



# CITY OF LONG BEACH

DEPARTMENT OF PLANNING & BUILDING

333 W. Ocean Boulevard Long Beach, CA 90802 (562) 570-6194 FAX (562) 570-6068

October 21, 2004

CHAIRMAN AND PLANNING COMMISSIONERS  
City of Long Beach  
California

**SUBJECT:** Conditional Use Permit request to allow the Sales of Beer and Wine for Off-premises Consumption at a 7-Eleven Convenience Store. (Council District 7).

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**LOCATION:** 3410 N. Long Beach Boulevard

**APPLICANT:** Colomia Investment Company LTD.  
James Shabani  
122 Robertson Boulevard  
Suite 200  
Los Angeles, Ca. 90048

## RECOMMENDATION

Approve the Conditional Use Permit subject to conditions.

## REASON FOR RECOMMENDATION

1. Operational conditions of approval relating to maintenance, loitering, hours, etc., will ensure that the proposed project will have minimal negative impacts on adjacent land uses.
2. Positive findings can be made to support the Conditional Use Permit.

## BACKGROUND

The subject site is located within a new retail strip center located at 3410 Long Beach Boulevard, at the northeast corner of Long Beach Boulevard and Wardlow Road. The applicant is proposing to occupy a 2,106 sq. ft. tenant space located at the northwestern most corner of the strip center. The subject site has a zoning designation of CCA

(Community Automobile Oriented), which allows alcoholic beverage sales subject to the approval of a Conditional Use Permit. Surrounding land uses include commercial uses to the north, south and west, and residential uses to the east. Currently, there are 51 off-street parking on the subject site.

The applicant is seeking to operate a 7-Eleven convenience store. The store will offer a variety of convenience items such as fresh produce, daily delivered deli items and baked goods, ready to eat foods and groceries, and beer and wine for off-premise consumption.

In considering a Conditional Use Permit application for the sale of alcoholic beverages, staff evaluates the number of existing alcohol licenses in the subject site Census Tract as well as the total number of reported crimes in the subject Police Reporting District. The subject site is within Reporting District 224, which is not a high-crime reporting district. According to the most recent crime statistics, Reporting District 244 had 181 reported crimes, which is lower than the number that defines high crime, (high crime is defined as more than 212 reported offenses). The Police Department reviewed the application and had no objection to the granting of the alcohol licenses provided that the applicant abide with the attached operational conditions as noted in attachment 1. (Conditions # 14 a. - m.).

The second criterion is the concentration of alcohol licenses in the subject census tract. The subject site is within Census Tract 5720.02, which has a population of 4,519 persons. Based on the ratio of one license per 1,177 residents, the Department of Alcoholic Beverage Control recommends 3 off-sale alcohol licenses. Currently, 2 off-sale licenses are active in the census tract. Therefore, the tract is not over concentrated for off sale licenses.

### **CURRENT ACTION REQUESTED**

Approve the Conditional Use Permit request, subject to conditions.

In order to approve the abovementioned request, the Planning Commission is required to make certain findings in support of an approval decision. These findings along with staff analysis are presented below for consideration, adoption and incorporation into the record of proceedings.

### **CONDITIONAL USE PERMIT FINDINGS**

- A. 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 subject site has a General Plan designation of LUD #8, major commercial corridor, which allows retail uses. A retail convenience store is consistent with the uses allowed in LUD #8R.

The subject site has a zoning designation of CCA, which allows the proposed use subject to a Conditional Use Permit. Conditional Use Permit requests are considered "consistent" when it is determined that they can operate in a manner that is compatible with the surrounding land uses.

**B. 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**

In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, a Categorical Exemption (CE 04-160) was prepared for this project and is attached for your review.

With the conditions of approval incorporated, the use will not be detrimental to the surrounding community. The conditions of approval incorporate a number of operational requirements that address potential negative impacts from the proposed use. Such conditions include, but are not limited to:

- Limited hours of operation for alcohol sales (Cond. # 14 a.).
- The applicant shall be required to provide a security guard to prevent loitering and vandalism (Cond # 14 c.).
- The display of alcoholic beverages shall be limited to not more than 5% of the Gross Floor area (Cond # 14 e.).
- The sale of individual cans of beer and single servings of wine shall be prohibited (Cond. # 14 i.).
- Advertisement of alcoholic beverages in storefront windows shall be prohibited (Cond.# 14 l.).
- Check cashing operations shall be prohibited prior to the approval of a conditional use permit for such operations (Cond. # 14 m.).

Approval of the requested Conditional Use Permit will enable the City to enforce these approval conditions and address potential nuisances that may arise in the future.

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

In addition to the above general findings, the following specific conditions pursuant to Zoning Code Section 21.52.201 apply to alcoholic beverage sales use:

- 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 subject site has 51 off-street parking spaces on site, providing a surplus to the required 47 parking spaces. Per current zoning code requirements, a commercial retail strip center of this size (9,292 sq. ft.) requires 47 on-site spaces.

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

The requirement for night lighting and security measures has been incorporated as a condition of approval for the proposed project.

- 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.**

This requirement has been incorporated as a condition of approval for the proposed project.

- 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 floor area, and also providing fresh fruit, vegetables, and meat, in addition to canned goods.**

The reporting district serving the subject site is not one that contains more than the recommended maximum concentration of the applicable off-premise sales use as recommended by the Long Beach Police Department. The site is located within Census Tract 5720.02 where the number of licenses allowed is 3. The number of existing licenses within the Tract is 2.

- 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.**

No school or park is within 500 feet of the subject site.

**PUBLIC HEARING NOTICE**

A total of 123 Public Hearing Notices were mailed on August 17, 2004 to all owners of properties within a 300' radius of the project site, as required by Zoning Code section 21.31 and; the elected representative of the 7<sup>th</sup> Council District.

**REDEVELOPMENT REVIEW**

The project site is not located in a Redevelopment Project Area.

**ENVIRONMENTAL REVIEW**


In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, a Categorical Exemption (CE-04-160) has been prepared for this project, and is attached for your review.

**IT IS RECOMMENDED THAT THE PLANNING COMMISSION:**

Approve the Conditional Use Permit, subject to conditions.

Respectfully submitted,

By:   
VICKIE BECKER  
PLANNER

Approved:   
GREG CARPENTER  
PLANNING BUREAU MANAGER

GC:vb

**Attachments:**

1. Conditions of Approval
2. Site Plan/Floor Plan
3. Photographs
4. Letters in opposition
5. Categorical Exemption

**CONDITIONAL USE PERMIT  
CONDITIONS OF APPROVAL**

**Case No. 0408-05**

**Date: October 21, 2004**

1. This permit and all development rights hereunder shall **terminate one year** from the effective date (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action 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 one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
2. The use permitted on the subject site (3410 Long Beach Blvd), in addition to other uses permitted in the CCA district, shall be a retail convenience store with the sale of beer and wine for off-premise consumption.
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). Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval to the satisfaction of the Zoning Administrator.
4. 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.
5. 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.
6. This approved land use is required to comply with these conditions of approval as long as the use is on the subject site. As such, the site shall be available for **periodic re-inspections**, conducted 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 the City Council.

7. All operational conditions of approval for this permit **must be posted** in a location visible to the public in such a manner as to be readable when the use is open for business.
8. All conditions of approval **must be printed** verbatim on all plans submitted for plan review to the Planning and Building Department. These conditions must be printed on the site plan or a subsequent reference page.
9. The Director of Planning and Building 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. **No substantial changes** shall be made without the prior written approval of the Site Plan Review Committee and/or Planning Commission.
10. Site development, including landscaping, shall conform to the approved plans on file in the Department of Planning and Building. At least **one set of approved plans** containing Planning, Building, Fire, and, if applicable, Redevelopment and Health Department stamps **shall be maintained at the job site**, at all times for reference purposes during construction and final inspection.
11. **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).
12. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
13. **Any graffiti found on site must be removed within 24 hours of its appearance.**
14. The operator of the use shall be subject to the following conditions subject to the review and **approval of the Director of the Planning and Building Department and the Chief of Police.**
  - a. The hours of alcohol sales shall be limited to **11:00 a.m. thru 10:00 p.m. only.**

