Permit is "consistent" when it carries out the intent of the land use district in which it is to be located, and otherwise complies with the required findings of the Zoning Regulations.

This land use district is intended to provide commercial opportunities that serve local neighborhood needs. Commercial uses that may adversely affect adjoining residential uses are subject to conditional use permits.

The proposed use provides a neighborhood service and is subject to conditions recommended by the Police Department in order to prevent criminal activity on the project site and in the immediate area (Condition No. 12). In addition, the proposed use complies with the required findings of the Zoning Regulations, as evidenced below.

- B. **The approval will not be detrimental to the surrounding community including public health, safety, general welfare, environmental quality or quality of life; and**

The proposed use involves a payday advance service (Deferred Compensation service). As a financial institution cashing checks, the Police Department has provided a crime prevention analysis (see attached Crime Prevention and Safety Memo). The recommendations made through this analysis have been incorporated in the proposed conditions of approval.

- C. **The approval is in compliance with the special conditions for the use enumerated in Chapter 21.52**

Check Cashing.

The following conditions shall apply to check cashing businesses:

- a. **Off-street parking for check cashing businesses shall be the same as for banks and savings and loans as required by Chapter 21.41;**

Off-street parking is provided for the existing neighborhood shopping center at a rate of five parking spaces per 1,000 square feet of gross floor area (GFA). The off-street parking requirement for banks, savings and loans, and shopping centers is five parking spaces per 1,000 square feet GFA. The existing conforming development maintains parking conforming to this standard and the proposed use conforms to Chapter 21.41.

- b. **If established in an existing shopping center, off-street parking shall be provided as required for a shopping center by Chapter 21.41;**

See finding (a) above.

- c. **Windows shall not be obscured by placement of signs, dark window tinting, shelving, racks or similar obstructions;**

This finding shall be incorporated as a condition of approval. (See Conditions #6)

- d. **Exterior phones, security bars and roll up doors shall be prohibited;**

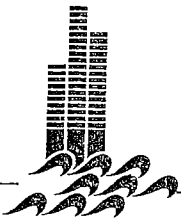
This finding shall be incorporated as a condition of approval. (See Conditions #6)

- e. **The floor plan shall include a customer waiting/service area of sufficient size to fully accommodate anticipated queuing lines. Such waiting/service area shall provide not less than fifty (50) square feet for each teller window; and**

This finding shall be incorporated as a condition of approval. (See Conditions #5)

- f. **The hours of operation shall be stated in the application and subject to review.**

The proposed hours of operation shall be from 7:30 --9:00 M-F and 7:30- 8:30 Saturday. There shall be no operation on Sundays. These hours of operation are restated, as conditions of approval and any proposed change will require a modification to this permit. (See Conditions #10)

**CITY OF LONG BEACH**

DEPARTMENT OF PLANNING & BUILDING

333 West Ocean Boulevard, 7th Floor | Long Beach, CA 90802 | (562) 570-6194 FAX (562) 570-6068

ZONING DIVISION

February 2, 2006

CHAIRMAN AND PLANNING COMMISSIONERS
City of Long Beach
California

SUBJECT: Request for a Conditional Use Permit for check cashing/money transfer store in a neighborhood shopping center (Council District 5).

LOCATION: 2201 Lakewood Blvd.

APPLICANT: Permit Place
c/o Mike Robinson
10900 East 183rd Street
Los Angeles, CA

RECOMMENDATION

Deny Conditional Use Permit.

REASON FOR RECOMMENDATION

1. There are numerous financial institutions in the City of Long Beach, including thirty three (33) check cashing facilities and sixty one (61) banks, and credit unions, for a total of ninety four (94) financial establishments citywide (see attached map).
2. The proposed use has the potential to raise the crime rate and "calls for service" for officers in Crime District No. 644.
3. The proposed use is located in the Land Use Development Section #8N of the General Plan, "small cluster neighborhood shopping", which calls for neighborhood serving uses to be located in every community within ½ mile. There are currently three (3) financial institutions within the ½ mile radius of the proposed project. Therefore, there are an adequate number of financial institutions within a ½ mile radius of the proposed check cashing use.

BACKGROUND

The applicant, Check Into Cash, is requesting approval of a Conditional Use Permit to permit the establishment of a money transfer business in an existing neighborhood shopping center. The center consists of a five (5) suite, 6,245 square foot building that is or will be occupied by "Curves" fitness center, an Insurance Store, the UPS store, and Quiznos restaurant. The site is located at the northwest corner of Stearns Street and Lakewood Boulevard in the Community Automobile-Oriented (CCA) zoning district.

DO NOT

Check cashing and money transfer businesses are classified in Section 21.15.475 of the Zoning Regulations under a broad definition of "check cashing." According to Section 21.32.110 (Permitted Uses) of the City of Long Beach Municipal Code, the establishment of a check cashing use in the CCA zoning district is subject to the approval of a Conditional Use Permit. Approval of a check cashing use is contingent upon the use meeting general requirements, such as being consistent with the General Plan and not being detrimental to public health, safety, general welfare, environmental quality or quality of life, as well as special conditions listed in Section 21.15.475 of the City of Long Beach Municipal Code.

The project was filed on November 28, 2005 and was reviewed by the Planning Bureau's Site Plan Review Committee on November 18, 2005 and again on December 20, 2005. Staff determined that the use was not appropriate at the proposed location as there are currently three (3) financial institutions in the project area that provide the same type of service. Land Use Section 8N of the City's General Plan, "small cluster neighborhood shopping", classifies a communities service area to neighborhood shopping, as ½ mile. As shown on Attachment 1, there are three (3) banks or credit unions within ½ mile of the proposed facility, and five (5) additional facilities just outside the ½ mile radius. Land Use Section 8N, describes neighborhood serving uses as financial institutions, restaurants, delicatessens, and the like". Hence, there are adequate financial institutions in the area to serve the residents of the surrounding community.

Staff has received several phone calls from residents within the surrounding area of the proposed check cashing facility. All phone calls were in objection to the use and one individual has begun collecting signatures on a neighborhood petition against the use. As of the date of this letter, no petition has been received, although staff expects to receive the petition prior to the February 2, meeting date. Also, two emails and one letter were received in opposition to the proposed use (see attached). Issues related to property values, loitering, and safety raised in the letter.

A summary of the surrounding land use is as follows:

	ZONING	GENERAL PLAN	LAND USE
PROJECT SITE	CCA	LUD#8N (TRADITIONAL RETAIL STRIP COMMERCIAL)	RETAIL COMMERCIAL
NORTH	R-1-N	LUD# 1 SINGLE FAMILY	RESIDENTIAL
SOUTH	CCP	LUD#8N (TRADITIONAL RETAIL STRIP COMMERCIAL)	RETAIL COMMERCIAL
EAST	CCA	LUD#8A (TRADITIONAL RETAIL STRIP COMMERCIAL)	RETAIL COMMERCIAL
WEST	R-1-N	LUD# 1 SINGLE FAMILY	RESIDENTIAL

CURRENT ACTION REQUESTED

The applicant has requested that the Planning Commission approve a Conditional Use Permit for the establishment of a check cashing and money transfer business at the project site. In order to approve this request, the following findings must be analyzed, made and adopted before any action is taken to approve or deny the subject permit and must be incorporated into the record of proceedings:

- A. **The approval is consistent with and carries out the General Plan, any applicable specific plans such as the local coastal development program and all Zoning Regulations of the applicable district;**

The zoning classification of the project site is CCA and the General Plan Land Use Designation of the project site is 8N. The CCA zoning district allows a check cashing and money transfer business subject to the approval of a Conditional Use Permit. A Conditional Use Permit is "consistent" when it carries out the intent of the land use district in which it is to be located, and otherwise complies with the required findings of the Zoning Regulations.

The 8N land use designation is intended to accommodate retail and services uses exclusively, primarily in small clusters that are widely dispersed, creating neighborhood-serving centers for the retail needs of residents of Long Beach. A neighborhood retail cluster is intended by this plan to be within a 1/2 mile radius of each residence, if feasible.

The proposed use will provide a neighborhood service to residents within one-half mile of the site. However, within that same one-half mile radius of the project site there are three (3) credit unions, and banks according to data provided by the City of Long Beach Business License Department and the State of California Department of Financial Institutions as shown on the attached map. Thus, the proposed use does not provide a needed neighborhood service since there are similar uses within the immediate area.

- B. **The approval will not be detrimental to the surrounding community including public health, safety, general welfare, environmental quality or quality of life; and**

The proposed use will be detrimental to the surrounding community including public health, safety, general welfare and quality of life since the proposed check cashing business will have the potential to raise the crime rate and "calls for service" for officers in Crime District No. 644. In addition, according to the Police Department, check-cashing services have had a history in the City of Long Beach of forgery, identity theft, theft, and robbery crimes occurring on the premises.

