



# CITY OF LONG BEACH

## DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5<sup>th</sup> Floor Long Beach, CA 90802 (562) 570-6194 FAX (562) 570-6068

December 18, 2014

CHAIR AND PLANNING COMMISSIONERS  
City of Long Beach  
California

### RECOMMENDATION:

Approve a Conditional Use Permit (CUP) request and accept Categorical Exemption 14-136 to allow the installation and operation of a signature loan business within a proposed 100-square-foot booth inside Northgate Market located at 4700 Cherry Avenue within the Commercial Highway (CHW) district. (District 7)

APPLICANT: Progresso Financial Corporation  
1600 Seaport Boulevard, Suite 250  
Redwood City, CA 94063  
(Application No. 1410-19)

### DISCUSSION

The subject site is located near the corner of Del Amo Boulevard and Cherry Avenue at 4700 Cherry Avenue within the Community Commercial Highway (CHW) District (Exhibit A – Location Map). The property is developed with a Northgate Market supermarket, a warehouse, and a key shop. The Northgate Market supermarket was issued a Certificate of Occupancy in October of this year. Also, a second phase of development to allow the demolition of the warehouse and key shop and construction of a bank and fast food restaurant with drive-thru lanes on three individually owned parcels was approved by the Planning Commission on October 2, 2014.

The applicant is requesting approval of a Conditional Use Permit (CUP) to operate a signature loan business within a 100-square-foot booth inside the Northgate Market. This approval would allow the operation of a signature loan business inside Northgate Market for Progresso Financero. The company currently operates a business on Long Beach Boulevard and there are has not been any reports of adverse effects under the current ownership.

A signature loan is defined as a consumer loan not to exceed \$5,000. The loan is considered an unsecured loan given that only a signature is required for the business to

CHAIR AND PLANNING COMMISSIONERS

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provide the loan. The state regulates these loans based upon the dollar amount and has strict guidelines as to how payment is collected. In order to operate, a condition of approval requiring the display of all regulations in English, Spanish and Tagalog is required in the store in a visible location and as a pamphlet or brochure given to the customer upon finalization of the loan. The Police Department has also reviewed the request and has no issues with the request. With the added conditions of approval requiring the applicant to hand out and display loan regulations, incorporate additional security measures and cameras, along with limiting window signage, staff is recommending approval of the CUP.

The current request with conditions of approval is consistent with the General Plan and the requirements of the Zoning Regulations (Exhibit C – Findings & Conditions).

**PUBLIC HEARING NOTICE**

A Notice of Application was sent to the local community groups on October 3, 2014, and public hearing notices were distributed on November 27, 2014, in accordance with the provisions of the Zoning Ordinance. No responses were received at the time of preparation of this report.

**ENVIRONMENTAL REVIEW**

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, a Categorical Exemption (CE 14-136) was issued for the proposed project (Exhibit D – Categorical Exemption).

