



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

September 20, 2012

CHAIR AND PLANNING COMMISSIONERS

City of Long Beach
California

RECOMMENDATION:

- 1) Adopt findings for denial of a Conditional Use Permit (CUP) request to allow a financial service operation (Title Loan Company) to locate within a one-story commercial building at 201 West Pacific Coast Highway in the Community Automobile-Oriented (CCA) and Regional Highway (CHW) zoning districts, or:
- 2) Adopt findings for approval of a Conditional Use Permit (CUP) request to allow a financial service operation (Title Loan Company) to locate within a one-story commercial building at 201 West Pacific Coast Highway in the Community Automobile-Oriented (CCA) and Regional Highway (CHW) zoning districts. (District 6)

APPLICANT: Pennbrooke Financial Services, LLC.
3440 Preston Ridge Road, Suite 500
Alpharetta, GA 30005
(Application No.1203-06)

DISCUSSION

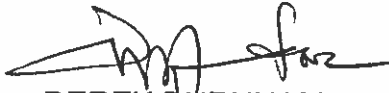
On August 2, 2012, the Planning Commission conducted a public hearing on a Conditional Use Permit (CUP) application to establish an "other financial service" at 201 West Pacific Coast Highway. After considering testimony from the applicants and the public, the Planning Commission received the supporting documentation into the record, concluded the hearing and voted 3-2 to deny the CUP application. As a part of the motion, staff was directed to return with revised findings to support the denial of the CUP request. While revising the findings, staff determined that the city Geographic Information System (GIS) used to determine the Zoning and General Plan designation provided the wrong General Plan Designation on the portion of the subject property that is zoned CNP. Instead of being in Land Use District No. 8N, the northerly, approximately forty eight feet of the subject property in the CNP zone should have had a Land Use Designation of 8P. The revised findings for denial (Exhibit A- Denial Findings) and approval (Exhibit B- Approval Findings) now include Land Use Designation No.8P and a description of the Land Use Designations for LUD#8N (Exhibit D - Land Use District No.8N) and LUD#8P (Exhibit E - Land Use District No.8N) for Planning Commission review.

CHAIR AND PLANNING COMMISSIONERS

September 20, 2012

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Respectfully submitted,



DEREK BURNHAM
PLANNING ADMINISTRATOR



AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

AJB:DB:sv

Attachments:

Exhibit A – Denial Findings

Exhibit B – Approval Findings, Conditions of Approval, Plans and Photos

Exhibit C – Categorical Exemption

Exhibit D – Land Use District No.8N

Exhibit E – Land Use District No. 8P

**CONDITIONAL USE PERMIT
DENIAL FINDINGS
201 West Pacific Coast Highway
No. 1203-06
September 20, 2012**

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 subject property is located within the CCA and CHW zoning districts, and within Land Use Districts No. 8N and 8P and is further considered to be the "gateway" to the Wrigley Village Community. A title loan company or other financial service use is allowed in both zones, subject to the approval of a Conditional Use Permit.

Land Use District No. 8N was created to accommodate exclusively retail and services uses, 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. Although the proposed use meets the one-half mile radius criteria, it fails to provide and is unlikely to produce the small cluster of retail and service uses contemplated by the General Plan.

The project site is located primarily in Land Use District No.8N (Shopping Nodes), a portion of the site (the northerly 48 feet of the lot) is located in Land Use Designation No. 8P (Pedestrian-Oriented Retail Strip). The proposed auto title loan company does not meet the intent of Land Use Designation No. 8N because it does not create, nor does it exist in a small cluster of ether retail or service uses as is contemplated by the "Shopping Nodes" designation of LUD No. 8N. As proposed this use would be a stand alone financial service use, would not provide vitality or create a commercial center or provide a small cluster of commercial activity as is contemplated by LUD No. 8N.

Land Use District No. 8P was created for use in a few specific areas of the City where strip retail uses catering primarily to pedestrian trade abound or may be developed. "Pedestrian-Oriented", as it is used in LUD No. 8P, means that shoppers arrive by foot (or arrive by car and park in one location) and then stroll to a number of shops, services and restaurants. Stops in these retail strips tend to be of much longer duration than in the auto-oriented retail strips. They may also have less parking for automobiles and such parking may be located behind

stores instead of in front of them. Typically, the stores in this district will be fairly small and will provide shoppers with a variety of convenience goods (bakery, delicatessen, flowers, etc.), or comparison goods on a small scale (dresses, beachwear, sporting goods, men's wear, etc.) Small-scale services are also consistent with this district, provided they are intended for neighborhood use. Large frontage users, such as financial institutions and the proposed use located in independent structures, are not consistent with the policies of this district.

The proposed auto title loan company, as mentioned, is located primarily in LUD No. 8N. However, the northerly forty-eight feet of the property is located in LUD No. 8P. Although only a portion of the property is located in LUD No. 8P, the intent of the general plan and general plan neighborhood policies related to South Wrigley state that new uses which are incompatible with a single family living environment should not be permitted. Since the proposed auto title loan company is not a pedestrian-oriented use, is a financial institution, and not a small cluster retail center, the use is determined to be incompatible with a single family living environment and therefore does not meet the criteria or intent of LUD No. 8P.