C. The approval is in compliance with the special conditions for the use enumerated in Chapter 21.52

The following conditions shall apply to check cashing businesses:

a. Off-street parking for check cashing businesses shall be the same as for banks and savings and loans as required by Chapter 21.41;

Off-street parking is required for the existing building at a rate of five (5) parking spaces per one thousand (1,000) square feet of gross floor area (GFA). The off-street parking requirement for banks, savings and loans, and shopping centers is five (5) parking spaces per one thousand (1,000) square feet GFA. The existing development complies with our off-street parking standard since the site was approved with parking conforming to a neighborhood shopping center (Case # 0310-10).

b. If established in an existing shopping center, off-street parking shall be provided as required for a shopping center by Chapter 21.41;

See above (a).

c. Windows shall not be obscured by placement of signs, dark window tinting, shelving, racks or similar obstructions;

Staff is recommending denial of the request.

d. Exterior phones, security bars and roll up doors shall be prohibited;

See above (c).

e. The floor plan shall include a customer waiting/service area of sufficient size to fully accommodate anticipated queuing lines. Such waiting/service area shall provide not less than fifty (50) square feet for each teller window; and

See above (c).

f. The hours of operation shall be stated in the application and subject to review.

See above (c).

PUBLIC HEARING NOTICE

A total of fifty-seven (57) Public Hearing Notices were mailed on January 18, 2006 to all owners of properties within a 300-foot radius of the project site as well as to the elected representative of the fifth (5th) Council District.

REDEVELOPMENT REVIEW

The project site is not located in a City of Long Beach Redevelopment Area.

ENVIRONMENTAL REVIEW

In accordance with the Guidelines for Implementation of the California Environmental Quality Act (CEQA), a Categorical Exemption (CE 05-192) was issued for the proposed project.


IT IS RECOMMENDED THAT THE PLANNING COMMISSION

Deny Conditional Use Permit.

Respectfully submitted,

SUZANNE M. FRICK
DIRECTOR OF PLANNING AND BUILDING

By:



STEVEN VALDEZ
PLANNER I

Approved:



CAROLYNE BIHN
ZONING ADMINISTRATOR

Attachments

1. Vicinity Map
2. Plans
3. Police Department Memorandum
4. Financial Institution Map
5. Categorical Exemption 05-192



Date: November 8, 2005
To: Steven Valdez, Planner, Zoning Administration
From: Steven L. Ditmars, Lieutenant, Information Technology Division
Subject: 2201 Lakewood Blvd. (Case No. 0510-12)

After reviewing the plan submittals for the operation of a deferred deposit service business, the following recommendations have been made in the interest of public safety and crime prevention.

SECURITY

- A security plan should include high-resolution surveillance cameras at the booth(s) and cash registers.
- A camera should be dedicated to the booth(s) (i.e. splitters should not be used).
- The surveillance system should also have a recording function for review, should a crime occur on the premises.
- Signature cards with thumbprints and photographs should be maintained for later identification for identity theft purposes.
- Viewers should be installed on the interior office doors, which would allow the employee behind the door, to verify who is on the other side.
- All advertisements should be removed from the doors and windows, as well as any furniture blocking visibility into and out of the store. All windows that have been painted over should have paint removed to expose the glass.

LIGHTING

- Wall pack lighting should be installed along walls to help deter vandalism and increase safety and security.
- Avoid sodium style lighting. This lighting tends to cast shadows and distorts colors. Metal halide, which produces a white light, is recommended.
- The parking areas should be lit to a minimum of 5 foot-candle.

MISCELLANEOUS

- There should be no exterior payphone on the site. All payphones should be located in areas where there is consistent supervision.
- The building address should be clearly marked, illuminated, and kept free from landscaping to assist with the location of the building. The address should also be painted on the rooftop (4' dimension) in a contrasting color to the building for air support response.
- There should not be any exterior rooftop access.

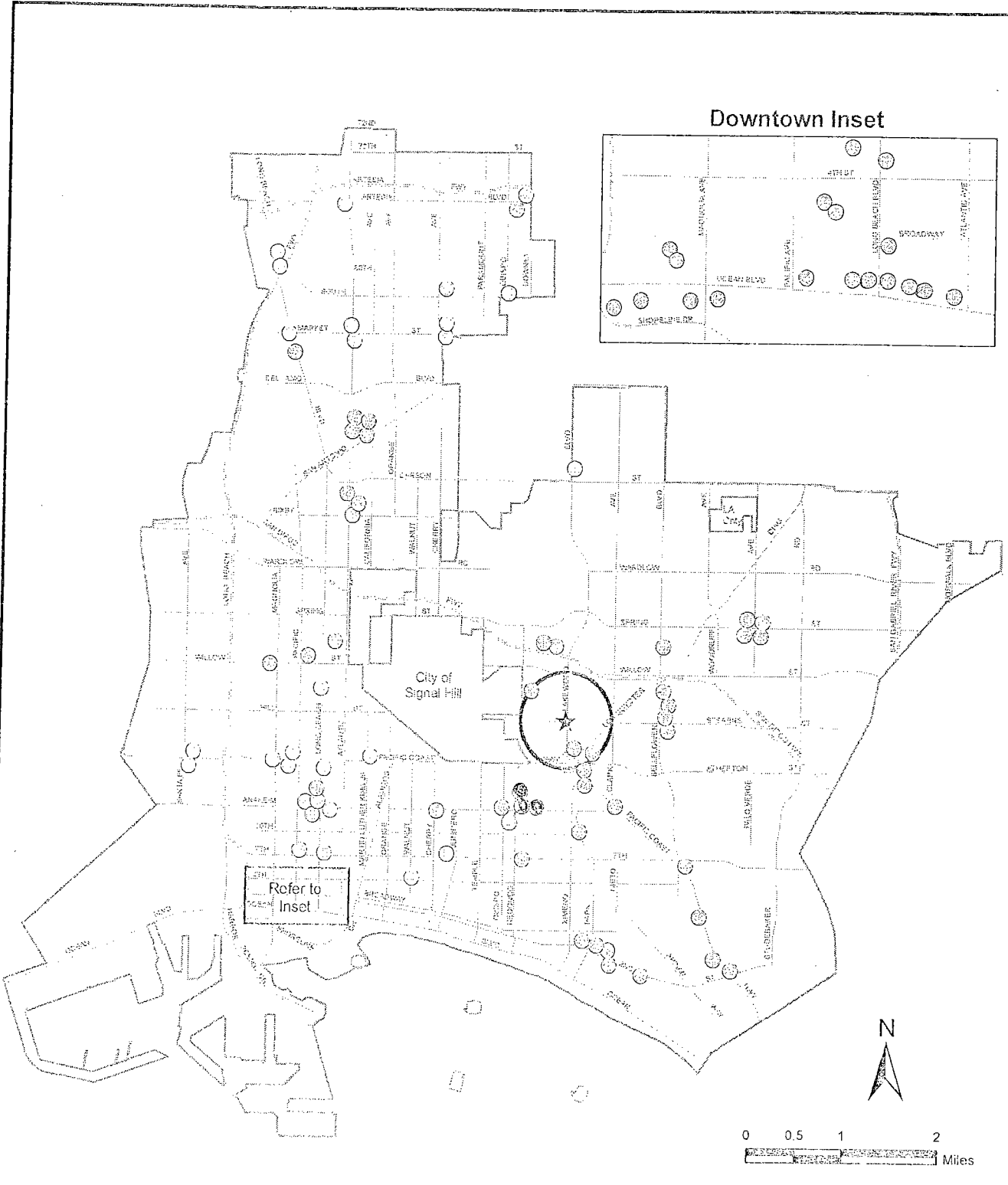
November 8, 2005

Page 2

- No loitering signs should be strategically posted throughout the site.
- Applicant/Owner should participate in the Long Beach Police Department Business Watch Program. Further information can be obtained by calling the Community Relations Division at (562) 570-7215

If you require further information or need clarification, please feel free to call M.J. Weber at (562) 570-5805.

SD:MJW:mjw



City of Long Beach
 Check Cashing Facilities,
 Banks and Credit Unions



Dept of Technology Services & Dept of Planning and Building

- ★ 2201 Lakewood Blvd
- Check Cashing Facilities
- Banks and Credit Unions
- 1/2 Mile Radius

Data Sources:
 Check Cashing Facilities - Billing & Collections System,
 10/7/05 Production Report
 Banks and Credit Unions - Planning & Building Department