Respectfully submitted,



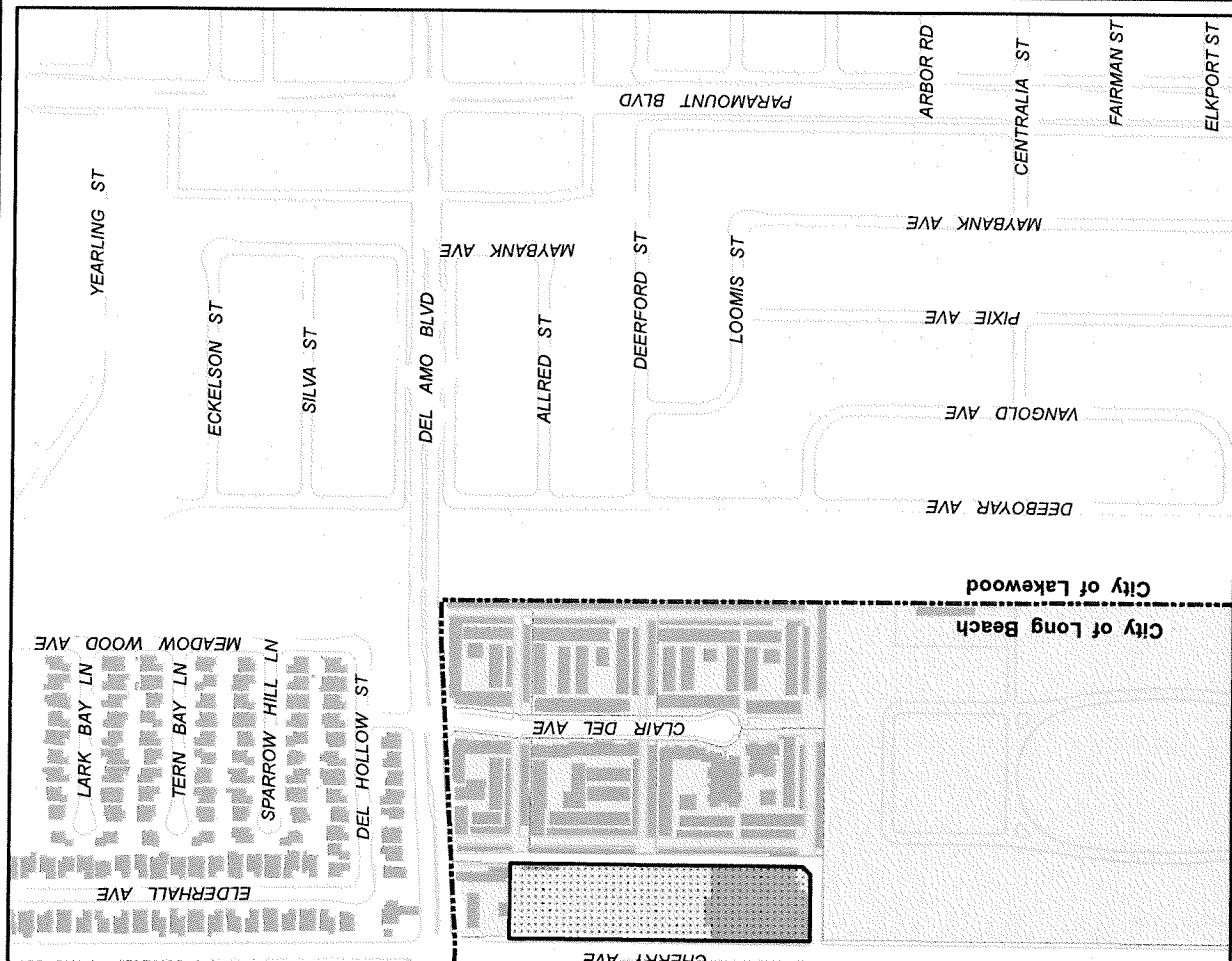
JEFF WINKLEPLECK  
ACTING PLANNING ADMINISTRATOR



AMY J. BODEK, AICP  
DIRECTOR OF DEVELOPMENT SERVICES

AB:JW:sv

Attachments	Exhibit A – Location Map Exhibit B – Plans & Photos Exhibit C – Findings & Conditions Exhibit D – Categorical Exemption 14-136
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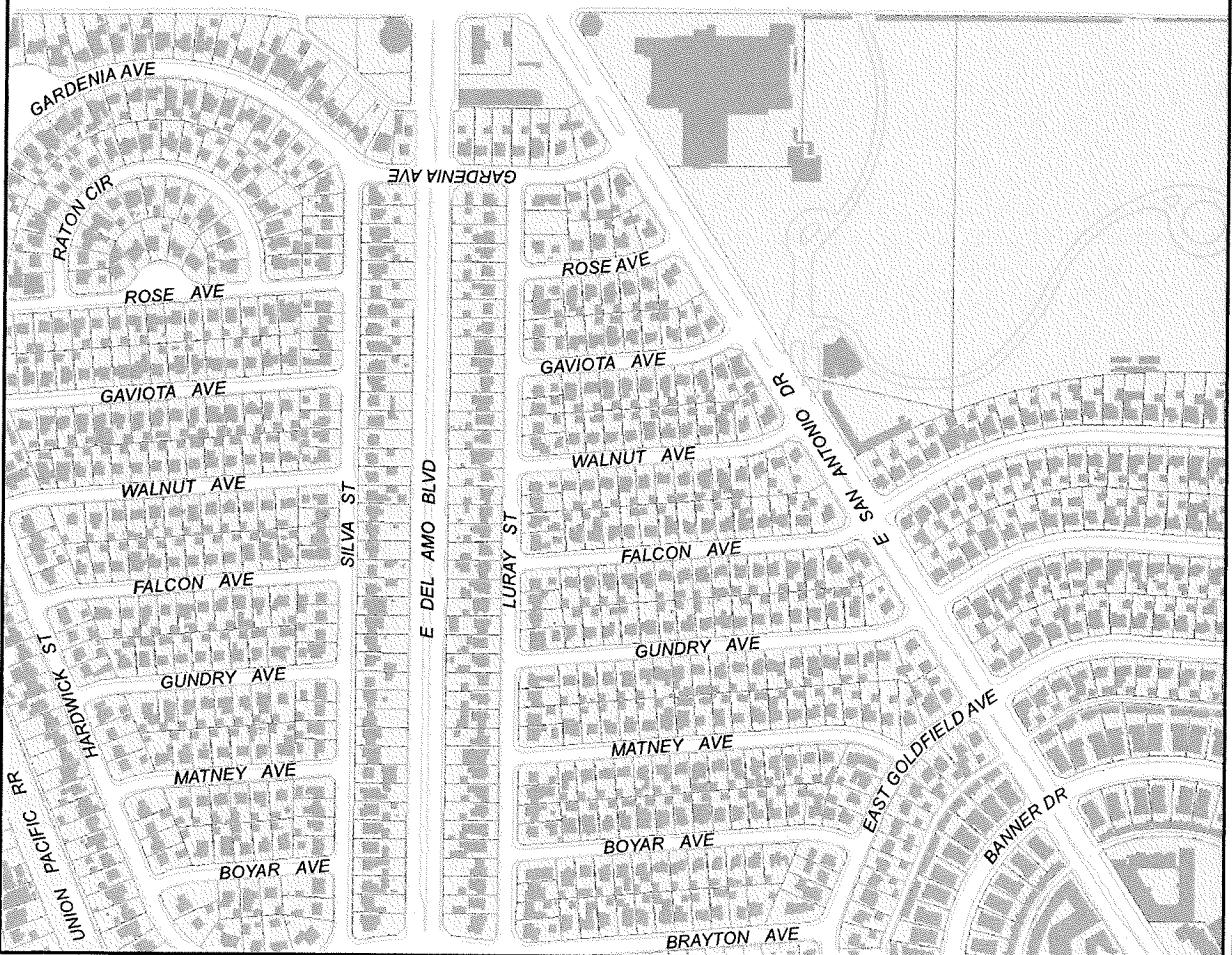
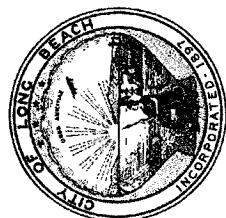


