



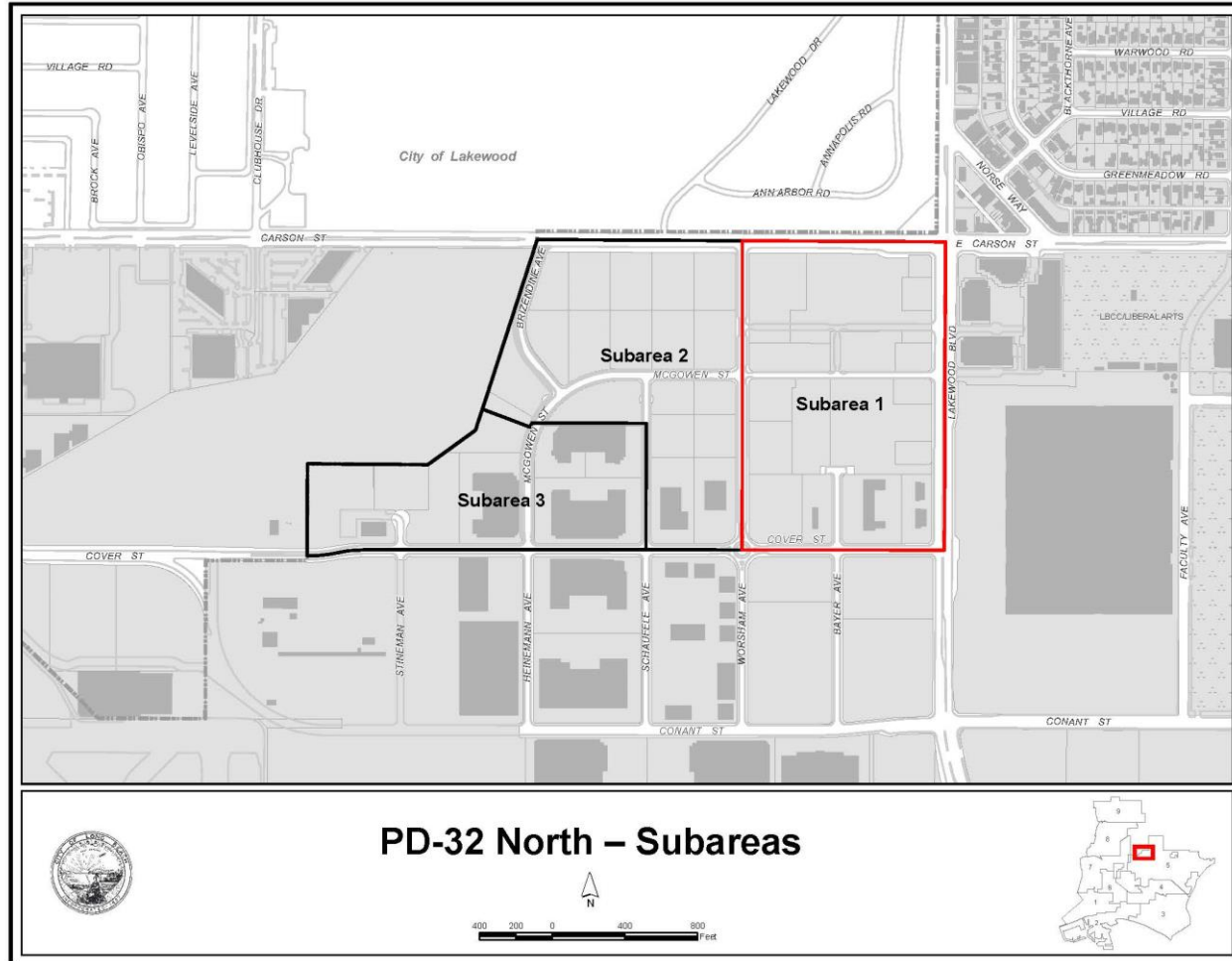
City Council

April 3, 2018

Zoning Code Amendment (ZCA18-001)

Off-Premises Alcohol Sales (PD-32 North, Subarea 1)

PD-32 North – Location Map



- PD-32 North represents the northern-half of PD-32, the Douglas Park Planned Development District.
- Subarea 1 is intended as the retail, restaurant, and entertainment hub of the District.
- Subarea 1 is the site of the under-construction Long Beach Exchange (LBX) development and the operating Douglas Park Plaza shopping center, Courtyard by Marriott hotel, and the Metro Ports office building.