ID	BANKS AND CREDIT UNIONS	ADDRESS
1	Banco Popular North America	151 E 5th St
2	Bank of America, National Association	150 Long Beach Blvd
3	Bank of America, National Association	5101 E 2nd St
4	Bank of America, National Association	2000 E Anaheim St
5	Bank of America, National Association	5253 Long Beach Blvd
6	Bank of America, National Association	101 E Willow St
7	Bank of America, National Association	600 W Willow St
8	Bank of America, National Association	3804 Atlantic Ave
9	Bank of America, National Association	6351 E Spring St
10	Bank of America, National Association	2240 Bellflower Blvd
11	Bank of the West	496 Long Beach Blvd
12	California Bank & Trust	444 W Ocean Blvd
13	California National Bank	555 E Ocean Blvd
14	California National Bank	5767 E Pacific Coast Hwy
15	Citibank (West), FSB	4500 Atlantic Ave
16	Citibank (West), FSB	2250 Bellflower Blvd
17	Citibank (West), FSB	1 World Trade Center, Suite 100
18	City National Bank	11 Golden Shore
19	City National Bank	6265 E 2nd St
20	Comerica Bank	301 E Ocean Blvd
21	Comerica Bank	1650 Ximeno Ave
22	Farmers and Merchants Bank of Long Beach	302 Pine Ave
23	Farmers and Merchants Bank of Long Beach	3140 E Anaheim St
24	Farmers and Merchants Bank of Long Beach	4827 E 2nd St
25	Farmers and Merchants Bank of Long Beach	3290 E Artesia Blvd
26	Farmers and Merchants Bank of Long Beach	2801 Atlantic Ave
27	Farmers and Merchants Bank of Long Beach	4545 California Ave
28	Farmers and Merchants Bank of Long Beach	1401 Long Beach Blvd
29	Farmers and Merchants Bank of Long Beach	2302 Bellflower Blvd
30	Fireside Bank	3780 Kilroy Airport Way, Suite 100
31	First Bank	100 Oceangate Suite 300
32	First Bank	6200 E Pacific Coast Hwy
33	First Bank	3850 Atlantic Ave, Suite A
34	First Federal Bank of California, a Federal Savings Bank	3500 E 7th St
35	Fremont Investment & Loan	401 E Ocean Blvd, Suite 100
36	International City Bank, National Association	249 E Ocean Blvd
37	Pacific Mercantile Bank	211 E Ocean Blvd Suite 100
38	U.S. Bank National Association	1820 Ximeno Ave
39	Union Bank of California, National Association	400 Oceangate
40	Union Bank of California, National Association	5430 E 2nd St
41	Union Bank of California, National Association	1900 Atlantic Ave
42	United Labor Bank, F.S.B.	3750 Kilroy Airport Way, Suite 130
43	Washington Mutual Bank	401 E Ocean Blvd
44	Washington Mutual Bank	5200 E 2nd St
45	Washington Mutual Bank	5150 E Pacific Coast Hwy
46	Washington Mutual Bank	3901 Atlantic Ave
47	Washington Mutual Bank	6300 E Spring St
48	Washington Mutual Bank	1725 Ximeno Ave
49	Washington Mutual Bank	1 World Trade Center, Suite 1750
50	Wells Fargo Bank, National Association	111 W Ocean Blvd
51	Wells Fargo Bank, National Association	6290 E Pacific Coast Hwy
52	Wells Fargo Bank, National Association	4601 E 2nd St
53	Wells Fargo Bank, National Association	4550 Atlantic Ave
54	Wells Fargo Bank, National Association	4540 Atlantic Ave

55	Wells Fargo Bank, National Association	2096 Bellflower Blvd
56	Wells Fargo Bank, National Association	1930 Lakewood Blvd
57	Western Financial Bank	2820 Bellflower Blvd
58	World Savings Bank, FSB	6402 E Spring St
59	Long Beach Financial Credit Union	4341 E 10th St
60	Southern California Postal Credit Union	2371 Grand Ave
61	Farmers and Merchants Bank of Long Beach	302 Pine Ave
ID	CHECK CASHING FACILITES	ADDRESS
1	Ace Cash Express Inc	3401 E Anaheim St
2	Tai S Ahn	6020 Long Beach Blvd
3	Tai S and Hi J Ahn	110 Cambridge St
4	Area Check Cashing Centers	3101 South St
5	Mokhles and Nagiba Athanasious	4172 Norse Way
6	Beach Financial LLC	3747 E Anaheim St
7	Jean Guy Bellegarde	206 E Anaheim St
8	Mahmoud Cahla	1310 Pine Ave
9	Cash America Advance Inc	2211 E 7th St
10	Check N Go of California IN	6425 E Spring St
11	Tae Chung	5425 Atlantic Ave
12	Tae Hyon Chung	5403 Cherry Ave
13	Tae Hyun Chung	5387 Long Beach Blvd
14	Clear Choice Intl LLC	5330 Atlantic Ave
15	Community Check Cashing and Mon	1301 Long Beach Blvd
16	Continental Currency Services	335 E 7th St
17	Dolex Dollar Express Inc	245 W Pacific Coast Hwy
18	Long Beach Travel Center Inc	1670 W Pacific Coast Hwy
19	Kay Mendoza	460 W Pacific Coast Hwy
20	Monetary Management of Califo	2375 Long Beach Blvd
21	Monetary Management of Califo	1001 E Pacific Coast Hwy
22	Navicert Financial Inc	6583 Atlantic Ave
23	Navicert Financial Inc	1228 Obispo Ave
24	Nix Check Cashing	300 W Pacific Coast Hwy
25	P C H Truck Stop Center Inc	1603 W Pacific Coast Hwy
26	Pay It Back Check Cashing Inc	730 Pacific Ave
27	Popular Cash Express-Californ	3401 E Anaheim St
28	S and E Enterprise Inc	400 E Anaheim St
29	Sela Service Corporation	3461 E Artesia Blvd
30	Service Annex LLC	2185 South St
31	Southwestern and Pacific Specia	1706 Long Beach Blvd
32	Supreme Euphoria #27 Inc	5401 Cherry Ave
33	Rossana Ivone Vaquez	1601 E 4th St



Lani Merlina
<lmerlina@verizon.net
>

To: Steven_Valdez@LongBeach.gov
cc: Alex Merlina <ALEX_MERLINA@denso-diam.com>
Subject: My statement for the Denial of Payday Advance Service

01/23/2006 01:23 PM

To Steven Valdez,
I would like to state my opinion regarding the proposed permit for request to open and operate a deferred deposit service business (otherwise known as Payday Advance Service). The project location is 2201 Lakewood Blvd, and is located around the corner from my home.

I am a resident of the Artcraft manor neighborhood and I do not want the proposed deferred deposit service business as a part of my neighborhood. My reasons for my concern and support of the denial are below.

- It would lower property value. I'm in support of businesses and city projects that improve the look and safety of my neighborhood. The proposed Payday Advance Service business would do neither. Most often I see these businesses in "bad" - higher crime neighborhoods.
- I don't want people in my neighborhood that can't control their finances. In my opinion, using a Payday Advance Service is an unintelligent use of your finances and lack of control of them.
- I have a small child and I want to do everything possible to create a safe neighborhood for him to grow up in.

You had mentioned over the phone that you believed a petition against the proposed permit for the deferred deposit service business for 2201 Lakewood Blvd had been started. If you have any information about how I can add my name please advise:

Thanks for your time,
Lani Merlina



MerlinaLogoSignature.jpg
Lani Merlina
lmerlina@verizon.net
562.500.4214

Subject: Permit Opposition

Councilmember O'Donnell,

I am writing to express my concern and opposition to a requested permit to open and operate a check cashing business at 2201 Lakewood Blvd, in Council District 5. I am a homeowner living on Ximeno Avenue in your district and approximately one block from the proposed business location.

Check cashing businesses are very important to people that do not have some type of transaction bank account. However, this does not describe the residents of the neighborhood surrounding this section of Lakewood Blvd., which is predominately occupant owned single-family residences with some rental single-family residences. This leads me to believe that if this permit is granted, the customer base will be from outside the neighborhood. If this permit is granted, I feel certain that the business will have a detrimental effect on the local neighborhood and I urge you to do whatever is in your power to oppose this permit application.

Sincerely,

Carol Jeffcoate

2214 Ximeno Ave

Long Beach, CA 90815



CITY OF
LONG
BEACH

FEE \$133.13

Categorical Exemption CE- -04

05-192

NOTICE OF EXEMPTION

To: _____ Office of Planning & Research
1400 Tenth street, Room 121
Sacramento, CA 95814

From: Department of Planning & Building
333 W. Ocean Blvd., 5th Floor
Long Beach, CA 90802

L. A. County Clerk
Environmental Filings
12400 E. Imperial Hwy. 2nd Floor, Rm. 2001
Norwalk, CA 90650

Project Title: Check-Into Cash - Lakewood Blvd

Project Location -- Specific: 2201 Lakewood Blvd

Project -- City: Long Beach Project Location -- County: Los Angeles

Activity Description: Check Cashing / Payday Advance Service

Name of Public Agency Approving Project: CITY OF LONG BEACH

Name of Person or Agency Carrying Out Project: Mike Robinson
(Printed Name)

5617 Calhoun A
(Mailing Address)

818 786 8960
(Telephone)

[Signature]
(Signature)

LONG BEACH CITY PLANNING COMMISSION

The above project has been found to be exempt from CEQA in accordance with the State Guidelines Section

Statement of Support for this finding: _____

Lead Agency _____

Contact Person: _____ Area Code/Telephone: _____

Signature: _____ Date: _____ Title: _____

_____ Signed by Lead Agency

_____ Signed by Applicant

Commissioner Gentile was absent and Commissioner Greenberg had not yet arrived.

3. Case No. 0510-12, CE 05-192, Conditional Use Permit

Applicant: Mike Robinson
Subject Site: 2201 Lakewood Blvd. (Council District 5)
Description: Request for a Conditional Use Permit for a check cashing/money transfer store in a neighborhood shopping center.

Steven Valdez presented the staff report recommending denial of the request since there are already numerous financial institutions in the area, and because the use has the potential to raise the crime rate and calls for service.

Commissioner Greenberg said he thought it unfair to compare the clientele of a traditional bank to this check cashing operation. Angela Reynolds explained that the General Plan did not differentiate between the uses.

Commissioner Winn pointed out that the check cashing use was a valuable one for many neighborhoods and stringent conditions of approval were always in place.

Mike Robinson, 5617 Calhoun Avenue, Van Nuys, applicant, explained that their operation was more like a bank in that their hours of operation were similar and limited services were offered.

Marina Miller-Foley, 13629 Rachel Road, Yucaipa, 92399, Regional Manager, Check Into Cash, cited the safety records of their other 150 similar operations, and noted that they served as a payday advance service, not a check cashing service, and they required higher financial standards of their clients while remaining involved in community activities.