## Exhibit A



200 100 0 200 400  
Feet

**Subject Property:**  
**4700 Cherry Ave**  
**Application No. 1410-19**  
**Council District 7**  
**Zoning Code : CHW**



## **CONDITIONAL USE PERMIT FINDINGS**

**4700 Cherry Avenue**

**App. No. 1410-19**

**December 18, 2014**

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 #8N—Shopping Nodes. LUD #8N was created to accommodate retail and service uses, exclusively, primarily in small clusters. A neighborhood retail cluster is intended by this plan for every community within one-half mile of each residence, if feasible. The existing supermarket and proposed signature loan business meet the intent of the LUD as both are more than one-half mile from another retail cluster. The addition of a 100-square-foot booth inside Northgate Market to accommodate a signature loan business requires a Conditional Use Permit (CUP). The signature loan business also meets the intent of LUD #8N by providing financial services to nearby residences.

The zone classification of the project is Regional Highway (CHW) District. A signature loan business is allowed in this zone through the Conditional Use Permit process, subject to the special conditions enumerated in Section 21.52.212 and Special Development Standards enumerated in Section 21.45.116 of the Municipal Code. Approval of this project would be consistent with the General Plan and the Zoning regulations.

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

The applicant is currently operating a business at 730 Long Beach Boulevard. The business has been in operation for a couple of years. Since the approval of the Check Cashing, Pay Day Lending and Other Financial Services Ordinance in 2010, only two other businesses have been approved by means of a Conditional Use Permit. This will be the third business to apply for a CUP since ordinance approval. There have been no issues at the existing establishment on Long Beach Boulevard, according to the Long Beach Police Department, and none are expected at this location, given the booth and all money transactions will occur

indoors in a secure environment. With the incorporation of conditions of approval, which include the removal of graffiti, security surveillance, and Police security measures, the use will not be detrimental to the surrounding community. Thus, no public health, safety, general welfare, environmental quality, or quality of life impacts are foreseen for this project.

**3. THE APPROVAL IS IN COMPLIANCE WITH THE SPECIAL CONDITIONS FOR THE USE ENUMERATED IN CHAPTER 21.52.**

**21.45.116 –Check Cashing, Pay Day Loans, Car Title Loans, Signature Loans and Other Financial Services.**

The following special development standards shall apply to check cashing, pay day loan, car title loan, signature loan, and other financial service businesses:

A. **Conditional Use Permit.** Required Findings for Check Cashing, Pay Day Loan, Car Title Loan, Signature Loan, and other financial service businesses are found in Section 21.52.212

**See Special Development Standards Below.**

B. **Pay Phones.** Exterior phones, security bars and roll up doors shall be prohibited, and any existing pay phones shall be removed.