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 existing commercial building on the subject property has been vacant for at least six years and was part of the Central Project Area, before the Redevelopment Agency was abolished. The Redevelopment plan that was approved on the subject property, prior to the removal of the Redevelopment Agency, was to demolish the existing commercial building onsite and to construct a new, 1-story shopping center (small retail cluster). After funding for the plan was removed, the property has remained vacant. Along with being in a former Redevelopment Area, the property is also considered by many residents to be the gateway to the Wrigley Village community. This is an area that has been in transition for years and was improving through the removal of dilapidated buildings and unsuitable non-conforming uses. The Wrigley community, a very active community, is still excited to see changes to the lot, but have expressed interest only in uses that conform to the established LUD's for the area and which carry out the formerly approved Redevelopment plan. The approval of the proposed title loan company is seen as an obstacle and hurdle to neighborhood improvements because it would detract from the existing LUD criteria and the Redevelopment plan that was put in place to redevelop the site into a small cluster shopping center. Furthermore, the proposed loan company, because it is not a pedestrian-oriented use, would not provide vitality, serve to revive a transitioning community, nor activate the commercial building. Also, according

to the Central Long Beach Redevelopment Area plans (Central Long Beach Strategic Guide for Development) for The Pacific Avenue Neighborhood Center (also known as "Wrigley Village"), entryway signs, water features, lighting, murals and sculptures are recommended to help create a neighborhood identity. The plan also listed the subject site as an important site for redevelopment, with the most suitable uses being a drugstore or restaurant. The proposed auto loan company does not include improvements that will help create a neighborhood identity, does not create an active storefront, and is seen to be detrimental to the future development of adjoining parcels because it deviates from the anticipated vision or plans as set forth in the LUD designations for the site and for the Wrigley Village community.

The application was presented to Wrigley Neighborhood Group, Wrigley Area Neighborhood Alliance (WANA), Neighborhood Advisor Group (NAG) and Central Project Area Council (CPAC) on several occasions. The need to improve the community and to remove detrimental uses or those that detract from the community was the main concern of each group, as was the need to adhere to the applicable LUD's and continue with the plan that was put in place to revive a community in transition. Given the proposed use will not activate the corner, or create a neighborhood identity, and is in a location that the residents and community think will detract from the community, a denial is consistent with applicable LUD designations and the intent of the general plan based on public testimony and community feedback.

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

There are no special conditions for other financial services.

CONDITIONAL USE PERMIT FINDINGS

201 West Pacific Coast Highway

No. 1203-06

September 20, 2012

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 primarily located in Land Use District No. 8N (Shopping Nodes). However, a portion of the site (northerly forty eight feet of the lot) is located in Land Use Designation No. 8P.

Land Use Designation No. 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 title loan company meets the intent of LUD No. 8N by providing financial services to residents within a one-half mile radius of the site.

Land Use District No. 8P was created for use in a few specific areas of the City where strip retail uses catering primarily to pedestrian trade abound or may be developed. "Pedestrian-Oriented", as it is used here, means that shoppers arrive by foot (or arrive by car and park in one location) and then stroll to a number of shops, services and restaurants. Stops in these retail strips tend to be of much longer duration than in the auto-oriented retail strips. They may also have less parking for automobiles and such parking may be located behind stores instead of in front of them. Typically, the stores in this district will be fairly small and will provide shoppers with a variety of convenience goods (bakery, delicatessen, flowers, etc.), or comparison goods on a small scale (dresses, beachwear, sporting goods, men's wear, etc.) Small-scale services are also consistent with this district, provided they are intended for neighborhood use. Large frontage users, such as financial institutions in independent structures, are not consistent with the policies of this district.

The proposed auto title loan company, as mentioned, is located primarily in LUD No. 8N. However, the northerly forty-eight feet of the property is located in LUD No. 8P. The proposed auto title loan use is not a pedestrian-oriented use, is a financial use that is not allowed in LUD No. 8P, does not provide shoppers with a variety of convenience goods, and thus is inconsistent with LUD No. 8P. Although, the proposed use is inconsistent with this the intent of this section of

the General Plan, the subject property was built in compliance with the CHW Zoning District. Therefore, the placement of an auto title loan company within the existing building with an approved Conditional Use Permit is considered compatible with the intent of the General Plan.

The subject property is also located within the CCA and CHW zoning districts. A title loan company or other financial service use is allowed in both zones, subject to the approval of a Conditional Use Permit. Approval of this project would be consistent with the Zoning regulations with approval of the Conditional Use Permit.

