



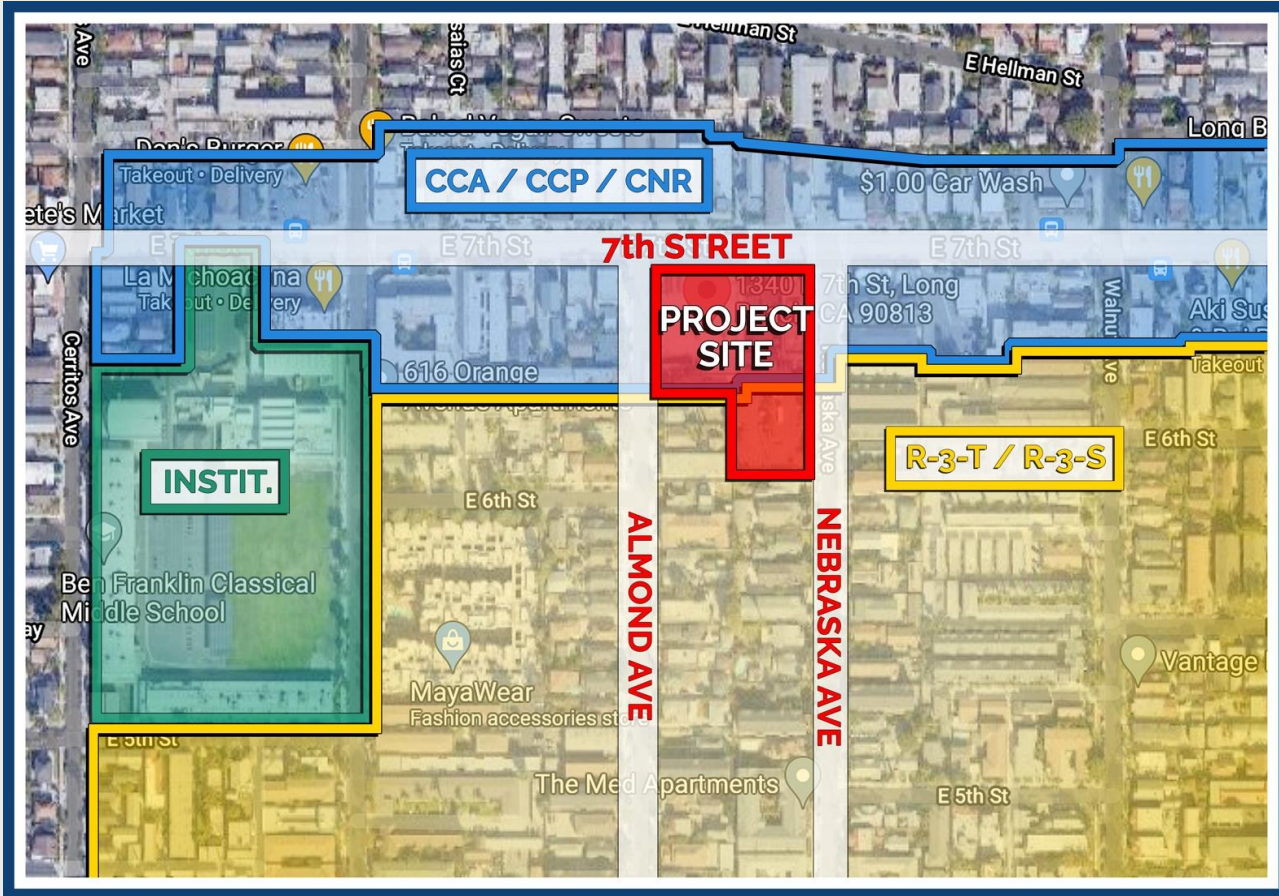
Grocery Outlet Conditional Use Permit 1340 E. 7th Street Appeal

City Council Public Hearing – December 7, 2021

Requested Actions before City Council

- Uphold the Planning Commission's decision to approve a Conditional Use Permit (CUP21-004) with conditions of approval, to allow the off-site sale of beer, wine and distilled spirits (Type 21 License) in conjunction with a 6,000-square-foot expansion of an existing grocery store located at 1340 E. 7th Street in the Community Auto-Oriented Commercial (CCA) Zoning District. (District 2)

Project Site



- **Location** – 1340 E. 7th Street
- **Site Area** – 62,900 square-feet
- **Current Development** – Commercial Strip
 - 14,470 sq. ft. grocery store
 - 6,000 sq. ft. vacant tenant space
 - 1,900 sq. ft. dance studio
 - Liquor store and laundromat
 - 97 parking spaces
- **Surrounding Land Uses:**
 - Commercial
 - Mixed-use
 - Residential

Grocery Outlet Proposal

- Existing Condition a Type 20 Alcohol Beverage Control (ABC) License
 - Sale of beer and wine for off-site consumption
 - Approved with a Conditional Use Permit (CUP) by Planning Commission on December 4, 2008
- Proposal
 - Upgrade the existing Type 20 License to a Type 21 License for the sale of beer, wine and distilled spirits
 - Expand existing floor area by 6,000 square feet, creating a 20,470 square-foot grocery store (not subject to this appeal)



CUP Findings

- CUP for Type 21 License (beer, wine and distilled spirits) approved by Planning Commission on September 16, 2021, with conditions of approval
- Planning Commission approval is based on the following positive findings, including:
 - Overconcentration – The use shall not be approved in a reporting district that has an overconcentration of on- or off-sale premises, as recommended by the Long Beach Police Department (LBPD)
 - Crime Rate – The use shall not be approved in a Police Reporting District with a high crime rate, as reported by the LBPD

CUP Findings – Overconcentration & Crime Rate

Census Tract 5765.02



- Recommended number of premises: **2 maximum**
- Current number of premises: **4**
- Project approval will not increase current number of premises

Police Reporting District 361



- 2020 Crime Rate: **92**
- High Crime Threshold: **116**

Appeal

- The Planning Commission's approval with conditions was appealed by the applicant, Grocery Outlet
- The applicant has appealed the following conditions of approval:
 - *Condition No. 20: Between the hours of 2:00 p.m. and 6:00 p.m. daily, the operator shall employ an on-site security guard to monitor the grocery store and parking lot*
 - *Condition No. 14: The sales of beer or malt beverages in quantities of quarts, 22oz, 33oz or 40 oz, or similar sizes are prohibited*
- Condition No. 20 - The applicant is requesting that Condition No. 20 be omitted in its entirety due to the:
 - The site not located in a high-crime reporting district, and;
 - The request for an upgraded license does not warrant the necessity for on-site security
- Condition No. 14 - The applicant is requesting that Condition No. 14 be modified to allow the sale of beer or malt beverages in 22 oz. containers in order to sell the many craft beers (which Condition No. 12 allows) that are commonly sold in 22 and 24 oz. sizes

Potential Modifications to Conditions

Staff recommends the City Council uphold the Planning Commission's decision to approve a Conditional Use Permit (CUP21-004) with conditions of approval (District 2). Should the City Council wish to consider alternatives, the following is provided:

- Condition No. 20 – City staff's initial recommendation was for the Planning Commission to omit Condition No. 20 (based on follow-up conversations with LBPD). The Planning Commission decided to leave Condition No. 20, based on calls for police service and public testimony regarding general site maintenance and upkeep.
- Condition No. 14 – Potentially amend Condition No. 14 to grant an exception in container size for microbrews and specialty malts sold under designations such as Stout, Porter, IPA, English Special Bitters, and similar types



Thank you

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