PD-32 North – Alcohol Sales

Table 2 : Uses by Sub Area

Use	1 Zone	2 Zone	3 Zone	Notes
Alcoholic Beverage Sales				The concentration of existing ABC licenses and the area crime rate are factors considered in reviewing applications for alcohol sales
Off-premises sales w/in 500 ft. of district allowing residential uses	N	N	N	
Off-premises sales more than 500 ft. from district allowing residential uses	N	N	N	
On-premises sales w/in 500 ft. of district allowing residential uses	C*	N	N	
On-premises sales more than 500 ft. from district allowing residential uses	Y*	N	N	

Footnote:

(1) The following alcoholic beverage sales may be exempted from the Conditional Use Permit requirement.

a. Restaurants with alcoholic beverage service only with meals. This generally means any use with a fixed bar is not exempt. A service bar is not considered a fixed bar. A sushi bar, where alcoholic beverages are served at the same bar where meals are served, is considered serving alcoholic beverages only with meal service. A cocktail lounge without a bar, but with primarily service of only hors d'oeuvres and alcoholic beverages is not exempt. Any restaurant with more than 30 percent of gross sales consisting of alcoholic beverages shall lose its exemption and be required to obtain a Conditional Use Permit to continue to sell alcohol.

b. Use located more than 500 ft. from zoning districts allowing residential use.

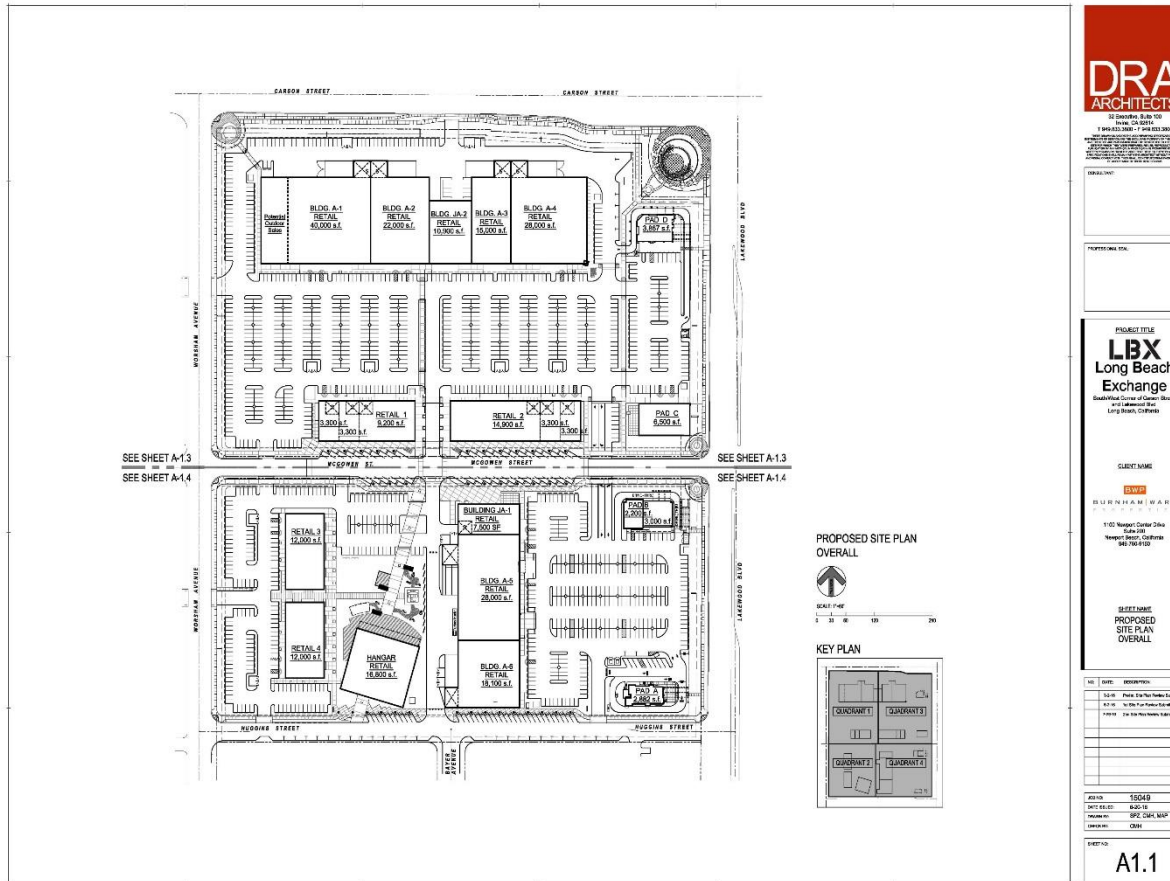
c. Department store or florist with accessory sale of alcoholic beverages.

