



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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Long Beach, CA 90802

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January 19, 2017

CHAIR AND PLANNING COMMISSIONERSCity of Long Beach
California**RECOMMENDATION:**

Accept Categorical Exemption CE 16-274 and approve a Conditional Use Permit (CUP) request to allow the sale of beer for off-site consumption at a brewery satellite tasting room located at 3768 Long Beach Boulevard, Unit 110, within the Commercial Automobile-Oriented (CCA) zone. (District 7)

APPLICANT: Laurie Porter
1901 Del Amo Boulevard
Torrance, CA 90501
(Application 1611-19)

DISCUSSION

The subject site is located at 3768 Long Beach Boulevard, Unit 110, at the southeast corner of Long Beach Boulevard and Bixby Road (in the Commercial Automobile-Oriented (CCA) zone (Exhibit A – Location Map). The property is bounded by single-family residences to the east as well as to the north, across from Bixby Road. To the south of the site, along Long Beach Boulevard, are office, medical, and retail uses. The site has recently been developed with a food-focused multi-tenant project oriented toward Long Beach Boulevard and away from the residential structures on Bixby Road. The project, known as SteelCraft, consists of repurposed shipping containers designated with a common eating area for various local artisan food vendors. (Exhibit B – Plans & Photographs). SteelCraft is an entirely new type of development for Long Beach. Not only does Steelcraft repurpose shipping containers as a building material, it also arranges those containers to create small, interesting outdoor seating and gathering spaces for the community to shop, dine and enjoy. This type of small-grain development is an important contributor to the ongoing revitalization of the Bixby-Knolls community. Steelcraft was granted a site-wide Conditional Use Permit Exemption (CUPex), which allows restaurants to serve alcohol without needing a Conditional Use Permit (CUP), provided they meet certain criteria.

The applicant, Smog City Brewery, operates a brewery in Torrance, California and has opened a satellite tasting room at Steelcraft. The satellite tasting room works in concert with the restaurants and other vendors on site and seating areas are all shared. Patrons have the opportunity to purchase a sandwich or meal from one vendor, produce to take home from another, and a craft beer from the Smog City tasting room. The typical hours of operation for the satellite office will be from 10:00 a.m. to 10:00 p.m., seven days a week.

California Alcohol and Beverage Control (ABC) allows for the sale of brewed products for on-site tasting as well as off-sale consumption at satellite tasting rooms through a duplicate Type 23 license. The main license is held by the actual brewing location in Torrance. While the City permits the sale of beer for on-site consumption through the CUPex, the sale of beer for off-site consumption in association with the satellite tasting room must be approved via a CUP. The beer would be sold and served from a service counter located at the exterior of the Smog City tenant space. Customers will be able to purchase bottles and refillable growlers for off-site consumption at the service counter that faces the dining area. (Exhibit B – Plans & Photographs).

The Type 23 license differs from a Type 20 or 21 license (retail licenses typically held by liquor stores or markets), because the Type 23 license only allows the sale of beer produced by the brewery. As such, products produced by brewers other than Smog City could not be sold or served, on- or off-site.

In considering a CUP application for the sale of beer at this location, staff evaluated the number of existing alcohol licenses in the subject Census Tract (5720.02) as well as the total number of reported crimes in the subject Police Reporting District. Section 21.52.201 of the Zoning Regulations requires that a new CUP for alcohol sales not be approved in a reporting district with an over concentration of alcohol sales, as recommended by the ABC, and that the use shall not be in a reporting district with a high crime rate as reported by the Long Beach Police Department (LBPD). The satellite tasting room is not located in a high crime area per the LBPD; however, it is in an over-concentrated district for off-site alcohol sales. In the subject census tract (5720.02), two licenses for off-site alcohol sales are allowed; there are currently two active licenses. (Exhibit C – Map of Existing Alcohol Licenses).