- b. All **display areas and coolers containing alcoholic beverages shall be locked** and/or secured from access by the public **between the hours of 10:00 p.m. and 11:00 a.m.**
- c. The operator of the use shall provide a **uniformed and licensed security guard on-site between the hours of 11:00 a.m. and 10:00 p.m.** to prevent loitering and vandalism.
- d. Prior to the issuance of any building permits it shall be required that the applicant provide an on-site security lighting and surveillance plan for approval from the Long Beach Police Department.
- e. The **display of beer and wine** and alcohol related products **shall be limited to 5% of the Gross Floor Area, or not more than 80 square feet.** Prior to the issuance of any building permits the applicant shall be required to submit a revised floor plan indicating that the display area designated for such use does not exceed this requirement.
- f. Prior to the issuance of any building permits it shall be required that the applicant **submit a new parking layout plan** to include an **increased landscaped buffer at the Long Beach Boulevard entryway**, adjacent to the proposed lease area. It shall be required that the landscape buffer be a **minimum of 20' wide** to allow for an increased on-site stacking area for incoming cars.
- g. There shall be no can or cabinet signs permitted on site.
- h. Prior to establishment of this use, the **driveway apron entering from Long Beach Boulevard shall be expanded to 28' in width.** All necessary submittals and permits shall be obtained from the Department of Public Works.
- i. The sale of **individual cans** of beer and/or **single servings** of wine **shall be prohibited.**
- j. There shall be no **exterior payphones** permitted on-site.
- k. **Storefront windows shall remain free of obstruction** to allow for visibility throughout the store from the exterior of the building.
- l. **Advertisement of alcoholic beverages in storefront windows shall be prohibited.**

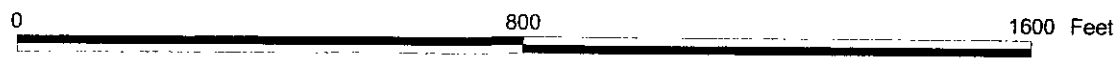
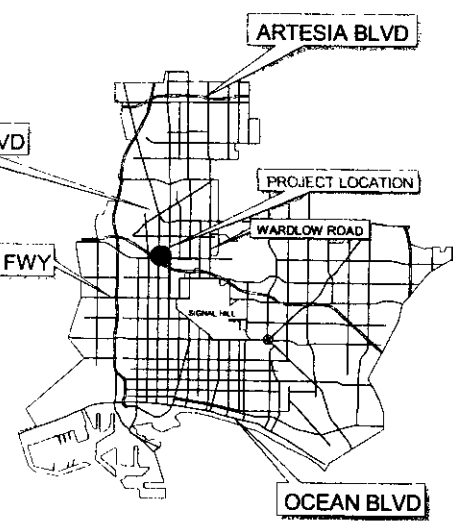
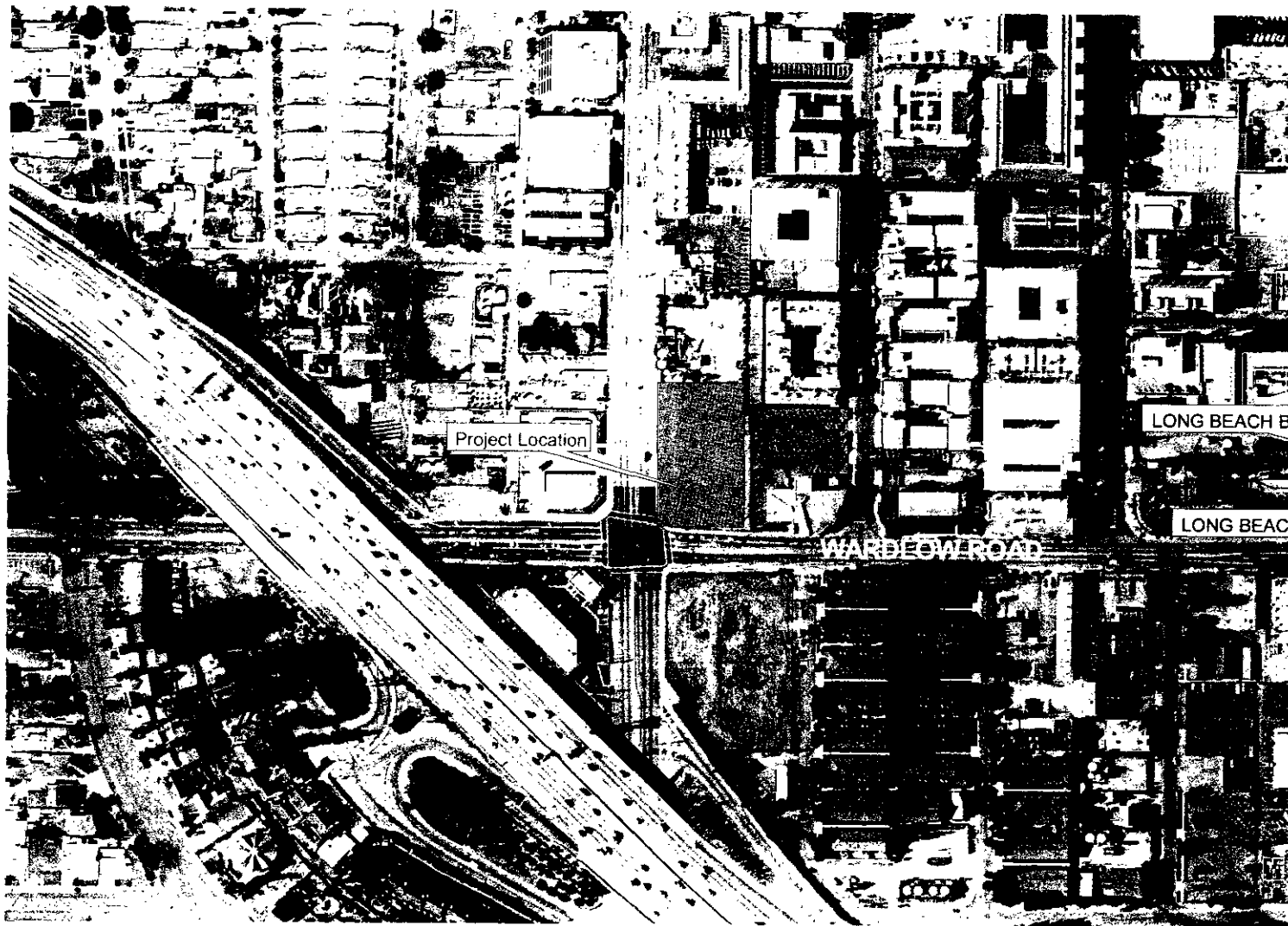


- m. **Check cashing operations shall be prohibited** prior to the approval of a conditional use permit for such operations.
15. The operator of the approved use shall **prevent loitering and loud noises** around the project site, and in all parking areas serving the use during and after hours of operation. **No loitering signs** shall be posted around the property to the satisfaction of the Long Beach Police Department. Failure to comply with this condition shall be grounds for permit revocation. If loitering and/or noise problems develop, the Director of Planning and Building may require additional preventative measures such as, but not limited to, additional lighting, private security guards and/or alteration of business hours.
16. The operator of the approved use shall **remove all litter and debris** from the public sidewalk abutting the subject site, and from the parking lot on the site, on a daily basis to the satisfaction of the Director of Planning and Building.
17. **Energy conserving equipment**, lighting and construction features shall be utilized on the buildings.
18. An adequately sized **trash enclosure** shall be designed and provided for this project as per Section 21.45.167 of the Long Beach Municipal Code. The designated trash area shall not abut a street or public walkway and shall be placed at an inconspicuous location on the property to the satisfaction of the Director of Planning and Building.
19. **All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau must be secured.**
20. **Separate building permits are required** for any signs, fences, retaining walls, trash enclosures, flagpoles, pole-mounted yard lighting foundations and planters, as applicable.
21. **Approval of this project is limited to the sale of beer and wine for off-premise consumption. The sale of other alcoholic spirits for on or off-premise consumption shall be prohibited.**
22. **Approval of this project is expressly conditioned upon payment (prior to building permit issuance or prior to Certificate of Occupancy, as specified in the applicable Ordinance or Resolution for the specific fee) of impact fees, connection fees and other similar fees based upon additional facilities needed to accommodate new development at established City service level standards, including,**

**but not limited to, sewer capacity charges, Park Fees and Transportation Impact Fees.**

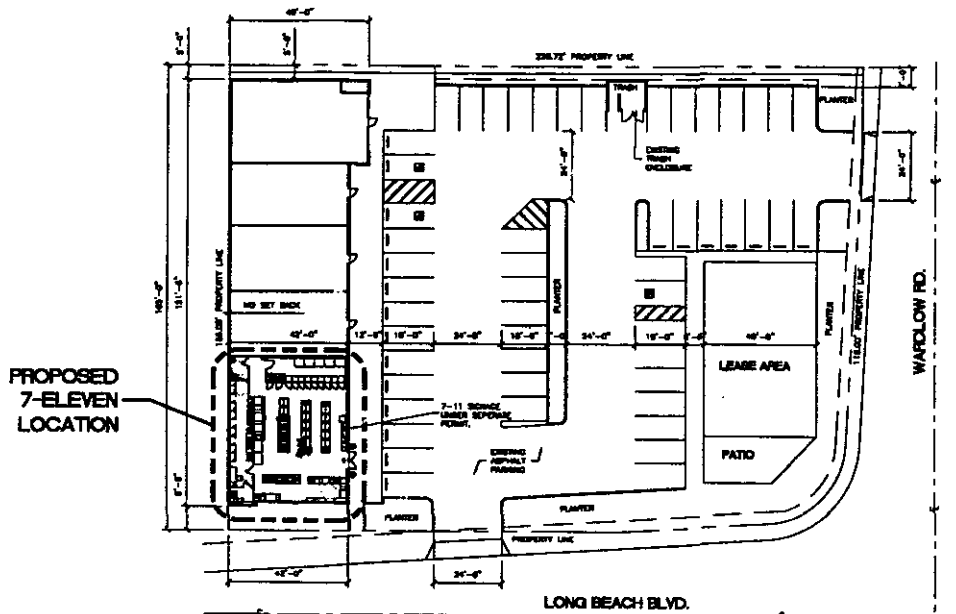
23. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long 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.

