



# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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February 7, 2019

CHAIR AND PLANNING COMMISSIONERS  
City of Long Beach  
California

## RECOMMENDATION:

Accept Categorical Exemption CE17-134 and approve a Conditional Use Permit (CUP17-010) to allow the sale of alcoholic beverages for on-site consumption (ABC Type 41 License) at an existing movie theater within a shopping center (Long Beach Towne Center), located at 7501 E. Carson Street in the Community Automobile-Oriented (CCA) District. (District 5)

APPLICANT: Steve Rawlings for Alcoholic Beverage Consulting  
26023 Jefferson Avenue, Suite D  
Murrieta CA, 92562  
(Application No. 1705-17)

## DISCUSSION

This item was continued from the Planning Commission meeting of October 19, 2017, at the request of the applicant.

The project site is located at 7501 E. Carson Street, between the San Gabriel (605) Freeway to the east and Los Coyotes Diagonal to the west (Exhibit A – Location Map), within the Long Beach Towne Center and has a zoning designation of Community Automobile-Oriented District (CCA). The applicant's request is for approval of a Conditional Use Permit (CUP) to allow the sale of beer and wine for on-site consumption at an existing Edward's Cinema Theatre (parent company Regal Entertainment Group) within the commercial center. The Long Beach Towne Center site has a land area of 82.18 acres (3,579,760 square feet), with a total of 901,661 square feet of building area, consisting of retail and restaurant uses. The Edward's Cinema building is 110,000 square feet in size and features 26 theatre screens (Exhibit B - Plans & Photos).

The typical hours of operation at the theatre are from approximately 11:00 a.m. to 2:00 a.m., seven days a week. The theatre will occasionally have extended hours of operation depending upon the demand and ticket sales of a particular film. Extended hours of operation would be no later than 3:00 a.m. to accommodate midnight screenings. The sale of alcoholic beverages is requested for up to 1:00 a.m., as State law requires that sales stop one hour prior to the close of business. Further, State law prohibits the sale of alcohol between 2:00 a.m. to 6:00 a.m.

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The applicant is requesting approval of alcoholic drink sales and service, in conjunction with the existing items on the current menu. The current configuration of the movie theatre includes a centrally-located concession stand, which now serves appetizers and snacks, limited entrees, sandwiches, and soft drinks. Although the applicant had initially proposed allowance of alcohol sales and service from the existing concession stand, staff has included a Condition of Approval requiring that a separate bar and seating area be constructed to facilitate clear distinction between alcohol sales and other food and drink sales (Exhibit C – Finding & Conditions). Regal Entertainment representatives indicate that the company has 150 alcohol-service venues nationwide, and they have operated the subject theatre since 2000. Also included as a condition for this particular location, the sale of alcohol will be limited to two drinks per transaction.

Pursuant to section 21.32.130 of the Zoning Code, the sale of beer and wine for on-site consumption requires the approval of a CUP. In considering a CUP application for the sale of beer and wine at the proposed location, positive findings must be made. Staff evaluated the number of existing alcohol licenses in the subject Census Tract (9800.06) in which the theatre is located, 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 Census Tract with an over concentration of alcohol sales, as recommended by the California Department of Alcoholic Beverage Control (ABC). The regulations also require that the use not be in a reporting district with a high crime rate as reported by the Long Beach Police Department (LBPD).

The project site is located within Census Tract 9800.06. The recommended maximum number of establishments selling alcohol in this tract is 12. Currently, the number of ABC licenses in the tract is also 12, equaling the threshold for overconcentration. Although an additional liquor license would result in an overconcentration within Census Tract 9800.06, it is anticipated that the potential impacts of such an approval will be significantly less than the typical establishment serving alcohol. The subject property is a 110,000 square-foot movie theatre that serves food and drinks from a concession stand. The service of beer and wine from a separate bar and seating area would not affect the integrity of the existing operation, as theater staff with specific training will be able to monitor all activity, including behavior associated with alcohol consumption. The service of food and drinks, including beer and wine, serves as an accessory component to the movie theatre.

The site is located within Police Reporting District 695, which is not considered a high-crime area (107 reports of incidents, with 115 reports being the high-crime threshold). Although the subject site is currently not within a high-crime reporting district, staff still consulted with the Long Beach Police Department (LBPD) for this application to receive feedback on possible issues or concerns. Based on the establishment of the subject site as a 110,000 square-foot theatre, LBPD has no objections to the request to allow beer and wine sales and suggests that no adverse impacts within the reporting district will result from the request. Staff has worked with the LBPD to include several additional operational Conditions of Approval ensuring that appropriate steps are taken by the theatre operator to encourage general public health and safety concerns associated with the sale of alcohol to theatre patrons.

If approved, this application is expected to have a minimal impact on the surrounding land uses because of the feedback from the LBPD, the ability of theatre staff to monitor all activities, and the conditions of approval recommended for the project will require stringent operational measures aimed at reducing any potential negative effects from the proposed alcohol sales. Included within those conditions of approval is the requirement for the inclusion of a separate bar and seating area, to clearly distinguish alcohol sales from other food and drink sales. Other conditions include LBPD-mandated security/surveillance camera requirements, prohibition of exterior alcohol advertisements, prohibition of off-site alcohol sales, and the prevention of loitering in common theatre areas. Staff recommends that the Planning Commission approve the CUP request, subject to said conditions of approval.

**PUBLIC HEARING NOTICE**

Public hearing notices were distributed on January 14, 2019, in accordance with the requirements of Chapter 21.21 of the Long Beach Municipal Code. At the time of writing of this report, staff has received no public inquiries on this project.

**ENVIRONMENTAL REVIEW**

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, the project is exempt per Section 15301 – Existing Facilities, as the project consists of a request to allow beer and wines sales at an existing 110,000 square-foot movie theatre (Exhibit D – CE 17-134).

Respectfully submitted,



CUENTIN JACKSON  
PROJECT PLANNER



ALEXIS OROPEZA  
SENIOR PLANNER



CHRISTOPHER KOONTZ, AICP  
PLANNING BUREAU MANAGER



LINDA TATUM, FAICP  
DIRECTOR OF DEVELOPMENT SERVICES

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- Attachments:
- Exhibit A – Location Map
  - Exhibit B – Plans and Photos
  - Exhibit C – Findings & Conditions
  - Exhibit D – Categorical Exemption CE17-134