Staff consulted with the LBPD for this application and they expressed no opposition to approval of this permit provided that the applicant incorporate security measures such as lighting and security cameras. These measures have been included as Condition Nos. 11 and 12. The approval of this application will have minimal impact on the surrounding land uses because of the low crime rate, the low number of calls for service, and the uniqueness of SteelCraft, the way the business is operated (i.e., not a liquor store), and the fact that all vendors are allowed alcohol sales for on-site consumption, so there is no incentive for people to buy a growler and drink it on site. Conditions of Approval recommended for the project will require the implementation of a number of standard operational measures designed to reduce any potential negative effects from the proposed alcohol sales. Staff also notes the unique setting of this establishment and Smog City's ability to contribute to the overall Steelcraft development and larger Bixby Knolls community. Staff recommends that the Planning Commission approve the CUP subject to conditions (Exhibit D – Findings and Conditions of Approval).

PUBLIC HEARING NOTICE

A Notice of Application was sent to the local community groups on November 22, 2016, and Public Hearing Notices were distributed on January 4, 2017, in accordance with the

CHAIR AND PLANNING COMMISSIONERS

January 19, 2017

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provision of the Zoning Ordinance. At the time of writing this report, staff has received no inquiries on this project.

ENVIRONMENTAL REVIEW

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, Categorical Exemption (CE 16-274) was issued for the proposed project (Exhibit E – Categorical Exemption 16-274).

Respectfully submitted,



for LINDA F. TATUM, AICP
PLANNING BUREAU MANAGER



AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

AJB:LT:jr

Attachments: Exhibit A – Location Map
 Exhibit B – Plans & Photos
 Exhibit C – Map of Existing Alcohol Licenses
 Exhibit D – Findings & Conditions
 Exhibit E – Categorical Exemption 16-274

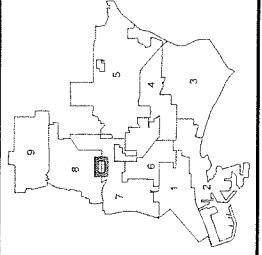
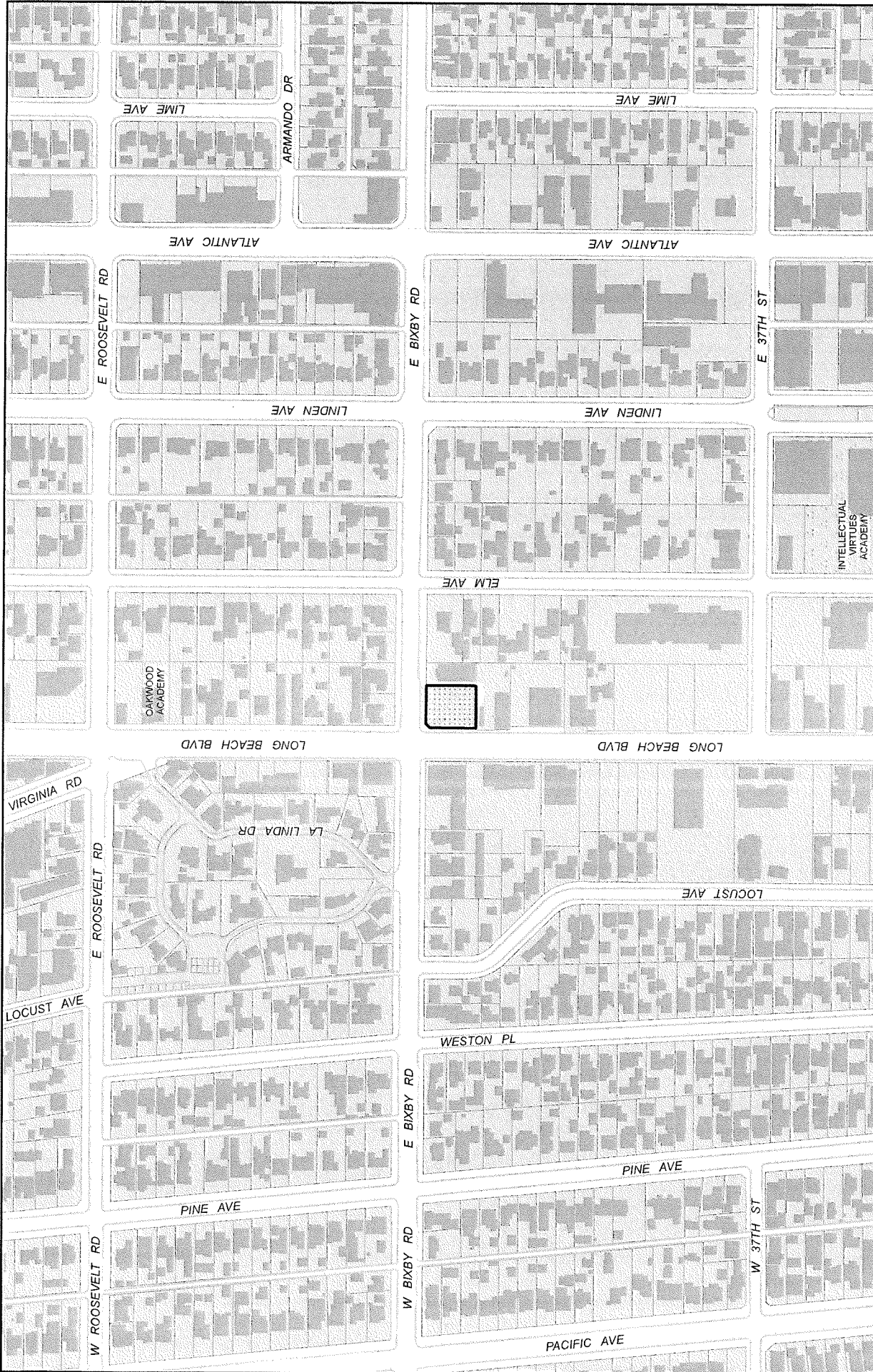