**Case No. 0408-05  
Conditional Use Permit  
3410 Long Beach Blvd.**



LEGEND  
 PROPERTY LINE \_\_\_\_\_  
 STREET CENTER LINE \_\_\_\_\_  
 NETWORK \_\_\_\_\_  
 CEMENT \_\_\_\_\_

SEE PROJECT RECORDS  
 FOR THE APPROVED SITE PLAN,  
 EXISTING ELEVATIONS AND LANDSCAPE  
 PLAN.



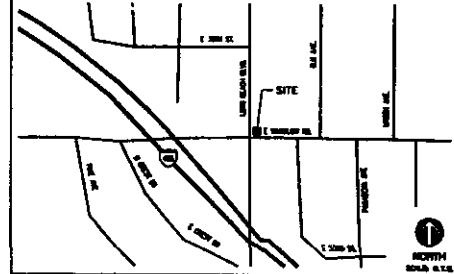
**SITE PLAN**  
 SCALE: 1" = 20'



**PROJECT DATA**

PROJECT NAME	7-ELEVEN CONVENIENCE STORE #
PROJECT ADDRESS	3410 LONG BEACH BLVD, LONG BEACH, CA 90801
DEVELOPER	7-ELEVEN, INC. CONTRACT #897 MCTE PHONE NO. (714) 539-7711 BUSINESS
CONTRACT #	220 LAMBERT RD. SREA, CA
STORE	USCA
APN	7145-008-013
CONTRACT	RETA STORE #
CONTRACTIVE	RETA STORE # SPRAWLED
NET STORE AREA	3,108 SQ. FT.
NUMBER OF STORES	1
BASED PER SQ	STORE 11'-0" x
HOURS OF SERVICE	STORE 24 HRS.
PROPOSED USE	CONVENIENCE STORE
SETBACKS	FRONT YARD 15'-0" SIDE YARD 10'-0"

**VICINITY MAP**



**PROJECT PUBLIC UTILITIES**

WATER / SEWER	LONG BEACH WATER DEPARTMENT 1880 E. WARFLOW ROAD LONG BEACH, CA 90801 (562) 540-1200
ELECTRIC	SOUTHERN CALIFORNIA Edison P.O. BOX 990-7700 CANTONAL SERVICE
Gas	LONG BEACH DISTRICT DEPARTMENT 2000 EAST STREET LONG BEACH, CA 90801 PH (562) 576 - 2800
TELEPHONE	VERIZON P.O. BOX 5108 PACIFIC COASTWAY, CA 91274 (909) 453-6899 BUSINESS

Division Construction Manager	_____	Date	_____
Real Estate Representative	_____	Date	_____
Real Estate Manager	_____	Date	_____
Market Manager	_____	Date	_____
Division Cashier Manager	_____	Date	_____
Sales and Marketing Manager	_____	Date	_____
Division Vice President	_____	Date	_____

**ARCHITECTURE/ENGINEERING  
 DEVELOPMENT**  
 7-ELEVEN, INC.  
 3410 N. LONG BEACH AVENUE  
 LONG BEACH, CA 90801

**SITE PLAN**  
 7-ELEVEN, INC.  
 3410 N. LONG BEACH BLVD.  
 LONG BEACH, CA

**CONTEL**  
 Project Development, Inc.  
 1800 N. MARCOLLA AVENUE, SUITE 1  
 EL CERRILLO, CA 95020 PH 925 468-4875

REVISIONS:  
 NO. \_\_\_\_\_  
 DATE \_\_\_\_\_  
 BY \_\_\_\_\_

DRAWN BY:  
**A. CLIFTON**

PROJECT NO. \_\_\_\_\_

DATE ISSUED:  
 \_\_\_\_\_

SHEET  
**1**

214-932-3540

**JOHN R. DEATS**

3600 Pacific Avenue  
Long Beach, California 90807  
(562) 424-6896

October 7, 2004

Planning Commission  
City of Long Beach  
333 West Ocean Boulevard – 7<sup>th</sup> Floor  
Long Beach, CA 90802

**Subject:** Application for Conditional Use Permit for the sale of Beer and Wine (for off-site consumption) Case Number: 0408-05

Dear Chairman Greenberg and Planning Commissioners:

It is with extreme regret that I find myself unable to attend the hearing on the aforementioned case and am therefore, unable to give sworn oral testimony.

The issue is not whether 7-11 has the right open a store at 3410 Long Beach Boulevard or whether they have the right to operate 24 hours per day, 7 days per week. I understand that both of these are absolutely allowed "by right."

The real issue for me and my neighbors is whether 7-11 should be granted a Conditional Use Permit (CUP) to facilitate the sale of beer and wine for off-site consumption. While the applicant will argue that based on certain factors the State of California Alcoholic Beverage Control (ABC) will allow an additional license in our census tract, I find no merit in the argument that this in any way is a mandate for local government to have to accommodate this. The Planning Commission and the City Council have the discretion to deny the CUP that would be required for licensing this establishment based on findings that it would be detrimental to public safety and quality of life.

My wife and I spent an evening surveying "Greater Bixby Knolls" to ascertain just how thoroughly the area is presently served by establishments selling beer and wine for offsite consumption. Before I go any farther, let me give the commonly accepted boundaries of "Greater Bixby Knolls." They are: Wardlow Road on the south, Cherry Avenue on the east, Del Amo on the north and the LA River on the west. We found that there are at least twenty-four (24) such establishments at the present time, well dispersed throughout Greater Bixby Knolls. There may be another six (6) such outlets in the form of mini-markets/convenience stores associated with gasoline stations (I did not get out of the car and enter those six stores to investigate whether they sold beer and wine.) This survey proved to me that the residents of Greater Bixby Knolls are already very adequately served by the existing establishments. There is plenty of competition so no one is being "gouged" on prices. These businesses are well dispersed geographically so no one is inconvenienced by excessive travel. Based on the prolific window banners displayed by

Page 2 of 3  
Case Number 0408-05  
October 7, 2004

virtually all existing establishments (probably in gross violation of Long Beach's signage ordinance) there is very adequate brand selection (at least in beer). Three corporate entities had two store fronts each; only 7-11 was represented by three (3) storefronts. If you deny the CUP, 7-11 certainly can not claim they are being deprived of market share.

The data from our survey is not appended to this letter, but will be provided to the City Council should an appeal be necessary.

The argument that this use would be detrimental to quality of life stems from existing aggressive panhandling at the intersection of Long Beach Boulevard and Wardlow Road which would be greatly exacerbated if beer and wine were available right at said intersection. I have personally been fighting this problem since former Councilwoman (and former Mayor) Eunice Sato was in office. The City of Long Beach and/or Cal Trans have not been able to get control of this situation for over twenty years. The idea that not selling "singles" will somehow mitigate this is foolish. All the "drunks" already know that the most cost effective way to get soused is by consuming "40 ounce" or the like. A good many of "our panhandlers" live under the freeway over crossings and some pilfer our recyclables and/or trash; others have been bold enough to steal from our porches and yards. Frankly, I ceased calling the Long Beach Police Department to report aggressive panhandling because my calls were never dispatched or were assigned such a low priority that if they ever did get dispatched it was not on the same day that I called the Communications Center.

The argument that this use would be detrimental to public safety derives from its proximity to both Interstate 405 and 710 and the extreme ease in going in either direction on either freeway. While I am concerned that this will contribute to an appreciable increase in drinking and driving, I am far more concerned that this provide the best of all possible "escape routes" and serve as an invitation for armed robbery. There have already been homicides at the 7-11 at San Antonio and Long Beach Boulevard perpetrated so no witness would be left. My best friend is an Orange County Deputy Sheriff fraud investigator. Before being assigned to fraud, he was exposed to other duties including the retrieval of dead bodies (the Orange County Sheriff is also the Coroner). In referring to convenience stores in general that sell alcoholic beverages and to 7-11's in particular, he says, and I quote "We don't call them '*Stop and Robs*' for nothing." He has also shared his knowledge with me that the better the available "escape routes", the greater the number of times an establishment will be robbed.