d. Grocery stores of 20,000 sq. ft. or greater with accessory sale of alcoholic beverages.

e. Existing legal, nonconforming uses. (Ord. C-7663 § 42, 1999).

- Off-premises alcohol sales are prohibited in all PD-32 North subareas.
- The prohibition applies to businesses of all types, including those that would normally be eligible for a Conditional Use Permit Exemption, per Table 2 footnote.
- PD-32 North, Subarea 1, is the only area of the City zoned for retail uses that does not allow a Conditional Use Permit for off-premises alcohol sales.

Long Beach Exchange (LBX) Development



DRA ARCHITECTS
 33 Columbia Blvd, 100
 New York, NY 10011
 T 917.633.3800 F 917.633.3800

PROJECT TITLE
LBX
 Long Beach
 Exchange

CLIENT NAME
LBX

PROJECT ADDRESS
 1101 Newport Center Drive
 Suite 200
 Newport Beach, California 94670-9100

SHEET NAME
 PROPOSED
 SITE PLAN
 OVERALL

NO. DATE DESCRIPTION
 01 01 10-18-18 Final Site Plan (Per City Review)
 02 01 11-15-18 Final Site Plan (Per City Review)
 03 01 12-10-18 Final Site Plan (Per City Review)

DATE
 10-18-18
 DRAWN BY
 JAC
 CHECKED BY
 JAC
 APPROVED BY
 JAC

SCALE
 A1.1

- A 266,000 square foot retail-commercial development that's owned by a single entity, with development subject to CC&Rs and the terms and conditions of the Douglas Park Development Agreement.
- Tenant mix includes a 28,000 square foot grocery store (Whole Foods 365).
- PD-32 North's current off-premises alcohol sales prohibition restricts a grocery store tenant from selling what would typically be part of their inventory.

Proposed Zoning Code

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- Eliminates the off-premises alcohol sales prohibition in PD-32 North, Subarea 1, and makes it a Conditional Use.
- Maintains the use table's current Conditional Use Permit Exemption language, which applies to specific on- and off-premises alcohol sales uses in Subarea 1.

Findings and Justification

- Establishes a requirement for the subarea that is consistent with the citywide requirement for off-premises alcohol sales.
- Allows Planning Commission to evaluate requests on a case-by-case basis and impose development and operational conditions of approval.
- Eliminates the existing conflict between the PD-32 North Development Standards and the Douglas Park Development Agreement, which specifically excludes “traditional full-service or specialty grocery store” uses from their off-premises alcohol sales prohibition.

Recommendation

On February 15, 2018, the Planning Commission voted unanimously to recommend that the City Council take the following action:

- Find the proposed PD-32 North, Subarea 1 amendment within the scope of the PacifiCenter Environmental Impact Report Addendum (State Clearinghouse No. 2001051048); and
- Adopt the amendment, as proposed.