Exhibit A

Subject Property:

3768 Long Beach Blvd
Application No. 1611-19
Council District 7
Zoning Code : CCA



CONDITIONAL USE PERMIT FINDINGS

3768 Long Beach Boulevard # 110

Application No. 1611-19

January 19, 2017

Pursuant to Section 21.25.206 of the Long Beach Municipal Code, a Conditional Use Permit can be granted only when positive findings are made consistent with the following criteria set forth in the Zoning Ordinance. These findings and staff analysis are presented for consideration, adoption and incorporation into the record of proceedings:

- 1. THE APPROVAL IS CONSISTENT WITH AND CARRIES OUT THE GENERAL PLAN, ANY APPLICABLE SPECIFIC PLANS SUCH AS THE LOCAL COASTAL PROGRAM AND ALL ZONING REGULATIONS OF THE APPLICABLE DISTRICT;**

The project site is located in Land Use District #8A – Traditional Retail Strip Commercial District. LUD #8A is intended to preserve areas of small-scale neighborhood serving retail and personal service uses where shoppers arrive by foot, or park a car and walk to several destinations. The proposed Conditional Use Permit for the sale of beer for off-site consumption within an existing brewery satellite tasting room is consistent with the requirements of this district; no specific plan applies to the subject site. The project is also consistent with the zoning regulations of the CCA zoning district, as the sale of alcoholic beverages for off-site consumption at an existing brewery is allowed through the Conditional Use Permit process, and includes conditions of approval to prevent nuisances and minimize potential negative impacts to surrounding areas.

- 2. THE PROPOSED USE WILL NOT BE DETRIMENTAL TO THE SURROUNDING COMMUNITY INCLUDING PUBLIC HEALTH, SAFETY OR GENERAL WELFARE, ENVIRONMENTAL QUALITY OR QUALITY OF LIFE; AND**

The sale of alcoholic beverages (beer) for off-site consumption at an existing brewery satellite tasting room within an existing commercial building is not expected to be detrimental to the surrounding community. Conditions of approval are included to ensure minimization of any negative impacts associated with the operation of the proposed project. Conditions include security measures to prevent nuisances and loitering and to ensure safe operations of the facility.

- 3. THE APPROVAL IS IN COMPLIANCE WITH THE SPECIAL CONDITIONS FOR SPECIFIC CONDITIONAL USES, AS LISTED IN CHAPTER 21.52.**

Section 21.52.210 states that the following conditions shall apply to all alcoholic beverages sales uses requiring a Conditional Use Permit:

- A. The operator of the use shall provide parking for the use equivalent to the parking required for new construction regardless of the previous use as to legal nonconforming rights.**

The brewery is within a newly-constructed shipping container commercial center and has a total of 16 parking spaces. Per zoning code section 21.41.216, parking for retail is required at four spaces per 1,000 square feet of floor area and 10 spaces per 1,000 square feet of floor area for a brewery. The existing center consists of five shipping containers with each measuring approximately 300 square feet, with three of the containers designated for retail and the other two designated for a restaurant and a brewery. Based on the square footage, 13 parking spaces would be required for the center. The site currently has 16 parking spaces therefore, the parking complies with current requirements.