My basic request is that you, the Planning Commission, deny the CUP outright. However, I am aware of a staff recommendation for a security officer to be on site, but I am vague in details for lack of having the staff report. Should you choose not to deny the CUP, I certainly hope that you will support the staff recommendation for an armed

Page 3 of 3  
Case Number 0408-05  
October 7, 2004

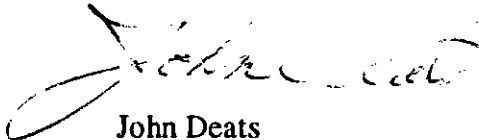
security guard and that said officer be mandated to be present any time the 7-11 is open for business. In my mind this officer need not be dedicated exclusively to the 7-11; he/she could be cost shared on an hours-weighted basis by all the tenants in the new development. If the developer is determined to create a robbery magnet, the least the Planning Commission can do is to see to it that this risk is mitigated to the greatest extent possible.

Rumor also has it that staff is recommending a 10PM "curfew" on the sale of beer and wine (if the CUP is to be granted). While not at all in keeping with my fundamental request for denial of the CUP, again I hope you will support this staff recommendation should you choose to approve the CUP. Anything that will make this critical gateway intersection safer will benefit all who reside in Greater Bixby Knolls and the city as a whole.

In closing I again ask you to deny the CUP for the sale of beer and wine (for off-site consumption) at 3410 Long Beach Boulevard.

As always I know this issue will receive thoughtful debate and consideration by the Planning Commission, and for that I am grateful.

Thank you,

A handwritten signature in black ink, appearing to read "John Deats", written over a horizontal line.

John Deats

\* SAMPLE Letter  
38 COPIES ON FILE

September 13, 2004

Planning Commission  
City of Long Beach  
333 West Ocean Boulevard  
Long Beach, CA 90802

Subject: Application for Conditional Use Permit for the sale of Beer and Wine  
(For off-site consumption) case number: 0408-05.

Dear Planning Commissioners:

Please note for the record, my objection to the granting of a Conditional Use Permit (CUP) for the sale of beer and wine at the proposed 7-Eleven store at 3410 Long Beach Boulevard. I am asking the Planning Commission to deny the CUP because of the detrimental impacts on nearby neighborhoods. Some of these impacts are:

- Reduce Quality of Life
- Increase Aggressive Panhandling (which includes disrupting traffic)
- Increase litter discarded in residential areas
- Increase traffic congestion at key gateway intersection
- Disrupt orderly movement of traffic onto and off of I-405 Freeway
- Reduce Public Safety (Increased Crime: likelihood of armed robberies)

Your thoughtful consideration in this matter is greatly appreciated.

Respectfully submitted,

  
Signature

Barbara Kingstey  
Your Name (printed)

2771 Cedar Ave LB, CA 90806  
Address

( ) ---  
Phone number

**Case Number: 0408-05**



# C. A. M. C. SERVICES, INC.

Community Association Management Consulting

3423-3425 Orange Avenue • Long Beach, CA 90807

1-888-312-CAMC • Tel. 562/424-4026 • Fax 652/424-9292 • E-Mail camcservices@aol.com

\* Sample Letter  
126 COPIES ON FILE

Case No : 0408-05

Request for conditional use permit  
for sale of Beer and Wine  
(for off-site consumption)

August 18, 2004

Planning Commission  
City of Long Beach  
333 West Ocean Boulevard  
Long Beach, CA 90802

Dear Planning Commissioners:

For the record, I object to the granting of a Conditional Use Permit (CUP) for the sale of beer and wine at the proposed 7-Eleven store at the north-east corner of Long Beach Boulevard and Wardlow Road (address: 3410 - 3414; aka 3400 Long Beach Boulevard). I am respectfully requesting that the Planning Commission deny the CUP because of the impacts on the surrounding neighborhoods. These impacts include, but are not limited to:

- Increased Aggressive Panhandling
- Litter
- Increased Crime (vulnerability to robbery with proximity to I-405 & I-710 Freeways) resulting in reduced property values in neighborhoods
- Out of character for neighborhood and office corridor at gateway intersection
- Disruptive and ingress/egress to I-405 Freeway
- Traffic congestion

Thank you for your consideration in the above referenced matter.

Sincerely,



Sign your name

FRANK COOKE

Print your name

3359 PASADENA, AVE. L. B

Your Address

, Long Beach, CA 90807

(562) 595-6513

Your phone number



CITY OF  
LONG  
BEACH

FEE \$133.13

Categorical Exemption CE- 160-04

### NOTICE OF EXEMPTION

To: Office of Planning & Research  
1400 Tenth street, Room 121  
Sacramento, CA 95814

From: Department of Planning & Building  
333 W. Ocean Blvd., 5th Floor  
Long Beach, CA 90802

L. A. County Clerk  
Environmental Filings  
12400 E. Imperial Hwy. 2nd Floor, Rm. 2001  
Norwalk, CA 90650

Project Title: 7-Eleven Cup for Alcohol Sales.

Project Location - Specific: 3410 N LONG BEACH BLVD.

Project - City: LONG BEACH Project Location - County: Los Angeles

Activity Description: \_\_\_\_\_

Name of Public Agency Approving Project: City of Long Beach.

Name of Person or Agency Carrying Out Project: 7-ELEVEN INC  
(Printed Name)

7-ELEVEN, INC 330 LABERT RD, BREA CA  
(Mailing Address)

(714) 529-7711 Andy Metz  
(Telephone) (Signature)

#### LONG BEACH CITY PLANNING COMMISSION

The above project has been found to be exempt from CEQA in accordance with the State Guidelines Section

Class 1 See 15301

Statement of Support for this finding: minor alteration of existing structures

Lead Agency  
Contact Person: Angela Reynolds Area Code/Telephone: 562/570-5839

Signature: [Signature] Date: 10/20/04 Title: Advanced Planning

Signed by Lead Agency for Angela Reynolds

Signed by Applicant

OFFICER

Commissioner Sramek made a motion to continue the item to the Planning Commission hearing of November 18, 2004. Commissioner Winn seconded the motion, which passed 6-0. Commissioner Rouse was absent.

## CONTINUED ITEMS

### 2. Case No. 0408-05, Conditional Use Permit, CE 04-160

Applicant: Colonia Investment Company, Ltd.  
Subject Site: 3410 Long Beach Boulevard  
Description: Request for the approval of a Conditional Use Permit for the sale of beer and wine for off-premise consumption at a 7-Eleven convenience store.

Vickie Becker presented the staff report recommending approval of the Conditional Use Permit at a 7-Eleven convenience store. Ms. Becker also stated that a change to Condition #14C had been recommended to provide for an alternative security plan subject to review and approval from the Long Beach Police Department, rather than providing a uniformed security guard.

In response to a query from Commissioner Greenberg regarding the number of limitations placed on the business in the Conditions of Approval, Mr. Carpenter responded that while the project meets criteria for approval, staff had received approximately 165 letters in opposition to the approval of the project. Staff therefore took a conservative approach in coming up with conditions that addressed the community's reasons why the project should be denied.

In response to a query from Commissioner Sramek regarding the removal of a parking space, Mr. Carpenter responded that by removing the parking space it would allow cars to enter and exit the parking lot without causing traffic to back up on the street.

Ira Handelman, representative for the applicant, 20528 Vista de Oro Place, Woodland Hills, commented that they accepted the conditions recommended by staff.

Mr. Handelman stated that the proposed interactive security plan would be more effective than a security guard. Westec Security was able to monitor the store 24 hours a day, provide interactive voice control to make audible announcements and if necessary call the police if there was a problem. The plan for this site would also include eight security cameras.

In response to a query from Commissioner Greenberg regarding panhandlers, Mr. Handelman stated that the conditions prohibited the sale of individual cans of beer and wine bottles under 750 ml. and that

# DRAFT

through good management and the interactive voice control people would be encouraged to move on.

Steve Bigelow, 1449 Bryant Avenue, Tustin, loss prevention manager for 7-Eleven, stated that the interactive security system was present in 5 other Southern California locations and 25 locations nationwide. The security plan keeps store employees from having to leave the store and get involved in situations through the use of two-way speakers and cameras that put them in direct contact with Westec Security.

Mr. Handelman commented that the program would be reviewed after 6 months to see if there were any problems or areas that needed work. He also remarked that they would be working with the Police Department on the locations of camera placement in the parking lot to determine the most effective spots for capturing license plate information.

Mike Weber, Long Beach Police Department, Planning & Research Section, stated that he initially had concerns with the project due to its close proximity to the freeway, however after discussing the interactive security plan with the applicant's representative he was willing to preliminarily accept this plan over a security guard.

