



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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Long Beach, CA 90802

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June 4, 2009

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Approve a Conditional Use Permit request to allow the relocation of an existing check cashing use from 6425 E. Spring Street to 6537 E. Spring Street within the same commercial shopping center. (District 5)

APPLICANT: Mr. Sean Scully, Principal
Planning & Permit Technologies, Inc.
1874 E. Pacific Coast Hwy, #394
Redondo Beach, CA 90277
(Application No. 0903-05)

DISCUSSION

The subject site is located at 6537 E. Spring Street (Exhibit A – Location Map) at the northeast corner of Palo Verde and Spring Street. The site is located within the Community Commercial Automobile Oriented zone (CCA) and is developed with a 85,000 square foot shopping center. The applicant currently operates a check cashing business (Check "N" Go) in the shopping center at 6425 E. Spring Street. This business has been in operation since 1999. The applicant is requesting approval to relocate the business to the suite at 6537 E. Spring Street within the same shopping center (Exhibit B – Plans & Photos). Staff recommends approval of this Conditional Use Permit since the business has been operating within the shopping center with no adverse effects since 1999, and the use is consistent with the General Plan and the requirements of the Zoning Regulations.

In order for the Planning Commission to approve this request, positive findings must be made as indicated in the attached documents (Exhibit C – Findings & Conditions).

PUBLIC HEARING NOTICE

A Notice of Application was sent to the local community groups on March 30, 2009, and public hearing notices were distributed on May 19, 2009, in accordance with the provision of the Zoning Ordinance.

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ENVIRONMENTAL REVIEW

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, a Categorical Exemption (CE 09-014) was issued for the proposed project (Exhibit D – Categorical Exemption).

Respectfully submitted,

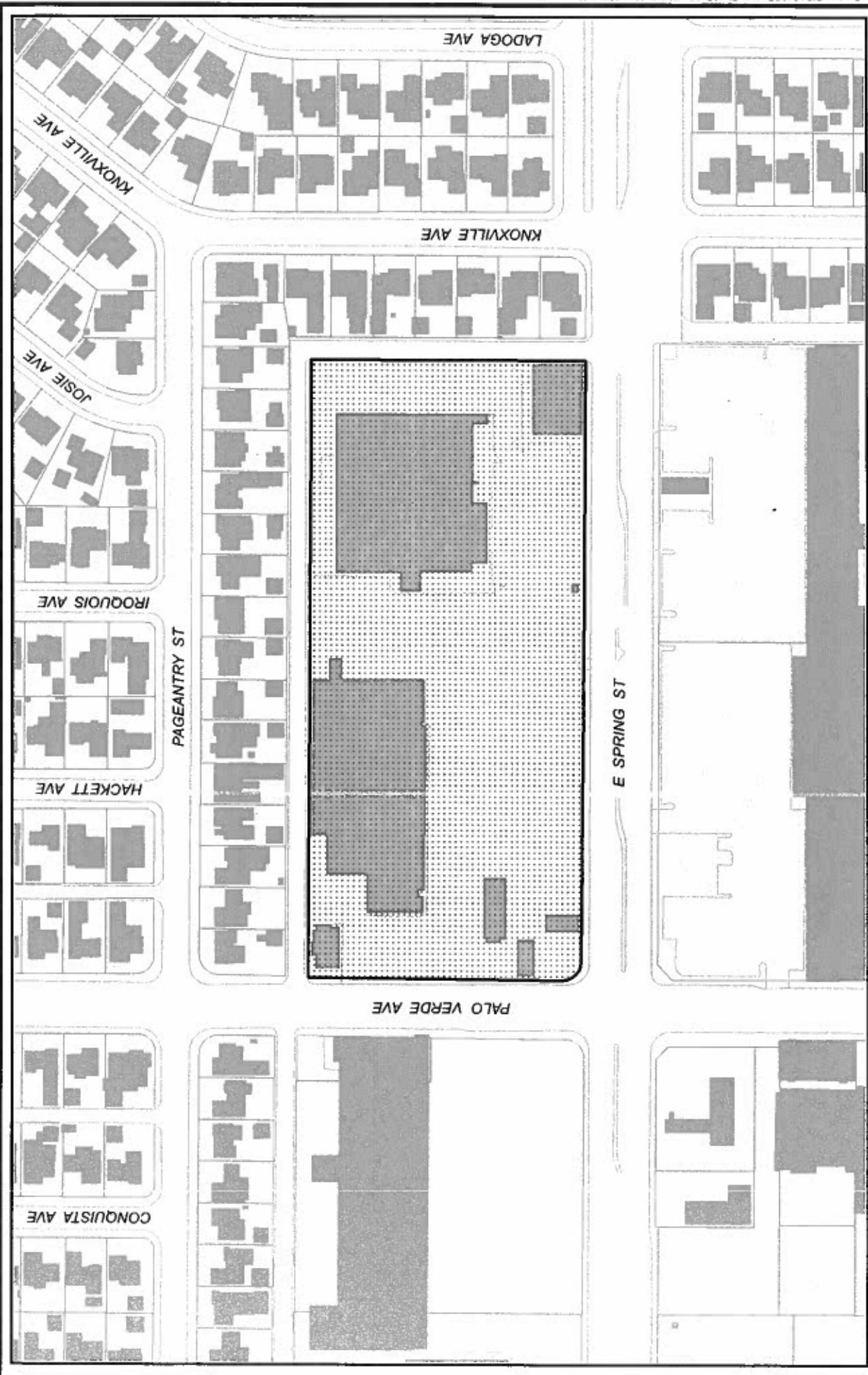
A handwritten signature in black ink, appearing to read 'C. Beck', with a long horizontal stroke extending to the right.