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Dave Zahn, 2209 Lakewood Blvd., adjacent land owner, said he did not understand the operation type either, but he was concerned it could create a dangerous situation for clients with cash.

Commissioner Greenberg said he felt the payroll advance operation sounded benign but was being stereotyped as a typical check cashing operation, and he asked for input from the Police Department about the use.

Commissioner Greenberg moved to continue the item to the March 2, 2006 meeting in order to allow the applicant to meet with opposition to explain the use and for staff to assemble a list of conditions tailored for this specific use. Commissioner Winn seconded the motion, which passed 6-0. Commissioner Gentile was absent.

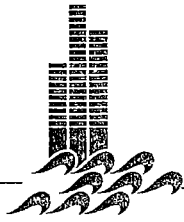
4. Case No. 0511-05, CE 05-216, Administrative Use Permit, Local Coastal Development Permit

Appellant: Ben Knight
Applicant: Casey Kammel for Executive Fitness
Subject Site: 5708 & 5710 East 2nd St. (Council District 3)
Description: Appeal of the Zoning Administrator's decision to approve a Local Coastal Development Permit and Administrative Use Permit allowing the establishment of a personal training studio with spa, massage and cosmetic care.

Jayne Mekis presented the staff report recommending denial of the appeal since the existing building is currently classified as legal non-conforming for parking, and because this use will generate less parking needs since the owner has agreed to limit the number of on-site clients.

Ben Knight, 5700 E. 2nd Street, appellant, stated he was opposed to the use because the area was underparked even if grandfathered, and he thought the area was already saturated with similar uses. Mr. Knight also claimed it would be too hard to police the limit on clients.

In response to a query from Commissioner Greenberg, who pointed out that most other permitted uses would generate greater parking demand, Mr. Knight said he'd rather see an art gallery, consignment store or other single-clerk operation. Commissioner Stuhlbarg noted that most single-clerk stores were not financially viable in that high-rent district.



CITY OF LONG BEACH

DEPARTMENT OF PLANNING & BUILDING

333 West Ocean Boulevard, 7th Floor Long Beach, CA 90802 (562) 570-6194 FAX (562) 570-6068

ZONING DIVISION

March 2, 2006

CHAIRMAN AND PLANNING COMMISSIONERS
City of Long Beach
California

SUBJECT: Conditional Use Permit for a check cashing/money transfer store in a
existing neighborhood shopping center(Council District 5).

LOCATION: 2201 Lakewood Blvd

APPLICANT: Permit Place
c/o Mike Robinson
10900 E. 183rd Street
Los Angeles, CA 91401

RECOMMENDATION

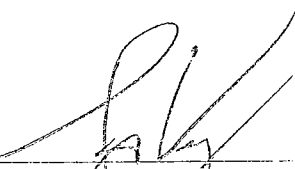
Continue the hearing to March 16, 2006

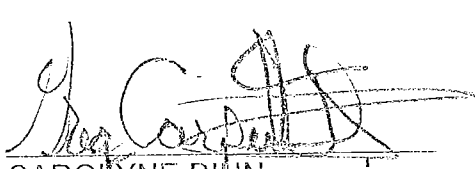
DISCUSSION

Staff requests that the Planning Commission continue the hearing to March 16, 2006, in order to allow sufficient time to facilitate a community meeting scheduled on February 28, 2005 at Stearns Park. This will also give staff sufficient time to incorporate information presented at the community meeting into the staff report. Additionally, it will give area residents adequate time to respond to information presented at the meeting. The applicant has been contacted and has agreed to the continuance from the March 2nd hearing to the March 16th hearing.

Respectfully submitted,

SUZANNE FRICK,
DIRECTOR OF PLANNING AND BUILDING

By: 
STEVEN VALDEZ
PLANNER I

Approved: 
CAROLYNNE BIHN
ZONING ADMINISTRATOR



"Mike Robinson"
<mike@permitplace.com>

02/21/2006 08:29 AM
Please respond to mike

To: <Steven_Valdez@longbeach.gov>
cc: <Mercedes_McLemore@longbeach.gov>, <ken@treadwellrobertson.com>, "Bruce Long" <blong@checkintocash.com>
Subject: Planning Commission Meeting Move

Hi Steven,

Both the owner, Ken, and Check Into Cash, agreed to your request to move the date of the meeting with the Planning Commission to the following meeting on the third Thursday of March rather than the originally scheduled 1st Thursday.

I still need a definitive date, time and place for the public hearing that we need to attend. Can either you or Mercedes provide that information to us so that we can get our people prepared?

Thanks

Mike Robinson<?xml:namespace prefix = o ns = "urn:schemas-microsoft-com:office:office" />

Permit Place, Inc.

<http://www.permitplace.com>

mike@permitplace.com

818-786-8960 office

213-308-0674 cell

**CITY OF LONG BEACH**

DEPARTMENT OF PLANNING & BUILDING

333 West Ocean Boulevard, 7th Floor | Long Beach, CA 90802 | (562) 570-6194 FAX (562) 570-6068

ZONING DIVISION

February 2, 2006

CHAIRMAN AND PLANNING COMMISSIONERS
City of Long Beach
California

SUBJECT: Request for a Conditional Use Permit for check cashing/money transfer store in a neighborhood shopping center (Council District 5).

LOCATION: 2201 Lakewood Blvd.

APPLICANT: Permit Place
c/o Mike Robinson
10900 East 183rd Street
Los Angeles, CA

RECOMMENDATION

Deny Conditional Use Permit.

REASON FOR RECOMMENDATION

1. There are numerous financial institutions in the City of Long Beach, including thirty three (33) check cashing facilities and sixty one (61) banks, and credit unions, for a total of ninety four (94) financial establishments citywide (see attached map).
2. The proposed use has the potential to raise the crime rate and "calls for service" for officers in Crime District No. 644.
3. The proposed use is located in the Land Use Development Section #8N of the General Plan, "small cluster neighborhood shopping", which calls for neighborhood serving uses to be located in every community within ½ mile. There are currently three (3) financial institutions within the ½ mile radius of the proposed project. Therefore, there are an adequate number of financial institutions within a ½ mile radius of the proposed check cashing use.

BACKGROUND

The applicant, Check Into Cash, is requesting approval of a Conditional Use Permit to permit the establishment of a money transfer business in an existing neighborhood shopping center. The center consists of a five (5) suite, 6,245 square foot building that is or will be occupied by "Curves" fitness center, an Insurance Store, the UPS store, and Quiznos restaurant. The site is located at the northwest corner of Stearns Street and Lakewood Boulevard in the Community Automobile-Oriented (CCA) zoning district.

Check cashing and money transfer businesses are classified in Section 21.15.475 of the Zoning Regulations under a broad definition of "check cashing." According to Section 21.32.110 (Permitted Uses) of the City of Long Beach Municipal Code, the establishment of a check cashing use in the CCA zoning district is subject to the approval of a Conditional Use Permit. Approval of a check cashing use is contingent upon the use meeting general requirements, such as being consistent with the General Plan and not being detrimental to public health, safety, general welfare, environmental quality or quality of life, as well as special conditions listed in Section 21.15.475 of the City of Long Beach Municipal Code.

The project was filed on November 28, 2005 and was reviewed by the Planning Bureau's Site Plan Review Committee on November 18, 2005 and again on December 20, 2005. Staff determined that the use was not appropriate at the proposed location as there are currently three (3) financial institutions in the project area that provide the same type of service. Land Use Section 8N of the City's General Plan, "small cluster neighborhood shopping", classifies a communities service area to neighborhood shopping, as 1/2 mile. As shown on Attachment 1, there are three (3) banks or credit unions within 1/2 mile of the proposed facility, and five (5) additional facilities just outside the 1/2 mile radius. Land Use Section 8N, describes neighborhood serving uses as financial institutions, restaurants, delicatessens, and the like". Hence, there are adequate financial institutions in the area to serve the residents of the surrounding community.

Staff has received several phone calls from residents within the surrounding area of the proposed check cashing facility. All phone calls were in objection to the use and one individual has begun collecting signatures on a neighborhood petition against the use. As of the date of this letter, no petition has been received, although staff expects to receive the petition prior to the February 2, meeting date. Also, two emails and one letter were received in opposition to the proposed use (see attached). Issues related to property values, loitering, and safety raised in the letter.

A summary of the surrounding land use is as follows:

PROJECT SITE	ZONING	GENERAL PLAN	LAND USE
	CCA	LUD#8N (TRADITIONAL RETAIL STRIP COMMERCIAL)	RETAIL COMMERCIAL
NORTH	R-1-N	LUD# 1 SINGLE FAMILY	RESIDENTIAL
SOUTH	CCP	LUD#8N (TRADITIONAL RETAIL STRIP COMMERCIAL)	RETAIL COMMERCIAL
EAST	CCA	LUD#8A (TRADITIONAL RETAIL STRIP COMMERCIAL)	RETAIL COMMERCIAL
WEST	R-1-N	LUD# 1 SINGLE FAMILY	RESIDENTIAL

CURRENT ACTION REQUESTED

The applicant has requested that the Planning Commission approve a Conditional Use Permit for the establishment of a check cashing and money transfer business at the project site. In order to approve this request, the following findings must be analyzed, made and adopted before any action is taken to approve or deny the subject permit and must be incorporated into the record of proceedings:

- A. **The approval is consistent with and carries out the General Plan, any applicable specific plans such as the local coastal development program and all Zoning Regulations of the applicable district;**

The zoning classification of the project site is CCA and the General Plan Land Use Designation of the project site is 8N. The CCA zoning district allows a check cashing and money transfer business subject to the approval of a Conditional Use Permit. A Conditional Use Permit is "consistent" when it carries out the intent of the land use district in which it is to be located, and otherwise complies with the required findings of the Zoning Regulations.