**No pay phones exist in front of the business and a condition was added prohibiting the placement of pay phones.**

C. **Window Signage.** Windows shall not be obscured by placement of signs, dark window tinting, shelving, racks or similar obstructions.

**A condition of approval was added, prohibiting the placement of window signage in excess of 10 percent of the window.**

D. **Maintenance.** All yard areas 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).

**A condition of approval was added requiring that all yard areas be maintained at all times.**

**E. Signage.**

1. All non-conforming signs and pole signs shall be removed, including roof signs regulated under Section 21.44.400
2. All on-site signage shall be brought into compliance with the Long Beach Municipal Code, Section 21.44, removed, and/or improved to the satisfaction of the Site Plan Review Committee.
3. Each check casher shall post a list of fees in English, Spanish, Tagalog, and Khmer at the cashier/check stand using a letter height not less than one-half inch in height.

**All signage is in conformance with the Long Beach Municipal Code. Prior to the issuance of a City business license the freestanding sign associated with Northgate Market shall be removed and a more modern pylon sign shall be placed at the discretion of the Director of Development Services. Also, a condition of approval was added requiring that all fees be posted in English, Spanish, Tagalog, and Khmer in a height not less than ½ inch.**

**F. Landscaping.**

1. All parking and landscaping areas on the property shall be improved and brought into compliance with the Long Beach Municipal Code by paving and striping parking areas and adding drought tolerant, native trees and shrubs.
2. All landscaping shall be permanently irrigated with a twenty-four (24) hour/seven (7) day electronic or solar powered time clock.

**The use is located within a shopping center that is well maintained. Therefore, this requirement does not apply.**

**G. Lighting.** Lighting shall be provided, including glare shields, in accordance with Chapter 21.41 in a relatively even pattern and in compliance with California Title 24 Energy requirements.

**The property is located within a shopping center that is sufficiently lit. Therefore, this finding does not apply.**

**H. Security.**

1. Interior and exterior video security cameras shall be installed at the front and rear of the business with full view of the public right-of-way and any area 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.
2. A Public Internet Protocol (IP) address and user name/password to allow 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.

**A condition of approval was incorporated requiring that security cameras be provided inside and outside the store, and that an IP address be provided to the Long Beach Police Department.**

**I. Building Improvements.**

1. All building façades shall be improved with new paint, roofing materials, and windows to the satisfaction of the Site Plan Review Committee.
2. New canopies or architectural projections shall be incorporated to the satisfaction of the Planning Commission and/or Site Plan Review Committee.

**The use is located within a shopping center. Since the shopping center is in good condition and required changes would affect the whole shopping center, no improvements are being required at this time.**

**Conditional Use Permit Findings:**

**21.52.212 - Check cashing. , Pay Day Loans, Car Title Loans, Signature Loans and Other Financial Services.**

The following conditions shall apply to check cashing, Pay Day Loans, Car Title Loans, Signature Loans and Other Financial Service businesses:

- A. A Conditional Use Permit shall be required for check cashing, pay day loan, car title loan, and signature loan businesses. Alternative or other financial services are also required to obtain a Conditional Use Permit at the discretion of the Zoning Administrator.

**This Conditional Use Permit approval will allow the operation of a signature loan business within an existing supermarket.**

B. Check cashing, pay day loans, car title loans, signature loan and other financial service businesses as defined by the Long Beach Municipal Code shall not be located within:

1. A 1,320-foot radius of an approved check cashing, pay day loan, car title loan, signature loan, or other financial service business.

**The proposed signature loan business is more than ¼ mile away from an approved financial services business.**

2. The CNA, CNP, CNR, PD-6, PD-25, PD-29, PD-30, or any Industrial zoning districts. This includes other financial services and alternate types of lending services at the discretion of the Zoning Administrator.

**The shopping center is located in a CHW zone. The use is allowed with an approved Conditional Use Permit.**

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

**A condition of approval was added limiting the amount of window signage to less than 10 percent of each window.**

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

**A Condition of approval was added prohibiting the placement of exterior phones and security bars, as well as roll up doors.**

D. All fees and regulations associated with a loan or financial transaction shall be displayed near the cashier/checkstand and provided to the customer upon checkout.

