

CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 West Ocean Boulevard • Long Beach, California 90802 • (562) 570-6194 FAX (562) 570-6068

December 21, 2004

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

SUBJECT: Adoption of Revised Findings to Deny a Conditional Use Permit to Allow
the Sale of Beer and Wine for Off-Premises Consumption at a 7- Eleven
Convenience Store (Case No. 0408-05) (District 7)

DISCUSSION

On December 7, 2004, the City Council conducted a public hearing on an appeal of the Planning Commission's approval of a Conditional Use Permit for sale of beer and wine at a proposed 7-Eleven retail convenience store located at 3410 Long Beach Boulevard. After considering testimony from persons in opposition to the approval, the City Council voted unanimously to overturn the Planning Commission's decision and grant the appeal, thereby denying the proposed Conditional Use Permit.

As a part of this motion, the City Council directed staff to return with revised findings supporting the action to deny the Conditional Use Permit. Staff has prepared revised findings (see attachment) that determine that the approval will cause a detrimental impact to the surrounding community including public health, safety and the general welfare, and the quality of life. This position is supported by the extensive testimony provided related to the history of similar convenience stores that added to the crime rate in adjacent neighborhoods. During public testimony, examples of common crimes and nuisances that occur at similar-type establishments included panhandling, loitering, trash and debris, robbery and theft, and the sale of alcohol to underage individuals. Additionally, it was stated that convenience stores located in close proximity to freeway on and off ramps are more likely to be robbed than other convenience stores with different geographical locations. Based on the public testimony provided, it has been shown that the Conditional Use Permit for alcohol sales is not in the best interest of the community and would impose a detrimental impact on the surrounding neighborhood.

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, a Categorical Exemption (CE 04-106) was issued on August 6, 2004.

Assistant City Attorney Michael Mais reviewed this report on December 13, 2004.

TIMING CONSIDERATIONS

None.

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FISCAL IMPACT

None.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Adopt revised findings to deny the Conditional Use Permit.

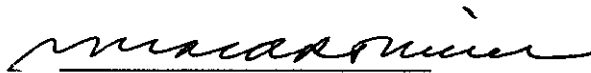
Respectfully submitted,



FADY MATTAR
ACTING DIRECTOR OF PLANNING AND BUILDING

FM: GC: VB
Attachment: Revised Findings

APPROVED:



GERALD R. MILLER
CITY MANAGER