B. The operator of the use shall provide night lighting and other security measures to the satisfaction of the Chief of Police.

The Long Beach Police Department reviewed this application. The LBPD had no objections to the request provided that the project incorporate Conditions of Approval that require security cameras, night lighting, the limitation on operational hours of alcohol sales, and security measures required by Long Beach Police Department have been incorporated.

C. The operator of the use shall prevent loitering or other activity in the parking lot that would be a nuisance to adjacent uses and/or residential neighborhoods.

Condition of Approval No. 12 will require the operator to prevent loitering and other related nuisances.

D. The use shall not be in a reporting district with more than the recommended maximum concentration of the applicable on or off-premise sales use, as recommended by the Long Beach Police Department, except: (1) locations in the greater downtown area; or (2) stores of more than 20,000 square feet of floor area, and also providing fresh fruit, vegetables, and meat, in addition to canned goods.

In consideration of a Conditional Use Permit application for the sale of alcoholic beverages, staff evaluates the number of existing alcohol licenses in the subject Census Tract, as well as the total number of reported crimes in the subject Police Reporting District. Section 21.52.210 of the zoning regulations requires that the use shall not be in a reporting district with an over-concentration of alcohol sales, as recommended by the California Department of Alcoholic Beverage Control (ABC), and that the use shall not be in a reporting district with a high crime rate as reported by the Long Beach Police Department. The project is not located in a high crime area per LBPD; however, with the approval of the alcohol license request it would create an over-concentrated district for off-site alcohol sales. In the subject census tract (5720.02), two licenses for off-site alcohol sales are allowed and there are two licenses currently active. Staff

consulted with the LBPD on this application and they expressed no opposition provided that they incorporate security measures such as security cameras. Therefore staff is requesting Planning Commission waive this finding.

- E. The use shall not be located within 500 feet of a public school or public park, except: (1) locations in the greater downtown area; or (2) stores of more than 20,000 square feet of floor area, and also providing fresh fruit, vegetables, and meat in addition to canned goods.**

The subject site is not located within 500 feet of a public school, private school or public park.

CONDITIONAL USE PERMIT CONDITIONS OF APPROVAL

3768 Long Beach Boulevard, Unit 110

Application No. 1611-19

Date: January 19, 2017

1. The use permitted on the subject site, in addition to the other uses permitted in the CCA zoning district, shall be to allow the sale of beer for off-site consumption at an existing brewery tasting room located at 3768 Long Beach Boulevard, Unit 110.
2. This permit and all development rights hereunder shall terminate two years from the effective date of this permit unless construction is commenced or a time extension is granted, based on a written and approved request submitted prior to the expiration of the two 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/or applicant(s) have failed to return written acknowledgment of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgement 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).

Special Conditions:

4. No publicly accessible telephones shall be maintained or permitted on the exterior of the premises. Any existing publicly accessible telephones shall be removed.
5. Video or coin operated games and the like shall be prohibited on site so as to discourage loitering on the premises.
6. The permittee shall maintain full compliance with all applicable laws, ABC laws, ordinances and stated conditions. In the event of a conflict between the requirements of this permit, Conditional Use Permit, or Alcoholic Beverage Control license, the more stringent regulation shall apply.
7. No sales to any person appearing to be or actually being intoxicated shall be allowed.
8. All sales of alcohol shall be directly supervised by an authorized employee of the licensee, aged at least 21 years, including inspection of identification to

verify age of purchaser, and observation of purchaser to ensure no sales to intoxicated persons.