The 8N land use designation is intended to accommodate retail and services uses exclusively, primarily in small clusters that are widely dispersed, creating neighborhood-serving centers for the retail needs of residents of Long Beach. A neighborhood retail cluster is intended by this plan to be within a 1/2 mile radius of each residence, if feasible.

The proposed use will provide a neighborhood service to residents within one-half mile of the site. However, within that same one-half mile radius of the project site there are three (3) credit unions, and banks according to data provided by the City of Long Beach Business License Department and the State of California Department of Financial Institutions as shown on the attached map. Thus, the proposed use does not provide a needed neighborhood service since there are similar uses within the immediate area.

- B. **The approval will not be detrimental to the surrounding community including public health, safety, general welfare, environmental quality or quality of life; and**

The proposed use will be detrimental to the surrounding community including public health, safety, general welfare and quality of life since the proposed check cashing business will have the potential to raise the crime rate and "calls for service" for officers in Crime District No. 644. In addition, according to the Police Department, check-cashing services have had a history in the City of Long Beach of forgery, identity theft, theft, and robbery crimes occurring on the premises.

C. The approval is in compliance with the special conditions for the use enumerated in Chapter 21.52

The following conditions shall apply to check cashing businesses:

a. Off-street parking for check cashing businesses shall be the same as for banks and savings and loans as required by Chapter 21.41;

Off-street parking is required for the existing building at a rate of five (5) parking spaces per one thousand (1,000) square feet of gross floor area (GFA). The off-street parking requirement for banks, savings and loans, and shopping centers is five (5) parking spaces per one thousand (1,000) square feet GFA. The existing development complies with our off-street parking standard since the site was approved with parking conforming to a neighborhood shopping center (Case # 0310-10).

b. If established in an existing shopping center, off-street parking shall be provided as required for a shopping center by Chapter 21.41;

See above (a).

c. Windows shall not be obscured by placement of signs, dark window tinting, shelving, racks or similar obstructions;

Staff is recommending denial of the request.

d. Exterior phones, security bars and roll up doors shall be prohibited;

See above (c).

e. The floor plan shall include a customer waiting/service area of sufficient size to fully accommodate anticipated queuing lines. Such waiting/service area shall provide not less than fifty (50) square feet for each teller window; and

See above (c).

f. The hours of operation shall be stated in the application and subject to review.

See above (c).

PUBLIC HEARING NOTICE

A total of fifty-seven (57) Public Hearing Notices were mailed on January 18, 2006 to all owners of properties within a 300-foot radius of the project site as well as to the elected representative of the fifth (5th) Council District.

REDEVELOPMENT REVIEW

The project site is not located in a City of Long Beach Redevelopment Area.

ENVIRONMENTAL REVIEW

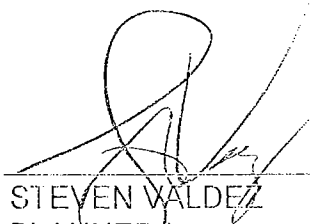
In accordance with the Guidelines for Implementation of the California Environmental Quality Act (CEQA), a Categorical Exemption (CE 05-192) was issued for the proposed project.


IT IS RECOMMENDED THAT THE PLANNING COMMISSION

Deny Conditional Use Permit.

Respectfully submitted,

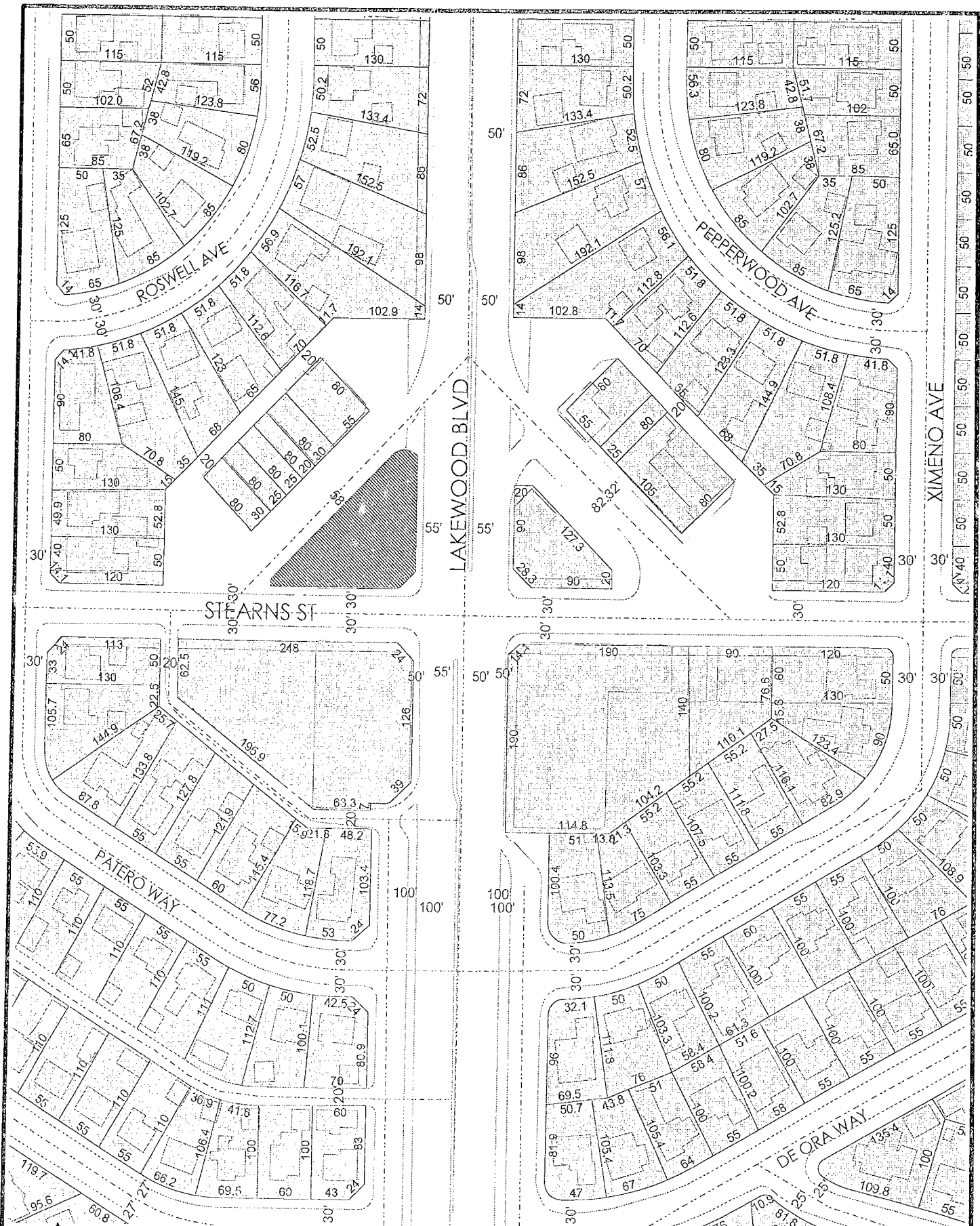
SUZANNE M. FRICK
DIRECTOR OF PLANNING AND BUILDING

By: 
STEVEN WALDEZ
PLANNER I

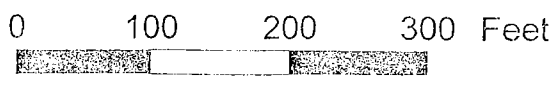
Approved: 
CAROLYNE BIHN
ZONING ADMINISTRATOR

Attachments

1. Vicinity Map
2. Plans
3. Police Department Memorandum
4. Financial Institution Map
5. Categorical Exemption 05-192



SUBJECT PROPERTY:
2201 Lakewood Blvd.
Case No. 0510-12



Scale = 1:1,800

City of Long Beach
 Department of Planning & Building
 Land Use & Development Services



Date: November 8, 2005
To: Steven Valdez, Planner, Zoning Administration
From: Steven L. Ditmars, Lieutenant, Information Technology Division
Subject: **2201 Lakewood Blvd. (Case No. 0510-12)**

After reviewing the plan submittals for the operation of a deferred deposit service business, the following recommendations have been made in the interest of public safety and crime prevention.

SECURITY

- A security plan should include high-resolution surveillance cameras at the booth(s) and cash registers.
- A camera should be dedicated to the booth(s) (i.e. splitters should not be used).
- The surveillance system should also have a recording function for review, should a crime occur on the premises.
- Signature cards with thumbprints and photographs should be maintained for later identification for identity theft purposes.
- Viewers should be installed on the interior office doors, which would allow the employee behind the door, to verify who is on the other side.
- All advertisements should be removed from the doors and windows, as well as any furniture blocking visibility into and out of the store. All windows that have been painted over should have paint removed to expose the glass.

LIGHTING

- Wall pack lighting should be installed along walls to help deter vandalism and increase safety and security.
- Avoid sodium style lighting. This lighting tends to cast shadows and distorts colors. Metal halide, which produces a white light, is recommended.
- The parking areas should be lit to a minimum of 5 foot-candle.