Officer Weber remarked that having security guard intervention sometimes causes small incidents to escalate into larger situations. He further stated that the amount of cameras and the angles of cameras could provide information regarding vehicles coming to and from the property and provide good descriptions of people on the site. The interactive system could also pick up statements made by perpetrators during crimes and later be used for prosecution.

Mike Cole, 3756 Pine Avenue, Board Member of the Los Cerritos Improvement Association, stated that there was a lot of anxiety and concern over having another liquor outlet in his neighborhood. Although meetings with Mr. Handelman and Mr. Bigelow addressed many concerns of the community, no neighborhood group or business was willing to endorse the project.

Richard Ivey, 242 E. Bixby Road, stated that he was against the project because of its proximity to the 710 and 405 freeway onramps. He commented that the council office had been working to keep alcohol sales away from that particular intersection and that an alcohol permit had previously been denied to a gas station at the same intersection.

Mr. Ivey also stated that it was his understanding that the North Long Beach Police Substation was so understaffed that they could not respond to panhandling calls the same day that they were received.

Christine Stangeland, 3423 Orange Avenue, representing the Kensington Green Condominium Owners Association, presented petitions from tenants

# DRAFT

that objected to the sale of alcohol at that location. She stated that the tenants enjoyed the fact that the crime statistics were considered low in their neighborhood and didn't want to see that change because of alcohol sales at that site.

Mr. Attiyah, owner of Liquor Land at 2580 Long Beach Boulevard, stated that in the seven years that he had owned his business, he had seen the demographics of the location change. He remarked that his business had been broken into 5 times and held up twice, one of which was near fatal. He stated that he was concerned that adding more alcohol licenses in the area would cause an increase in crime.

In response to a query from Commissioner Greenberg, Mr. Attiyah remarked that his business did not have much of a problem with loitering.

In response to a query from Commissioner Winn, Mr. Attiyah stated that alcohol sales made up 30-40% of his business, however he dealt mainly in high-end wines.

In response to a query from Commissioner Greenberg, Mr. Attiyah, stated that approximately 30% of his floor area was comprised of alcohol display.

Samir Rosca, 4446 Linden Avenue, employee of Liquor Land, stated that he got shot during a hold-up at Liquor Land. He stated that he did not think that another alcohol license in the neighborhood was good for the community and asked that the Commission deny the request.

Albert Gerra, 900 E. 36<sup>th</sup> Street, President of the Cal Heights Neighborhood Association, stated that he did not have a problem with a 7-Eleven at the site, but he was against a liquor license. He remarked that in his neighborhood there were 4 bars, 2 liquor stores and a Sav-on and a Rite Aid, which also sold alcohol. The consensus in his neighborhood was that they did not need another outlet for alcohol.

Mr. Handelman, responded that alcohol constituted only 15% of store sales at 7-Eleven and only 5% of the store's display area was for alcohol.

In response to a query from Commissioner Stuhlbarg, Mr. Handelman stated that almost all 7-Eleven stores had alcohol licenses and many of those stores did not have the strict conditions that were required for this project.

In response to a query from Commissioner Gentile regarding why the gas station was denied a permit to sell alcohol, Mr. Carpenter stated that, to the best of his knowledge, the operator had made inquiries to the City and to the neighborhood associations, but never filed an

application for the alcohol license due to negative feedback from the neighborhood groups.

In response to a query from Commissioner Gentile, Officer Weber stated that a combination of proximity to the freeway, hours of operation and alcohol sales made it necessary for the store to have a security plan in place.

Commissioner Greenberg made a motion to approve the Conditional Use Permit with a change in the Conditions of Approval regarding the interactive security plan.

Commissioner Sramek stated that he understood the neighborhood's concern that a 7-Eleven located near freeway onramps would create an attractive nuisance for transients and therefore could not support the project.

Commissioner Winn remarked that it was not the Commission's job to determine the market conditions of the area and that the ABC's criteria regarding alcohol sales had been met for that site. He also remarked that conditions were provided to address the concern of loitering.

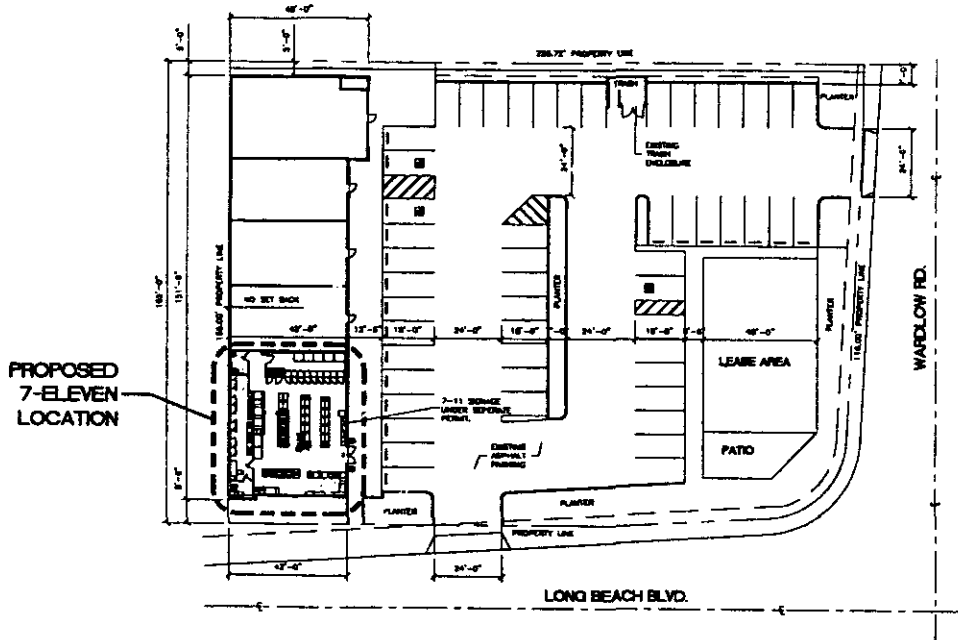
The question was called and Commissioner Winn seconded the motion, which passed 5-1. Commissioner Rouse was absent.

## REGULAR AGENDA

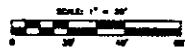
3. Case No. 0303-35, Site Plan Review, Vesting Tentative Tract Map, Finding of General Plan Conformity for Right-of-Way Vacation, ND 07-04

Applicant: Ben Besley, The Olson Company  
Subject Site: 133 The Promenade North  
Description: Request for approval of Site Plan Review, Vesting Tentative Tract Map No. 61304, and Finding of General Plan Conformity for Vacation of Right-of-Way, to construct a five-story mixed-use development with 97 residential condominium units, 13,133 square feet of commercial space and 322 parking spaces in a two-level subterranean garage.

Carolyn Bihn presented the staff report, recommending approval of the mixed-use development. Ms. Bihn explained that the Redevelopment Agency Design Review Subcommittee was acting as the lead agency in reviewing the design of the project, while the Planning Commission was assuming a supporting role in the design review when considering the entitlements. She further stated that the agency had previously approved the schematic design of the project on August 23, 2004.

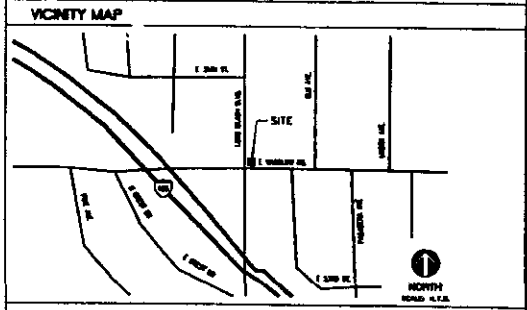


**SITE PLAN**  
SCALE: 1" = 30'



SEE PROJECT ARCHIVES FOR THE APPROVED SITE PLAN, UTILITY CLEARINGS AND LANDSCAPE PLAN.