CRAIG BECK
DIRECTOR OF DEVELOPMENT SERVICES

CB:DB:mm

P:\Planning\PC Staff Reports (Pending)\2009-6-4\6537 E Spring Street- Case 0903-05

Attachments Exhibit A – Location Map
 Exhibit B – Plans & Photos
 Exhibit C – Findings & Conditions
 Exhibit D – Categorical Exemption 09-014



Subject Property:
 6537 E Spring St
 Application No. 0903-05
 Council District 5
 Zoning Code : CCA

Exhibit A



CONDITIONAL USE PERMIT CONDITIONS OF APPROVAL

6537 E. Spring Street

No. 0903-05

June 4, 2009

1. This use permitted on the site, in addition to other uses permitted in the CCA zone, shall be a check cashing business within an existing shopping center.
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. The hours of operation are limited to M-F 10 am – 6 pm, Saturday 10 am – 3 pm and Sundays closed.
5. In the event of an increase of crime as determined by the Chief of Police, additional security matures shall be established to the satisfaction of the Long Beach Chief of Police. A review of crime shall take place annually or on an as needed bases.
6. Windows shall not be obscured by placement of signs, dark window tinting, shelving, racks or similar obstructions.
7. Exterior phones, security bars and roll up doors shall be prohibited.
8. The applicant shall maintain a customer waiting/service area of sufficient size to fully accommodate anticipated queuing lines. Such waiting/service area shall provide not less than fifty square feet for each teller window.
9. The Department of Development Services, the Department of Community Development, 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.

10. All signs pertaining to the use shall be in compliance with the approved sign program.

Standard Conditions:

11. 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.
12. 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.
13. 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.
14. 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).
15. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Department of Development Services. These conditions must be printed on the site plan or a subsequent reference page.
16. The plans submitted for plan review must explicitly call out and describe all materials, textures, accents, colors, window, door, planter, and paving details that were approved by the Site Plan Review Committee and/or the Planning Commission. No substantial changes shall be made without prior written approval of the Zoning Administrator and/or the Planning Commission.
17. 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.

18. All landscaped areas must be maintained in a neat and healthy condition. Any dying or dead plants 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.
19. Any graffiti found on site must be removed within 24 hours of its appearance.
20. All rooftop mechanical equipment shall be fully screened from public view. Said screening must be architecturally compatible with the building in terms of theme, materials, colors and textures. If the screening is not specifically designed into the building, a rooftop mechanical equipment plan must be submitted showing screening and must be approved by the Director of Development Services prior to the issuance of a building permit.
21. The applicant shall file a separate plan check submittal to the Long Beach Fire Department for review and approval prior to the issuance of a building permit.
22. 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.
23. Separate building permits are required for signs, fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
24. Approval of this development 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.
25. 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
26. 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.

CONDITIONAL USE PERMIT FINDINGS

6537 E. Spring Street

No. 0903-05

June 4, 2009

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 accommodate retail and service uses exclusively, primarily in small clusters. It is widely dispersed in the form of numerous clusters of neighborhood-serving centers for the retail needs of residents of Long Beach.

The zone classification of the project is Community Automobile-Oriented (CCA) district. A check cashing service is allowed in this zone through the Conditional Use Permit process, subject to the special conditions enumerated in Section 21.52.212 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 proposed use will not be detrimental to the surrounding community. The applicant has been conducting business within the shopping center with an approved Administrative Use Permit (Case No. 9811-16), since 1999 at suite 6425 E. Spring Street of 1,470 sq. ft. and is now intending to move into a smaller suite addressed at 6537 E. Spring Street of 1,200 sq. ft. No adverse impacts have been reported at the existing location therefore 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.**

Section 21.52.212 states that the following conditions shall apply to check cashing services:

A. Off street parking for check cashing businesses shall be the same as for banks and savings and loans as required by chapter 21.41.

Chapter 21.41 requires a ratio of 5/1000 square feet similar to a shopping center. The check cashing business is proposed to relocate within the same shopping center therefore meeting the required 5/1000 square feet ratio.

B. If established in an existing shopping center, off street parking shall be provided as required for a shopping center by chapter 21.41.

The proposed check cashing business will be relocating within the same shopping center. The shopping center was developed with the required 5/1000 square feet ratio meeting the off street-parking requirement in chapter 21.41.

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

The proposed location has storefront windows and the windows are clear. Condition number 6 prohibits any obstruction to windows.

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

No exterior phones are located outside of the suite-addressed 6537 E. Spring Street. Conditions number 7 prohibits exterior phones, security bars and roll up doors.

E. The floor plan shall include a customer waiting/service area of sufficient size to fully accommodate anticipated queuing lines. Such waiting/service area shall provide not less than fifty (50) square feet for each teller window.

The floor plan indicates a waiting area of 525 square feet to accommodate three window tellers therefore the floor plan is in compliance with the requirement. Condition number 8 requires maintaining a customer waiting/service area based on the number of window tellers.

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

The hours of operation are limited to Monday through Friday, 10:00 a.m. to 6:00 p.m.; Saturday 10:00 a.m. to 3:00 p.m. and on Sunday it will be closed.