MISCELLANEOUS

- There should be no exterior payphone on the site. All payphones should be located in areas where there is consistent supervision.
- The building address should be clearly marked, illuminated, and kept free from landscaping to assist with the location of the building. The address should also be painted on the rooftop (4' dimension) in a contrasting color to the building for air support response.
- There should not be any exterior rooftop access.

November 8, 2005

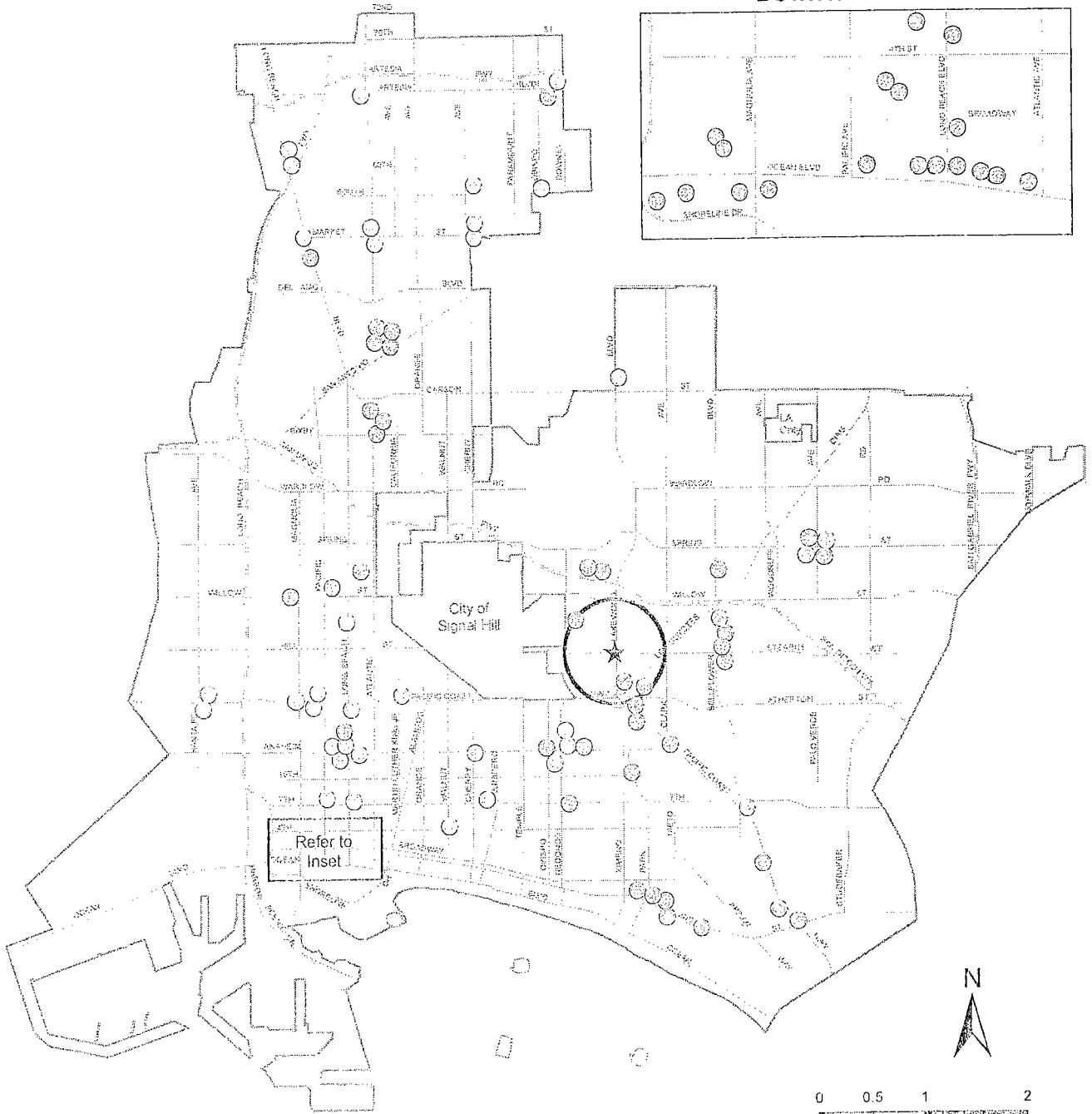
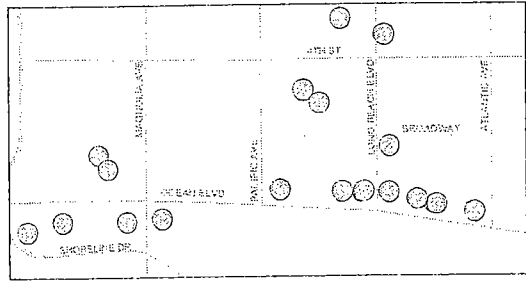
Page 2

- No loitering signs should be strategically posted throughout the site.
- Applicant/Owner should participate in the Long Beach Police Department Business Watch Program. Further information can be obtained by calling the Community Relations Division at (562) 570-7215

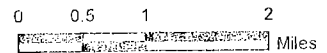
If you require further information or need clarification, please feel free to call M.J. Weber at (562) 570-5805.

SD:MJW:mjw

Downtown Inset



Refer to Inset



City of Long Beach Check Cashing Facilities, Banks and Credit Unions

Dept of Technology Services & Dept of Planning and Building

- ★ 2201 Lakewood Blvd
- Check Cashing Facilities
- Banks and Credit Unions
- 1/2 Mile Radius

Data Sources:
Check Cashing Facilities - Billing & Collections System,
10/7/05 Production Report
Banks and Credit Unions - Planning & Building Department

ID	BANKS AND CREDIT UNIONS	ADDRESS
1	Banco Popular North America	151 E 5th St
2	Bank of America, National Association	150 Long Beach Blvd
3	Bank of America, National Association	5101 E 2nd St
4	Bank of America, National Association	2000 E Anaheim St
5	Bank of America, National Association	5253 Long Beach Blvd
6	Bank of America, National Association	101 E Willow St
7	Bank of America, National Association	600 W Willow St
8	Bank of America, National Association	3804 Atlantic Ave
9	Bank of America, National Association	6351 E Spring St
10	Bank of America, National Association	2240 Bellflower Blvd
11	Bank of the West	496 Long Beach Blvd
12	California Bank & Trust	444 W Ocean Blvd
13	California National Bank	555 E Ocean Blvd
14	California National Bank	5767 E Pacific Coast Hwy
15	Citibank (West), FSB	4500 Atlantic Ave
16	Citibank (West), FSB	2250 Bellflower Blvd
17	Citibank (West), FSB	1 World Trade Center, Suite 100
18	City National Bank	11 Golden Shore
19	City National Bank	6265 E 2nd St
20	Comerica Bank	301 E Ocean Blvd
21	Comerica Bank	1650 Ximeno Ave
22	Farmers and Merchants Bank of Long Beach	302 Pine Ave
23	Farmers and Merchants Bank of Long Beach	3140 E Anaheim St
24	Farmers and Merchants Bank of Long Beach	4827 E 2nd St
25	Farmers and Merchants Bank of Long Beach	3290 E Artesia Blvd
26	Farmers and Merchants Bank of Long Beach	2801 Atlantic Ave
27	Farmers and Merchants Bank of Long Beach	4545 California Ave
28	Farmers and Merchants Bank of Long Beach	1401 Long Beach Blvd
29	Farmers and Merchants Bank of Long Beach	2302 Bellflower Blvd
30	Fireside Bank	3780 Kilroy Airport Way, Suite 100
31	First Bank	100 Oceangate Suite 300
32	First Bank	6200 E Pacific Coast Hwy
33	First Bank	3850 Atlantic Ave, Suite A
34	First Federal Bank of California, a Federal Savings Bank	3500 E 7th St
35	Fremont Investment & Loan	401 E Ocean Blvd, Suite 100
36	International City Bank, National Association	249 E Ocean Blvd
37	Pacific Mercantile Bank	211 E Ocean Blvd Suite 100
38	U.S. Bank National Association	1820 Ximeno Ave
39	Union Bank of California, National Association	400 Oceangate
40	Union Bank of California, National Association	5430 E 2nd St
41	Union Bank of California, National Association	1900 Atlantic Ave
42	United Labor Bank, F.S.B.	3750 Kilroy Airport Way, Suite 130
43	Washington Mutual Bank	401 E Ocean Blvd
44	Washington Mutual Bank	5200 E 2nd St
45	Washington Mutual Bank	5150 E Pacific Coast Hwy
46	Washington Mutual Bank	3901 Atlantic Ave
47	Washington Mutual Bank	6300 E Spring St
48	Washington Mutual Bank	1725 Ximeno Ave
49	Washington Mutual Bank	1 World Trade Center, Suite 1750
50	Wells Fargo Bank, National Association	111 W Ocean Blvd
51	Wells Fargo Bank, National Association	6290 E Pacific Coast Hwy
52	Wells Fargo Bank, National Association	4601 E 2nd St
53	Wells Fargo Bank, National Association	4550 Atlantic Ave
54	Wells Fargo Bank, National Association	4540 Atlantic Ave