PROJECT DATA	
PROJECT NAME	7-ELEVEN CONVENIENCE STORE #
PROJECT ADDRESS	3410 LONG BEACH BLVD, LONG BEACH, CA 90807
DEVELOPER	7-ELEVEN, INC. CENTRAL AVEY. BLDG. POMONA, CA (714) 328-7711 BUSINESS
CONTRACTOR ADDRESS	330 LAMONT RD. MIRA, CA
JOB NO.	10024
APR.	7145-886-813
DESIGNED	RETAIL STORE #
CONSTRUCTION TYPE	RETAIL STORE # SPRAWLED
RETAIL STORE AREA	3,148 SQ. FT.
NUMBER OF STORES	1
SALEABLE AREA	STORE: 14'-0" x
HOURS OF OPERATION	STORE: 24 HRS.
PROPOSED USE	CONVENIENCE STORE
SETBACKS	FRONT YARD: 10'-0" SIDE YARD: 10'-0"



PROJECT PUBLIC UTILITIES	
WATER / SEWER	LONG BEACH WATER DEPARTMENT 1000 S. BROADWAY LONG BEACH, CA 90802 (714) 370-3200
ELECTRIC	SOUTHERN CALIFORNIA Edison P.O. BOX 896-7708 CONCORD, CALIF. 94522
GAS	LONG BEACH ENERGY DEPARTMENT 2100 EAST STREET LONG BEACH, CA 90801 PH (714) 370-3200
TELEPHONE	VERIZON P.O. BOX 9100 MOUNTAIN VIEW, CA 94039 (415) 948-3200 BUSINESS

Division Construction Manager	_____	Date	_____
Real Estate Representative	_____	Date	_____
Real Estate Manager	_____	Date	_____
Market Manager	_____	Date	_____
Division Graphic Manager	_____	Date	_____
Sales and Marketing Manager	_____	Date	_____
Division Vice President	_____	Date	_____

ARCHITECTURE/ENGINEERING  
DEVELOPMENT  
7-ELEVEN, INC.  
3410 LONG BEACH BLVD.  
LONG BEACH, CA  
214-818-5580

SITE PLAN  
7-ELEVEN, INC.  
3410 N. LONG BEACH BLVD.  
LONG BEACH, CA

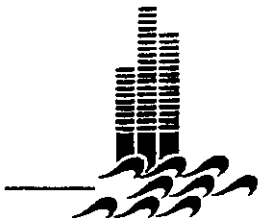
CONTEL  
Project Development, Inc.  
3000 S. MARIANA AVENUE, SUITE 101  
EL CAJON, CA 92020 PH (619) 448-9770

REVISIONS:

DATE REVISION  
BY

DATE REVISION  
BY

DATE REVISION  
BY



CA

Attachment 3

# CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 West Ocean Boulevard - 5th Floor • Long Beach, CA 90802

(562) 570-6194  
FAX (562) 570-6068

## APPLICATION FOR APPEAL

An appeal is hereby made to Your Honorable Body from the decision of the  
(~~✓~~) Zoning Administrator on the 21<sup>ST</sup> day of OCTOBER, 2004  
() Planning Commission

APPELLANT: JOHN DEATS

APPLICANT: JAMES SHABANI (dba COLONIA INVEST COMPANY LTD.)

Project address: 3410 LONG BEACH BOULEVARD

Permits requested: CONDITIONAL USE PERMIT FOR THE SALE OF BEER AND WINE

Project description: REQUEST FOR THE APPROVAL OF A CONDITION USE PERMIT FOR THE SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION AT A 7-ELEVEN CONVENIENCE STORE.

Reason for appeal: THE SALE OF BEER AND WINE AT THIS CRITICAL GATEWAY INTERSECTION WILL HAVE ADVERSE IMPACTS ON PUBLIC SAFETY AND QUALITY OF LIFE.

Your appellant herein respectfully requests that Your Honorable Body reject the decision of the () ~~Zoning Administrator~~ or () Planning Commission and () ~~approve~~ or () deny this application.

Signature of Appellant: John Deats

Print name of Appellant: JOHN DEATS

Mailing Address: 3600 PACIFIC AVENUE, LONG BEACH, CA. 90807

Phone No. (562) 424-6896 HOME // (562) 822-1265 CELL

Note: Please be sure to review the filing instructions on the reverse side of this form. A filing fee may be required.

=====STAFF USE ONLY=====

Counter Staff: Belle

Case No. 0408-05

Date: 10/22/04

Filing Fee Required: () Yes () No

Application complete: () Yes () No





# CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 West Ocean Boulevard - 5th Floor • Long Beach, CA 90802

(562) 570-6194  
FAX (562) 570-6068

## APPLICATION FOR APPEAL

An appeal is hereby made to Your Honorable Body from the decision of the  
( ) Zoning Administrator on the 21 day of October 19 2005  
 Planning Commission

APPELLANT: Donna Rose

APPLICANT: James Shaban, (PBA) (Municipal) (CUP) (C-1)

Project address: 3410 LBF Blvd

Permits requested: CUP for the sale of bulk wine

Project description: Request for the appeal of CUP  
for sale of bulk wine for all premises  
consumption at all stock

Reason for appeal: A definite decrease in safety of  
the premises would be caused with this  
bulk wine sale

Your appellant herein respectfully requests that Your Honorable Body reject the decision of the ( )  
Zoning Administrator or  Planning Commission and  approve or  deny this application.

Signature of Appellant: [Signature]

Print name of Appellant: Donna Rose

Mailing Address: 7245 Silver F. Ln

Phone No. \_\_\_\_\_

Note: Please be sure to review the filing instructions on the reverse side of this form. A filing fee may be required.

### =====STAFF USE ONLY=====

Counter Staff: [Signature] Case No. 0408-05 Date: 10/20

Filing Fee Required: ( ) Yes  No Application complete:  Yes ( ) No



# CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 West Ocean Boulevard - 5th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

## APPLICATION FOR APPEAL

An appeal is hereby made to Your Honorable Body from the decision of the  
 Zoning Administrator on the 27th day of October 19 2004  
 Planning Commission

APPELLANT: Richard L. Tracy

APPLICANT: James Shabana (DBA) Colonial Investment (O/LTD)

Project address: 3410 Long Beach Boulevard

Permits requested: Conditional Use Permit for the sale of Beer & Wine

Project description: UP permit for sale of beer and wine for off-premise consumption at a proposed 7-Eleven store

Reason for appeal: Beer and wine sales at this intersection will adversely affect our neighborhood, Quality of life, and public safety.

Your appellant herein respectfully requests that Your Honorable Body reject the decision of the  Zoning Administrator or  Planning Commission and  approve or  deny this application.

Signature of Appellant: Richard L. Tracy

Print name of Appellant: Richard L. Tracy

Mailing Address: 242 East Bixby Rd, Long Beach, CA 90807

Phone No. (562) 618-9503

Note: Please be sure to review the filing instructions on the reverse side of this form. A filing fee may be required.

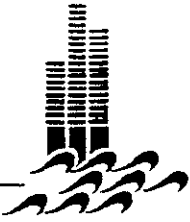
=====STAFF USE ONLY=====

Counter Staff: [Signature]

Case No. 0408-05 Date: 10/26

Filing Fee Required:  Yes  No

Application complete:  Yes  No



# CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 West Ocean Boulevard - 5th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6053

## APPLICATION FOR APPEAL

An appeal is hereby made to Your Honorable Body from the decision of the  
 Zoning Administrator on the \_\_\_\_\_ day of \_\_\_\_\_ 12 2004  
 Planning Commission

APPELLANT: Christine B Stangeland

APPLICANT: James Shabam (DBA) Colonial Investment Co (LTD)

Project address: 3410 Long Beach Blvd.

Permits requested: Conditional Use Permit for the sale of Beer & Wine.

Project description: Request for the approval of a conditional use permit for the sale of Beer & wine for off-premise consumption at a 7-Eleven Store.

Reason for appeal: The sale of Beer & Wine at this intersection will have adverse impacts on the Quality of Life in the adjacent neighborhood & Public Safety

Your appellant herein respectfully requests that Your Honorable Body reject the decision of the ( ) Zoning Administrator or ( ) Planning Commission and ( ) approve or ( ) deny this application.

Signature of Appellant: Christine B. Stangeland

Print name of Appellant: Christine B. Stangeland

Mailing Address: 3423 Orange Ave, Long Beach, CA 90807

Phone No. 562-424-4026

Note: Please be sure to review the filing instructions on the reverse side of this form. A filing fee may be required.

=====STAFF USE ONLY=====

Counter Staff: [Signature]

Case No. 0408-05 Date: 10/26

Filing Fee Required: ( ) Yes  No Application complete:  Yes ( ) No



# CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 West Ocean Boulevard - 5th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

## APPLICATION FOR APPEAL

An appeal is hereby made to Your Honorable Body from the decision of the

( ) Zoning Administrator on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

Planning Commission

APPELLANT: Michael Kawa

APPLICANT: James Shabani DBA Colonia Investment

Project address: 340 Long Beach Blvd.

Permits requested: CUP

Project description: 7-11 Store with Beer & Wine sales.

Reason for appeal: Beer & Wine sales at this location will cause adverse impact on the Public Safety and Quality of life for local residents.

Your appellant herein respectfully requests that Your Honorable Body reject the decision of the ( ) Zoning Administrator or ( ) Planning Commission and ( ) approve or ( ) deny this application.

Signature of Appellant: [Signature]

Print name of Appellant: Michael Kawa

Mailing Address: 3756 Pine Avenue

Phone No. (562) 595-1255

Note: Please be sure to review the filing instructions on the reverse side of this form. A filing fee may be required.