9. A numbering address sign shall be located at the front of the building, to the satisfaction of the Long Beach Police Department.
10. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
11. The operator shall install exterior video security cameras at the front and rear of the business with full view of the public right-of-way and shall install exterior security video cameras that provide full view of any areas where the operator provides parking for its patrons. The cameras shall record video for a minimum of 30 days and be accessible via the Internet by the LBPD. A Public Internet Protocol (IP) address and user name/password to allow the LBPD to view live and recorded video from the cameras over the Internet are also required. All video security cameras shall be installed to the satisfaction of the Police Chief, Director of Technology Services, and Director of Development Services.
12. The operator/owner/tenant shall prevent loitering and loud noises around the project site during hours of operation. If loitering continues, as determined by the Long Beach Police Department, a security guard shall be required during business hours at the discretion of the Director of Development Services. Continual problems with loitering, which increase the calls for service at the business may lead to revocation of the Conditional Use Permit.
13. Any and all employees hired to sell alcoholic beverages shall provide evidence that they have either:
 - 13.1 Completed training from the State of California Department of Alcoholic Beverage Control "Leadership and Education in Alcohol and Drugs" (LEAD) program as confirmed by receipt of an ABC-issued certificate of completion; or,
 - 13.2 Completed equivalent training acceptable to the ABC District Office to ensure proper distribution of beer, wine, distilled spirits, tobacco, and inhalants to adults of legal age.

If any prospective employee designated to sell alcoholic beverages, tobacco or inhalants does not currently have such training then:
 - 13.3 The ABC-licensed proprietors shall have confirmed with the Development Department within 15 days of the final approval of the CUP or within 15 days of the opening to the public of a new store,

whichever is later, that a date certain has been scheduled with the local ABC Office for said prospective employees to take the LEAD Program course; and

- 13.4 Within 30 days of taking said course the employee(s) or responsible employer shall deliver to the Planning Department each required LEAD Program Certificate evidencing completion of said course.
14. Deliveries shall be limited to non-peak hours, generally between 9 a.m. and 6 p.m.
15. All commercial vehicle delivery trucks must use commercial streets for deliveries.
16. Pursuant to Business and Professions Code Section 23389 the duplicate beer manufacturer licensee may exercise all the privileges of the beer manufacturer license except for producing or manufacturing beer.
17. There shall be no amplified music on the premises at any time.
18. Applicant agrees to serve its alcoholic beverages in clear containers that are distinguishable from non-alcoholic beverage containers.
19. Sales, service and consumption of alcoholic beverages to retail customers shall be permitted between the hours of 10:00 am and 10:00 pm Monday through Sunday.

Standard Conditions:

20. 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.
21. 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 that are a part thereof. These specific requirements must be recorded with all title conveyance documents at time of closing escrow.
22. This approval is required to comply with these conditions of approval as long as the use is on the subject site. As such, the site shall allow periodic re-inspections, at the discretion of City officials, to verify compliance. The property owner shall reimburse the City for the inspection cost as per the

special building inspection specifications established by City Council (Sec. 21.25.412, 21.25.212).

23. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Department of Development Services. These conditions must be printed on the site plan or a subsequent reference page.
24. 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).
25. Any graffiti found on site must be removed within 24 hours of its appearance.
26. 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.



NOTICE of EXEMPTION from CEQA

CITY OF LONG BEACH | DEPARTMENT OF DEVELOPMENT SERVICES
333 W. OCEAN BLVD., 5TH FLOOR, LONG BEACH, CA 90802
(562) 570-6194 FAX: (562) 570-6068
lbs.longbeach.gov

TO: ☐ Office of Planning & Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: Department of Development Services
333 W. Ocean Blvd, 5th Floor
Long Beach, CA 90802

☐ L.A. County Clerk
Environmental Fillings
12400 E. Imperial Hwy., Room 1201
Norwalk, CA 90650

Project Title: CE- 16-274

Project Location/Address: 3768 Long Beach Blvd Unit 110, 90807
Project Activity/Description: Satellite taproom with on-site and
off-site sales.

Public Agency Approving Project: City of Long Beach, Los Angeles County, California

Applicant Name: Laurie Porter

Mailing Address: 1901 Del Amo Blvd. Torrance, CA 90501

Phone Number: 310-980-8202 Applicant Signature: [Signature]

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 1611-19 Planner's Initials: JR

Required Permits: Conditional Use Permit

THE ABOVE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM CEQA IN ACCORDANCE WITH
STATE GUIDELINES SECTION 15301, Class 1 Existing facilities

Statement of support for this finding: Land Use alteration to existing
commercial land use.

Contact Person: Jorge Ramirez Contact Phone: 570-6952

Signature: [Signature] Date: 1-19-2017