55	Wells Fargo Bank, National Association	2096 Bellflower Blvd
56	Wells Fargo Bank, National Association	1930 Lakewood Blvd
57	Western Financial Bank	2820 Bellflower Blvd
58	World Savings Bank, FSB	6402 E Spring St
59	Long Beach Financial Credit Union	4341 E 10th St
60	Southern California Postal Credit Union	2371 Grand Ave
61	Farmers and Merchants Bank of Long Beach	302 Pine Ave
ID	CHECK CASHING FACILITES	ADDRESS
1	Ace Cash Express Inc	3401 E Anaheim St
2	Tai S Ahn	6020 Long Beach Blvd
3	Tai S and Hi J Ahn	110 Cambridge St
4	Area Check Cashing Centers	3101 South St
5	Mokhles and Nagiba Athanasious	4172 Norse Way
6	Beach Financial LLC	3747 E Anaheim St
7	Jean Guy Bellegarde	206 E Anaheim St
8	Mahmoud Cahla	1310 Pine Ave
9	Cash America Advance Inc	2211 E 7th St
10	Check N Go of California IN	6425 E Spring St
11	Tae Chung	5425 Atlantic Ave
12	Tae Hyon Chung	5403 Cherry Ave
13	Tae Hyun Chung	5387 Long Beach Blvd
14	Clear Choice Intl LLC	5330 Atlantic Ave
15	Community Check Cashing and Mon	1301 Long Beach Blvd
16	Continental Currency Services	335 E 7th St
17	Dolex Dollar Express Inc	245 W Pacific Coast Hwy
18	Long Beach Travel Center Inc	1670 W Pacific Coast Hwy
19	Kay Mendoza	460 W Pacific Coast Hwy
20	Monetary Management of Califo	2375 Long Beach Blvd
21	Monetary Management of Califo	1001 E Pacific Coast Hwy
22	Navicert Financial Inc	6583 Atlantic Ave
23	Navicert Financial Inc	1228 Obispo Ave
24	Nix Check Cashing	300 W Pacific Coast Hwy
25	P C H Truck Stop Center Inc	1603 W Pacific Coast Hwy
26	Pay It Back Check Cashing Inc	730 Pacific Ave
27	Popular Cash Express-Californ	3401 E Anaheim St
28	S and E Enterprise Inc	400 E Anaheim St
29	Sela Service Corporation	3461 E Artesia Blvd
30	Service Annex LLC	2185 South St
31	Southwestern and Pacific Specia	1706 Long Beach Blvd
32	Supreme Euphoria #27 Inc	5401 Cherry Ave
33	Rossana Ivone Vaquez	1601 E 4th St



Lani Merlina
<lmerlina@verizon.net
>

To: Steven_Valdez@LongBeach.gov
cc: Alex Merlina <ALEX_MERLINA@denso-diam.com>
Subject: My statement for the Denial of Payday Advance Service

01/23/2006 01:23 PM

To Steven Valdez,
I would like to state my opinion regarding the proposed permit for request to open and operate a deferred deposit service business (otherwise known as Payday Advance Service). The project location is 2201 Lakewood Blvd, and is located around the corner from my home.

I am a resident of the Artcraft manor neighborhood and I do not want the proposed deferred deposit service business as a part of my neighborhood. My reasons for my concern and support of the denial are below.

- It would lower property value. I'm in support of businesses and city projects that improve the look and safety of my neighborhood. The proposed Payday Advance Service business would do neither. Most often I see these businesses in "bad" - higher crime neighborhoods.
- I don't want people in my neighborhood that can't control their finances. In my opinion, using a Payday Advance Service is an unintelligent use of your finances and lack of control of them.
- I have a small child and I want to do everything possible to create a safe neighborhood for him to grow up in.

You had mentioned over the phone that you believed a petition against the proposed permit for the deferred deposit service business for 2201 Lakewood Blvd had been started. If you have any information about how I can add my name please advise.

Thanks for your time,
Lani Merlina



MerlinaLogoSignature.jpg
Lani Merlina
lmerlina@verizon.net
562.500.4214

Subject: Permit Opposition

Mr. O'Donnell,

I express my concern and opposition to a requested permit to open and operate a business at 2201 Lakewood Blvd, in Council District 5. I am a homeowner living on Lakewood Avenue in your district and approximately one block from the proposed business

such businesses are very important to people that do not have some type of transaction account. However, this does not describe the residents of the neighborhood surrounding this part of Lakewood Blvd., which is predominately occupant owned single-family residences and some rental single-family residences. This leads me to believe that if this permit is granted, the customer base will be from outside the neighborhood. If this permit is granted, I feel certain that the business will have a detrimental effect on the local neighborhood and I urge you to do whatever is in your power to oppose this permit application.

Sincerely,

Carol Jeffcoate
2214 Ximeno Ave
Long Beach, CA 90815

Commissioner Gentile was absent and Commissioner Greenberg had not yet arrived.

3. Case No. 0510-12, CE 05-192, Conditional Use Permit

Applicant: Mike Robinson
Subject Site: 2201 Lakewood Blvd. (Council District 5)
Description: Request for a Conditional Use Permit for a check cashing/money transfer store in a neighborhood shopping center.

Steven Valdez presented the staff report recommending denial of the request since there are already numerous financial institutions in the area, and because the use has the potential to raise the crime rate and calls for service.

Commissioner Greenberg said he thought it unfair to compare the clientele of a traditional bank to this check cashing operation. Angela Reynolds explained that the General Plan did not differentiate between the uses.

Commissioner Winn pointed out that the check cashing use was a valuable one for many neighborhoods and stringent conditions of approval were always in place.

Mike Robinson, 5617 Calhoun Avenue, Van Nuys, applicant, explained that their operation was more like a bank in that their hours of operation were similar and limited services were offered.

Marina Miller-Foley, 13629 Rachel Road, Yucaipa, 92399, Regional Manager, Check Into Cash, cited the safety records of their other 150 similar operations, and noted that they served as a payday advance service, not a check cashing service, and they required higher financial standards of their clients while remaining involved in community activities.

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Dave Zahn, 2209 Lakewood Blvd., adjacent land owner, said he did not understand the operation type either, but he was concerned it could create a dangerous situation for clients with cash.

Commissioner Greenberg said he felt the payroll advance operation sounded benign but was being stereotyped as a typical check cashing operation, and he asked for input from the Police Department about the use.

Commissioner Greenberg moved to continue the item to the March 2, 2006 meeting in order to allow the applicant to meet with opposition to explain the use and for staff to assemble a list of conditions tailored for this specific use. Commissioner Winn seconded the motion, which passed 6-0. Commissioner Gentile was absent.

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Applicant: Casey Kammel for Executive Fitness
Subject Site: 5708 & 5710 East 2nd St. (Council District 3)
Description: Appeal of the Zoning Administrator's decision to approve a Local Coastal Development Permit and Administrative Use Permit allowing the establishment of a personal training studio with spa, massage and cosmetic care.

Jayne Mekis presented the staff report recommending denial of the appeal since the existing building is currently classified as legal non-conforming for parking, and because this use will generate less parking needs since the owner has agreed to limit the number of on-site clients.

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In response to a query from Commissioner Greenberg, who pointed out that most other permitted uses would generate greater parking demand, Mr. Knight said he'd rather see an art gallery, consignment store or other single-clerk operation. Commissioner Stuhlbarg noted that most single-clerk stores were not financially viable in that high-rent district.

C I T Y P L A N N I N G C O M M I S S I O N M I N U T E S

M A R C H 1 6, 2 0 0 6

The regular meeting of the City Planning Commission and public hearing convened on March 16, 2006 at 1:31pm in the City Council Chambers, 333 W. Ocean Boulevard, Long Beach, California.

PRESENT: COMMISSIONERS: Charles Winn, Charles Greenberg,
Morton Stuhlbarg, Mitch Rouse,
Nick Sramek

ABSENT: EXCUSED: Leslie Gentile, Matthew Jenkins

ACTING CHAIRMAN: Charles Winn

STAFF MEMBERS PRESENT: Suzanne Frick, Director
Greg Carpenter, Planning Manager
Carolyn Bihn, Zoning Officer
Angela Reynolds, Advance Planning
Lynette Ferenczy, Planner
Steven Valdez, Planner

OTHERS PRESENT: Mike Mais, Deputy City Attorney
Marcia Gold, Minutes Clerk

P L E D G E O F A L L E G I A N C E

The pledge of allegiance was led by Commissioner Greenberg.

M I N U T E S

The minutes of January 19, 2006 were approved on a motion by Commissioner Sramek, seconded by Commissioner Rouse, and passed 4-0-1, with Commissioner Greenberg abstaining and Commissioners Gentile and Jenkins absent.

The minutes of February 2, 2006 were approved on a motion by Commissioner Sramek, seconded by Commissioner Rouse and passed 5-0. Commissioners Gentile and Jenkins were absent.

S W E A R I N G O F W I T N E S S E S

C O N S E N T C A L E N D A R

1. Case No. 0507-22, Standards Variance, Local Coastal Development Permit, CE 05-137

Applicant: Mark Malan
Subject Site: 2533 E. 2nd Street (Council Dist. 2)
Description: Appeal of the Zoning Administrator's decision to deny a Local Coastal Development Permit and Standards Variances for an accessory structure located in the front yard setback that exceeds the allowable height and floor area.

Mark Malan, 2533 E. 2nd Street, appellant, objected to the recommended continuation of his item saying he wanted to give a presentation.