=====STAFF USE ONLY=====

Counter Staff: [Signature]

Case No. 0408-05

Date: 10/20

Filing Fee Required: ( ) Yes  No

Application complete:  Yes ( ) No



# CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 West Ocean Boulevard - 5th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

## APPLICATION FOR APPEAL

An appeal is hereby made to Your Honorable Body from the decision of the

( ) Zoning Administrator on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

( ) Planning Commission

APPELLANT: Phil Trani

APPLICANT: James Trivani (DBA) Colonel Investment

Project address: 3410 Long Beach Bl

Permits requested: Conditional use permit for the sale of beer & wine.

Project description: Request for approval of conditional use permit for the sale of beer and wine at that intersection for off sale, like a 7-11 store.

Reason for appeal: We have a 7-11 three blocks away I don't go there because I'm always asked to buy liquor for my car but I'm always being asked for money. I'm sure this will have an impact on my business and car area.

Your appellant herein respectfully requests that Your Honorable Body reject the decision of the ( ) Zoning Administrator or ( ) Planning Commission and ( ) approve or ( ) deny this application.

Signature of Appellant: Phil Trani

Print name of Appellant: PHIL TRANI

Mailing Address: 3490 Long Beach Bl

Phone No. 562-4263668

Note: Please be sure to review the filing instructions on the reverse side of this form. A filing fee may be required.

### =====STAFF USE ONLY=====

Counter Staff: 82

Case No. 0408-05

Date: 10/26

Filing Fee Required: ( ) Yes (X) No

Application complete: (X) Yes ( ) No



# CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 West Ocean Boulevard - 5th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

## APPLICATION FOR APPEAL

An appeal is hereby made to Your Honorable Body from the decision of the  
( ) Zoning Administrator on the \_\_\_\_\_ day of \_\_\_\_\_ 2004  
(X) Planning Commission

APPELLANT: JAY ATTİYAH

APPLICANT: JAMES SHABANI (DOB) Colonial Investment (O LTD)

Project address: 3410 Long Beach Blvd, LB, Ca 90807

Permits requested: Conditional Use permit for the sale of beer

Project description: Request for the approval of a Conditional Use permit for the sale of beer of wine for off-premise consumption at a 7-11 convenience store

Reason for appeal: The sale of any alcohol at that intersection will have adverse impacts on the public safety and the quality of life

Your appellant herein respectfully requests that Your Honorable Body reject the decision of the ( ) Zoning Administrator or ( ) Planning Commission and ( ) approve or ( ) deny this application.

Signature of Appellant: \_\_\_\_\_

Print name of Appellant: JAY ATTİYAH

Mailing Address: 3580 Long Beach bl, L Beach, Ca 90807

Phone No. 562 426-8372

Note: Please be sure to review the filing instructions on the reverse side of this form. A filing fee may be required.

=====STAFF USE ONLY=====

Counter Staff: [Signature]

Case No. 0408/05

Date: 10/26

Filing Fee Required: ( ) Yes ( ) No

Application complete: ( ) Yes ( ) No



# CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 West Ocean Boulevard - 5th Floor

Long Beach, CA 90802

(562) 570-5194

FAX (562) 570-6068

## APPLICATION FOR APPEAL

An appeal is hereby made to Your Honorable Body from the decision of the  
( ) Zoning Administrator on the \_\_\_\_\_ day of \_\_\_\_\_ 192004  
( ) Planning Commission

APPELLANT: SAM ASKER

APPLICANT: James Shabane (DBA) Colonial West Street

Project address: 3410 Long Beach bl. L Beach, CA 90807

Permits requested: Conditional use permit for the sale of Beer & Wine

Project description: Request for the Approval of a Conditional Use permit for the sale of Beer & Wine for off-premise consumption at a 7-11 convenience store

Reason for appeal: The sale of any alcohol (Beer & Wine) at this location will adverse the public safety and the quality of life. I am a victim of a violent crime that was caused because of alcohol.

Your appellant herein respectfully requests that Your Honorable Body reject the decision of the ( ) Zoning Administrator or ( ) Planning Commission and ( ) approve or ( ) deny this application.

Signature of Appellant: [Signature]

Print name of Appellant: SAM ASKER #4

Mailing Address: 4446 Linden Ave, L Beach, CA 90807

Phone No. 562 833-3580

Note: Please be sure to review the filing instructions on the reverse side of this form. A filing fee may be required.

=====STAFF USE ONLY=====

Counter Staff: [Signature]

Case No. 0408-65

Date: 10/20

Filing Fee Required: ( ) Yes  No

Application complete:  Yes ( ) No



# CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 West Ocean Boulevard - 5th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

## APPLICATION FOR APPEAL

An appeal is hereby made to Your Honorable Body from the decision of the

( ) Zoning Administrator on the \_\_\_\_\_ day of \_\_\_\_\_ 19 2004

Planning Commission

APPELLANT: JOHN ROYCE / KENT LOCKART

APPLICANT: JAMES SHOBONI (DBA) COLONIAL INVESTMENT CO LTD

Project address: 3410 LONG BEACH BLVD

Permits requested: CONDITIONAL USE FOR SALE OF BEER AND WINE

Project description: REQUEST FOR APPROVAL OF A CONDITIONAL USE PERMIT FOR THE SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION AT A TIEVEN OR LIKE OUTLET.

Reason for appeal: THE SALE OF BEER AND WINE CURRENTLY OCCURS AT MANY LOCATIONS IN THE AREA AND MORE SUCH SALES ARE NOT IN THE BEST INTEREST OF OUR SAFETY OR QUALITY OF LIFE.

Your appellant herein respectfully requests that Your Honorable Body reject the decision of the ( ) Zoning Administrator or ( ) Planning Commission and ( ) approve or ( ) deny this application.

Signature of Appellant: *John Royce* *Kent Lockart*

Print name of Appellant: JOHN ALLEN ROYCE KENT M LOCKART

Mailing Address: 3601 OLIVE AVE, LONG BEACH, 90807-4152

Phone No. (562) 997-9094

Note: Please be sure to review the filing instructions on the reverse side of this form. A filing fee may be required.

=====STAFF USE ONLY=====

Counter Staff: *[Signature]*

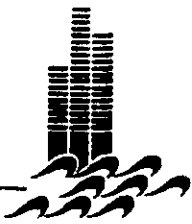
Case No. 008-00

Date: 10/26

Filing Fee Required: ( ) Yes  No

Application complete:  Yes ( ) No





# CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 West Ocean Boulevard - 5th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

## APPLICATION FOR APPEAL

An appeal is hereby made to Your Honorable Body from the decision of the  
( ) Zoning Administrator on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

Planning Commission

APPELLANT: ALBERT GUERRA

APPLICANT: JAMES SHOBONI (DBA) COLONIAL INVESTMENT CO LTD

Project address: 3410 LONG BEACH BLVD

Permits requested: CONDITIONAL USE PERMIT FOR THE SALE OF BEER AND WINE.

Project description: APPLICANT HAS REQUESTED A CONDITIONAL USE PERMIT FOR THE SALE OF BEER AND WINE FOR OFF SITE CONSUMPTION.

Reason for appeal: 1) THE SALE OF BEER AND WINE AT THIS INTERSECTION ADDS TO THE REDUCTION OF QUALITY OF LIFE FOR RESIDENTS NEAR THE 7-11. IT ALSO ADDS ADDITIONAL SAFETY CONCERNS BASED ON THE LOCATION. 2) NO ADDITIONAL SALES OF BEER AND WINE ARE NEEDED BASED ON DENSITY OF OTHER VOCATIONS THATSAL THESE HEWS 3) CONCERN THAT CHECK CASHING WILL BE ADDED TO THE LOCATION.  
Your appellant herein respectfully requests that Your Honorable Body reject the decision of the ( ) Zoning Administrator or ( ) Planning Commission and ( ) approve or ( ) deny this application.

Signature of Appellant: [Signature]

Print name of Appellant: ALBERT GUERRA

Mailing Address: 900 E. 36TH ST - LONG BEACH CA 90807

Phone No. (562) 988-9257

Note: Please be sure to review the filing instructions on the reverse side of this form. A filing fee may be required.

=====STAFF USE ONLY=====

Counter Staff: [Signature]

Case No. 0408-05

Date: 10/26

Filing Fee Required: ( ) Yes  No

Application complete:  Yes ( ) No



# CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 West Ocean Boulevard - 5th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

## APPLICATION FOR APPEAL

An appeal is hereby made to Your Honorable Body from the decision of the

( ) Zoning Administrator on the 28 day of Oct. ~~19~~ 2007

( ) Planning Commission

APPELLANT: CHARLES H PARKS

APPLICANT: JAMES SHABANI DBA COLUMBIAN INC

Project address: 3410 LONG BEACH BLVD

Permits requested: CONCIT ANAL USE PERMIT / SALE OF BEER & WINE

Project description: Req. for APPROVAL OF A CLUP FOR SALE OF BEER AND WINE FOR OFF PREMISE CONSUMPTION AT A 7-11 STORE

Reason for appeal: NEGATIVE IMPACT ON PUBLIC SAFETY AND OVERALL QUALITY OF LIFE

Your appellant herein respectfully requests that Your Honorable Body reject the decision of the ( ) Zoning Administrator or ( ) Planning Commission and ( ) approve or ( ) deny this application.