**A condition of approval was added requiring the applicant to provide all customers fees and regulations upon checkout.**

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

**The existing business will be open Monday- Friday from 11am – 7pm, and 10am – 5 pm on Saturday, and from 10am- 4pm on Sunday.**

F. Special Development Standards for check cashing, pay day loan, car title loan, signature loan, and other financial services found in Section 21.45.116 shall also apply.

**See special Development Standards above.**

# **CONDITIONAL USE PERMIT CONDITIONS OF APPROVAL**

**4700 Cherry Avenue  
Application No. 1410-19  
December 18, 2014**

1. The use permitted by the subject Conditional Use Permit shall be a signature loan business located inside Northgate Market.
2. This permit and all development rights hereunder shall terminate one year from the effective date of this permit unless construction is commenced or a time extension is granted, based on a written request submitted to, and approved by, the Zoning Administrator 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/or 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).

## **Special Conditions:**

4. Exterior phones, security bars and roll up doors shall be prohibited.
5. Security cameras shall be placed inside and outside the building to the satisfaction of the Chief of Police. The security system shall be approved to the satisfaction of the Chief of Police, prior to the installation.
6. The Development Services Department and the Long Beach Police Department shall have the authority to review the site for security problems, and said departments shall have the power to require additional security measures including, but not limited to, security guards, security cameras, and additional security lighting if problems develop at the site. A review of crime shall take place annually.
7. Windows shall not be obscured by placement of signs, dark window tinting, shelving, racks or similar obstructions. Signage in excess of 10 percent of the window shall be removed.
8. If more than three persons are in line to cash a check, an additional cashier or check stand shall be opened to prevent customer queuing.
9. A detailed, complete and unambiguous schedule of all fees in English, Spanish and Tagalog shall be posted in a location that can be easily read by the public. The

information shall be clear and legible, and consist of letters not less than 1/8- inch in size. A schedule of fees, along with all existing regulations shall be provided to the customer prior to finalizing any transaction.

10. All graffiti shall be removed from walls, rooftop enclosures and signs within a 24-hour period of its appearance.

**Standard Conditions:**

11. 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.
12. 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.
13. 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).
14. The Director of Development Services 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. Any major modifications shall be reviewed by the Zoning Administrator or Planning Commission, respectively.
15. All landscaped areas must be maintained in a neat and healthy condition. Any dying or dead plant materials must be replaced with the minimum size and height plant(s) required by Chapter 21.42 (Landscaping) of the Zoning Regulations. At the discretion of City officials, a yearly inspection shall be conducted to verify that all irrigation systems are working properly and that the landscaping is in good healthy condition. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by the City Council.
16. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):
  - a. Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;
  - b. Saturday: 9:00 a.m. - 6:00 p.m.; and
  - c. Sundays: not allowed

17. As a condition of any City approval, the applicant shall defend, indemnify, and hold harmless the City and its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul the approval of the City concerning the processing of the proposal/entitlement or any action relating to, or arising out of, such approval. At the discretion of the City and with the approval of the City Attorney, a deposit of funds by the applicant may be required in an amount sufficient to cover the anticipated litigation costs.



## EXHIBIT D

### NOTICE of EXEMPTION from CEQA

DEPARTMENT OF DEVELOPMENT SERVICES | PLANNING BUREAU  
333 W. OCEAN BLVD., 5<sup>TH</sup> FLOOR, LONG BEACH, CA 90802  
(562) 570-6194 FAX: (562) 570-6068  
lbsd.longbeach.gov

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

**FROM:** Department of Development Services  
333 W. Ocean Blvd, 5<sup>th</sup> Floor  
Long Beach, CA 90802

L.A. County Clerk  
Environmental Fillings  
12400 E. Imperial Hwy. 2<sup>nd</sup> Floor, Room 2001  
Norwalk, CA 90650

Categorical Exemption CE- 14-136

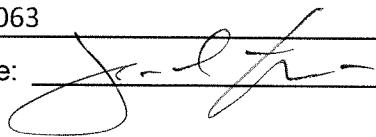
Project Location/Address: 4700 Cherry Avenue, Long Beach CA 90807

Project/Activity Description: Conditional Use Permit to accept primary business use (signature loan) within CHW zone. Business to be located within Northgate supermarket, booth size is less than 100 SQ FT.

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

Applicant Name: Progreso Financiero

Mailing Address: 1600 Seport Blvd. Suite 250, Redwood City CA 94063

Phone Number: (650)387-6153 Applicant Signature: 

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 1410-19 Planner's Initials: SV

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: New accessory land use within an existing commercial lease space.

Contact Person: Craig Chalfant Contact Phone: 562-570-6368  
Signature:  Date: 12/9/14