Carolyn Bihn explained that the appellant had already had a month to present revised plans based on the Commission's recommendations from the original hearing. Ms. Bihn added that staff had met with Mr. Malan to discuss the issues and a possible resolution to the conflict, but no revised plans had yet been received, so a continuation was being requested.

Commissioner Greenberg pointed out that last-minute presentations were not recommended because the Commissioners then did not have enough time to review the material.

Commissioner Rouse observed that maybe the appellant didn't want to revise his original plans, in which case he could re-present them on their original merits.

Commissioner Stuhlbarg moved to continue the item to the April 6, 2006 meeting. Commissioner Greenberg seconded the motion, which passed 5-0. Commissioners Gentile and Jenkins were absent.

C O N T I N U E D I T E M S

2. Case No. 0510-12, Conditional Use Permit, CE 05-192

Applicant: Permit Place c/o Mike Robinson
Subject Site: 2201 Lakewood Blvd. (Council District 5)
Description: Request for approval of a Conditional Use Permit for check cashing/money transfer store in a neighborhood shopping center.

Steven Valdez presented the staff report reiterating the previously recommended denial of the request since there are already numerous financial institutions in the area, and because the use has the potential to raise the crime rate and calls for service. Mr. Valdez presented a summary of police service calls for four similar use locations, showing that the only service call in the past six years at the site in question was regarding a repossessed vehicle.

Lt. Steven Ditmars, Long Beach Police Dept., explained that even if not criminal activity, the towing problems took time and attention from the police. Lt. Ditmars confirmed that these types of service calls were no more prevalent at check cashing facilities than they were in any high-density area.

Commissioner Greenberg remarked that he didn't see any difference in the impact of a check cashing operation vs. a payday advance, in comparing the police information.

Lt. Ditmars stated that anecdotally he had handled various instances at both types of facilities, and he felt they drew a criminal element more frequently than banks because of the cash being exchanged and the perception that banks were better protected.

Commissioner Rouse commented that many other businesses dispensed cash, and it was difficult to deny this one its rights because of a perception that customers could become crime victims.

Acting Chairman Winn added that he felt this was a necessary service since many residents did not have bank accounts and that the CUP would mandate security at this site.

Lt. Ditmars stated that if the request was approved, he strongly recommended requiring a security guard.

Mike Robinson, 5617 Van Nuys Blvd., Van Nuys, applicant representative, discussed the community meeting they had held.

Commissioner Greenberg suggested adding a condition requiring a review of the use's safety record with the Police Department and the possible requirement of a security guard.

Marina Miller-Foley, 13629 Rachel Road, Yucaipa, 92399, applicant representative, agreed to that condition, noting that security guards were always in their other locations to protect

customers and employees. Ms. Miller-Foley added that they were only planning on being open limited hours Monday through Saturday, and that the amount of cash given to customers was limited by corporate rules.

Commissioner Greenberg moved to approve the Conditional Use Permit, with an additional condition to require a review after six months and yearly thereafter to the satisfaction of the Director of Planning and Building.

Commissioner Sramek said he felt this type of business would be an attractive nuisance and a risky proposition, so he would not support the motion.

Commissioner Stuhlbarg seconded the motion, saying that he could support the need for the use given the limited hours of operation. The question was called, and the motion passed 4-1, with Commissioner Sramek dissenting. Commissioners Gentile and Jenkins were absent.

3. Case No. 0509-09, Site Plan Review, Lot Merger, Sign Standards Waiver, Standards Variance, ND 02-06

Applicant: Highland Carwash, LLC c/o Alan Burks
Subject Site: 4000-4040 Atlantic Ave. (Council District 8)
Description: Request for approval of Site Plan Review, Lot Merger, Sign Standards Waiver for signage located above the awning, and a Standards Variance to construct a one-story, 11,843 sq.ft. commercial building with a request to locate a two-way driveway on Marshall Place with a reduced setback from the intersection of Atlantic Avenue and an architectural element over 28' in height.

Lynette Ferenczy presented the staff report recommending approval of the requests since the proposed building was consistent with special development standards and the North Long Beach Design Guidelines for commercial development; and because the project would remove a nonconforming auto-related use and replace it with a conforming commercial use with code-required parking while minimizing pedestrian conflicts with the reduced driveway setback and enhancing the corner element of the building with the over height architectural element.

Alan Burks, 235 E. Broadway #406, project architect, responded to a concern of Commissioner Greenberg's regarding potential vandalism, saying that any problems would be fixed immediately.

Commissioner Stuhlberg moved to certify Mitigated Negative Declaration 02-06 and to approve the Lot Merger, Site Plan Review, Sign Standards Waiver and Standards Variance requests, subject to conditions. Commissioner Sramek seconded the motion, which passed 5-0. Commissioners Gentile and Jenkins were absent.

R E G U L A R A G E N D A

4. PRESENTATION - Preliminary Downtown Visioning Tool

Suzanne Frick presented a new computer modeling program with three-dimensional maps of existing buildings and landmark structures to illustrate the overall low scale of current development in the City. Ms. Frick then projected an image of how the City would look if all the projects in development were approved and built, noting that this exercise demonstrated the need to evaluate whether additional density requirements were necessary in the downtown area, saying staff would be looking for input from the Commission and public on the matter.

5. PRESENTATION - Press Telegram Lofts Project

Jim Brophy, Managing Partner, October Five Development, LLC, stated that the project would address the need for affordable entry-level housing in the City while demographically connecting the different areas of the downtown area.

Mark Donahue, 1278 E. 34th Steet, Oakland, project designer, presented a model of the proposed project along with elevations and a site plan, and outlined the basis for the various design elements.

Commissioner Sramek said he had no problem with the number of condominiums planned, but was leery about the height of the project, which he thought could be precedent-setting and might lead to similar development in the area, compromising views on a large scale. Mr. Sramek said he didn't want to see spot zoning, but agreed the Press-Telegram building had to be preserved.

Commissioner Greenberg said he had doubts about committing to the project before it was further defined, and he expressed strong concern about why there was such a decrease in the parking requirements, suggesting that first a sector-wide analysis be done to test impacts if density was increased. Mr. Greenberg also said he felt the height and density at the core of the building was acceptable as long as it was well-planned

and would produce an urban infrastructure in the area. He added that he felt there was a definite need for this type of housing.

Commissioner Rouse applauded the quality of the project but noted that the mass and density looked out of place in this location; however, he agreed that as development moved up from Ocean Avenue, Pine was probably the most appropriate and inevitable location for these larger developments. Mr. Rouse also expressed concern about the parking issue, citing the heavy demand for the urban loft units.

Commissioner Stuhlbarg pointed out the urgent need for affordable housing for local university and medial staff, and suggested that special units be set aside for these types of employees. Mr. Stuhlbarg added that he wasn't concerned about the mass and density of the structure but rather the impact of the additional traffic on local streets.

Acting Chairman Winn declared the project looked terrific, and he was not concerned about the height or density either, but observed that it would only be economically feasible to build this kind of massive building without supporting parking if it was pedestrian oriented, with specially reserved areas for those types of commercial uses.

Jim Hansen, 651 - 5th Street, Hermosa Beach, 90254, Economic Development Director, Downtown Long Beach Association, said that their Board had not yet taken a position on the project, but said he felt that so far it was consistent with their goals--and creative and visionary--and would take development up Pine Avenue.

M A T T E R S F R O M T H E A U D I E N C E

There were no matters from the audience.

M A T T E R S F R O M T H E D E P A R T M E N T O F P L A N N I N G A N D B U I L D I N G

Greg Carpenter introduced Cuentin Jackson, a new planner.

M A T T E R S F R O M T H E P L A N N I N G C O M M I S S I O N

Commissioner Greenberg noted that he had nothing against check cashing operations, but that because the staff and Police Department didn't like them, there was never enough evidence

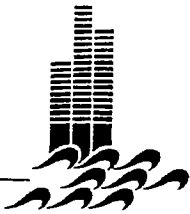
presented to the Commission to allow a more balanced decision, and he asked that more site-specific evidence and information be presented in these types of cases in the future.

A D J O U R N

The meeting adjourned at 3:35pm.

Respectfully submitted,

Marcia Gold
Minutes Clerk



CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 West Ocean Boulevard - 5th Floor • Long Beach, CA

Attachment #3

APPLICATION FOR APPEAL

An appeal is hereby made to Your Honorable Body from the decision of the
 Zoning Administrator on the 16 day of March ~~2006~~
 Planning Commission

APPELLANT: Lani Merlina

APPLICANT: Permit Place c/o Mike Robinson

Project address: 2201 Lakewood Blvd

Permits requested: Conditional Use Permit

Project description: Check cashing/money transfer store
(Permit # 0510-12) in a neighborhood shopping center.

Reason for appeal: ① Decent opinion of Planning Commission

② Proximity to similar financial institutions ③ Planning Commission
recommendation for denial ④ Crime impact at 5529 Woodruff Ave
location

Your appellant herein respectfully requests that Your Honorable Body reject the decision of the Zoning Administrator or Planning Commission and approve or deny this application.

Signature of Appellant: Lani Merlina

Print name of Appellant: Lani Merlina

Mailing Address: 2238 Pepperwood Ave Long Beach CA 90815

Phone No. (562) 500-4214

Note: Please be sure to review the filing instructions on the reverse side of this form. A filing fee may be required.

=====STAFF USE ONLY=====

Counter Staff: [Signature]

Case No. _____

Date: 3/27/06

Filing Fee Required: Yes No

Application complete: Yes No