Signature of Appellant: Charles H. Parks

Print name of Appellant: CHARLES H. PARKS

Mailing Address: 3720 PANIFIC AVE LONG BEACH 90807

Phone No. (562) 492-9329

Note: Please be sure to review the filing instructions on the reverse side of this form. A filing fee may be required.

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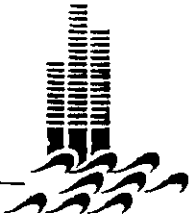
Counter Staff: [Signature]

Case No. 0408-05

Date: 10/20

Filing Fee Required: ( ) Yes (X) No

Application complete: (X) Yes ( ) No



# CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 West Ocean Boulevard - 5th Floor

Long Beach, CA 90802

(562) 570-6134  
FAX (562) 570-6068

## APPLICATION FOR APPEAL

An appeal is hereby made to Your Honorable Body from the decision of the  
( ) Zoning Administrator on the 28<sup>th</sup> day of October 2004.  
( ) Planning Commission

APPELLANT: Paul G. Crawford

APPLICANT: James Shabini (DBA) Colonial Investment Co. LTD.

Project address: 3410 Long Beach Blvd

Permits requested: Conditional Use Permit for Sale of Beer and Wine

Project description: Request for approval of a conditional use permit for the sale of Beer and wine for consumption off premises at 7-11 Store.

Reason for appeal: We have too many liquor sales outlets already in the Biggy Kroll area, and adding even one more will seriously degenerate the public safety, our quality of residential life and be a hazard to freeway drivers. As it is just before the onramp.

Your appellant herein respectfully requests that Your Honorable Body reject the decision of the ( ) Zoning Administrator or ( ) Planning Commission and ( ) approve or ( ) deny this application.

Signature of Appellant: Paul G. Crawford

Print name of Appellant: Paul G. Crawford

Mailing Address: 3734 Pacific Ave

Phone No. (562) 426-3618

Note: Please be sure to review the filing instructions on the reverse side of this form. A filing fee may be required.

=====STAFF USE ONLY=====

Counter Staff: (B)

Case No. 0408-05

Date: 10/20

Filing Fee Required: ( ) Yes (X) No

Application complete: (X) Yes ( ) No



# CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 West Ocean Boulevard - 5th Floor • Long Beach, CA 90802

(562) 570-6134  
FAX (562) 570-6068

## APPLICATION FOR APPEAL

An appeal is hereby made to Your Honorable Body from the decision of the  
 Zoning Administrator on the \_\_\_\_\_ day of \_\_\_\_\_ 19 10/27/04  
 Planning Commission

APPELLANT: Dorothy Mamula Ivey

APPLICANT: James Shabana (DBI) Colonial Investment (C LTD)

Project address: 3410 Long Beach Blvd

Permits requested: Conditional Use Permit for sale of Beer, wine etc.

Project description: Use permit for sale of beer & wine for off premise consumption at a 7-Eleven store

Reason for appeal: The sale of Beer and wine at this intersection will have adverse impact on public safety and quality of life

Your appellant herein respectfully requests that Your Honorable Body reject the decision of the  Zoning Administrator or  Planning Commission and  approve or  deny this application.

Signature of Appellant: Dorothy Mamula Ivey

Print name of Appellant: Dorothy Mamula Ivey

Mailing Address: 242 East Bixby Road, Long Beach 90807

Phone No. (562) 426-1666

Note: Please be sure to review the filing instructions on the reverse side of this form. A filing fee may be required.

=====STAFF USE ONLY=====

Counter Staff: Zoecker Case No. 040805 Date: 10/26

Filing Fee Required:  Yes  No Application complete:  Yes  No



# CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 West Ocean Boulevard - 5th Floor

Long Beach, CA 90802

(562) 570-3194

FAX (562) 570-6068

## APPLICATION FOR APPEAL

An appeal is hereby made to Your Honorable Body from the decision of the

Zoning Administrator on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

Planning Commission

APPELLANT: Edith A. Pearl

APPLICANT: James Station (owner) Colonial Investments (a.k.a.)

Project address: 3410 Long Beach Blvd.

Permits requested: conditional Use Permit for the sale of Beer + Wine

Project description: Request for the approval of a CUP for the sale of beer + wine for off-premise consumption at the 3rd level of the

Reason for appeal: We have to worry about some existing retail businesses in the area already. I have noticed around these places, people hanging out, begging for money and believe this will increase here a lot more. Retailers in my neighborhood.

Your appellant herein respectfully requests that Your Honorable Body reject the decision of the  Zoning Administrator or  Planning Commission and  approve or  deny this application.

Signature of Appellant: Edith A. Pearl

Print name of Appellant: Edith A. Pearl

Mailing Address: 3556 Pacific Ave

Phone No. (562) 427-6097

Note: Please be sure to review the filing instructions on the reverse side of this form. A filing fee may be required.

=====STAFF USE ONLY=====

Counter Staff: [Signature]

Case No. 0408-05

Date: 10/26

Filing Fee Required:  Yes  No

Application complete:  Yes  No

To whom it may concern

8/22/2004

I am the home owner of 3398 Elm Ave. N.B.  
but do not live at this address.

I vote NO for a New 7-11. All these the  
years have had nothing but trouble. Our  
Area needs safer establishments. For the  
last 23 years the area has changed alot and  
not for the better. Just ask the police Dept.  
Please send all notices for 3398 Elm

To



Thank you  
Grace Darlene Vom Bruch

**JOHN R. DEATS**

3600 Pacific Avenue  
Long Beach, California 90807  
(562) 424-6896

RECEIVED  
CITY CLERK  
LONG BEACH, CA  
04 DEC -6 AM 10:51

December 6, 2004

Mayor Beverly O'Niell  
City of Long Beach  
333 W. Ocean Boulevard  
Long Beach, California 90802

RE: Item #3 on Council Agenda for December 7, 2004

Dear Mayor O'Neill:

To be perfectly honest I do not know whether I should be pleased or pecced that the above referenced item was agendized as:

3. ADVISORY BODY: PLANNTNG COMMISSION  
SUBJECT: Appeals of John Deats, ct al .....

It is important to note that this is not a John Deats issue, but rather a Greater Bixby Knolls neighborhoods issue. For the record, I can claim partial authorship for both versions of the form letter that many people (I have heard that it was over 150) submitted to the Planning Commission. At the outside I might be responsible for at most one-fourth of those letters being signed and sent to city hall. I did explain to those people whom I asked to sign a letter that this would earn them "Aggrieved Status" should they wish to file an appeal if they did not agree with the decision of the Planning Commission.

It is my understanding that over one dozen individuals have filed appeals. The only appeal for which I am responsible is my own. I was out of the state at the time of the Planning Commission hearing and did not return until well after the cut-off for filing appeals. Anticipating that the Planning Commission would make a decision that I would object to, I packed a blank appeal form in my luggage. Upon confirming the outcome of the Planning Commission hearing by a long-distance phone call, I completed my appeal form and submitted it by fax; the "ink-signed" original followed by U. S. mail.

There is absolutely no way that I can take credit for the other people who filed appeals. Since returning to Long Beach I have become aware of the identity of a few of the other appellants. The names that I do recognize are known to me as bright, intelligent, strong-willed, articulate and caring citizens of Long Beach. Their appeals and their rights as appellants should be given the same weight and consideration as mine. Everyone of them who attends on the 7<sup>th</sup> deserves to be heard in full.

Page 2

RE: Item #3 on agenda

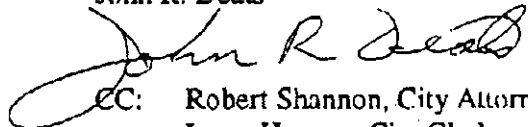
December 6, 2004

Reflecting on recent practices in conducting appeal hearings before the City Council, it is apparent that you prefer to have only one individual deliver the rebuttal for the appellant's side. While it can probably be argued that each and every appellant has a right to rebuttal under prevailing law, your method has certainly been more efficient. Therefore, I am volunteering to deliver the appellant rebuttal if you decide that only one will suffice.

It is certainly encouraging to me that so many of my fellow citizens from so many neighborhoods have seen fit to weigh in on this matter. It has been a long and arduous process. I hope and pray that the City Council will have the wisdom and the fortitude to make the proper decision and the appropriate findings.

Sincerely,

John R. Deats



CC: Robert Shannon, City Attorney  
Larry Herrera, City Clerk