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 existing commercial building on the subject property has been vacant for at least six years. The occupancy of a vacant site will be an improvement with the proposed conditions, which include, the removal of graffiti, security surveillance, repainting of the entire building, re-slurring and re-striping the parking lot, new landscaping, and Police security measures. Although much needed exterior repairs will be a major improvement, the proposed use may not be the most appropriate use on a major commercial corridor. Therefore staff asked the applicant to present their request to nearby community groups to gather feedback from the neighborhood. The applicants presented to Wrigley Neighborhood Group, Wrigley Area Neighborhood Alliance (WANA), Neighborhood Advisory Group (NAG) and Central Project Area Council (CPAC) on several occasions. There were both negative and positive responses from the community. Staff has received four letters in opposition to the request. In response to the concerns of the neighborhood and the need to enhance a dilapidated property, staff is recommending that the Planning Commission approve the title loan company. This approval is limited to an initial five-year period. The five-year period will allow staff to monitor the use on a yearly basis, to determine if the use is a good fit to the neighborhood. After the five-year time period, the applicant would need to apply for a new Conditional Use Permit to continue operations. With the proposed time limitations, included with the proposed operational conditions of approval, staff believes the use will not be detrimental to the surrounding community, public health, safety, or quality of life.

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

There are no special conditions for other financial services.



NOTICE of EXEMPTION from CEQA

DEPARTMENT OF DEVELOPMENT SERVICES
333 W. OCEAN BLVD., 5TH 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, 5th Floor
Long Beach, CA 90802

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

Categorical Exemption CE- 12-016

Project Location/Address: 201 West Pacific Coast Highway, Long Beach 90806

Project/Activity Description: Allow a "Financial Institution-Not Listed", per the City Land Use Matrix, including loans secured by automobile title to occupy an existing vacant commercial space in the CHW zone.

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

Applicant Name: Pennbrooke Financial Services, LLC

Mailing Address: 3440 Preston Ridge Rd. #500 Alpharetta GA 30005

Phone Number: 323-463-0377

Applicant Signature: 

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 1203-06 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 Class I 15301 EXISTING FACILITIES

Statement of support for this finding: Does Interior Alterations to an Existing Commercial Building, Including Interior & Exterior work, under Class I(a).

Contact Person: Steven Valdez

Contact Phone: 7 562-570-6571

Signature: 

Date: 7/25/12

more important major streets which should portray a highly urbanized appearance. It is for office uses which are more citywide serving than local, and for higher density housing. Also permitted in this district are institutional and open space uses without the need to amend the Plan.

Office uses should be fairly large in scale with on-site surface or in-building parking with vehicular access off the main roadway wherever possible. Taller structures (over 5 stories) are consistent where permitted by the zoning regulations. Heavy landscaping along the frontages is required to enhance the image of the boulevard on which the use is located.

Residential uses generally should be of the higher density types, such as permitted in LUD Nos. 3B, 4, 5 and 6. Townhomes (LUD No. 3A) may be appropriate in some places, and may be approved pending a favorable review of the site plan and architecture by the design review authority. Parking for the residential uses should be contained within the buildings. Access should be from the side streets or alleys wherever possible. Heavy landscaping along the frontages is required.

LUD NO. 8N SHOPPING NODES

This land use district is created to 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. Larger shopping centers are included in District No. 7.

A neighborhood retail cluster is intended by this plan for every community within about one-half mile of each residence, if feasible.

Some of these clusters are specifically designated on the map in areas where the pattern of land uses, the traffic flows, and the distribution of residences

more or less dictate the locations of the commercial centers. Elsewhere the map may not specifically designate the appropriate neighborhood shopping facility. In such cases, zoning for such facilities in predominantly residential land use districts is tacitly understood as the intent of this Plan, provided that such facilities are clustered with off-street parking and separated from each other by economic market radii.

Adequate off-street parking, minimization of curb cuts, maximization of side street access, and de-emphasis of curbside parking are critical in this District, especially as some of these thoroughfares may be subject to parking restriction in the future in order to increase traffic capacities.

LUD NO. 9R RESTRICTED INDUSTRY

This district is intended to accommodate industrial, manufacturing, research and development, warehousing, and large scale wholesale facilities and industrial-support office development. Non-industrial uses which are necessary or desirable for support of employment centers are also permitted at scales and intensities intended to serve nearby industrial businesses. Such supporting uses include restaurants, personal and financial services, retail uses related to the industrial uses, and medical clinics. Residential uses are not permitted.

Negligible environmental impacts are desired in this district. The Restricted Industry District typically will include clean, non-nuisance industries whose primary activities are confined completely indoors and those whose operations produce minimal off-site impacts with respect to traffic, emissions, noise, operating hours, etc. Much of the new employment projected by this Plan is expected to occur in the Restricted District 9R. Therefore, land resources identified in this District should be preserved from other uses, such as institutional, housing and commercial (with the exception of the industrial-support commercial uses mentioned above).

LUD NO. 8P PEDESTRIAN-ORIENTED RETAIL STRIP DISTRICT

This is a very special category for use in a few specific areas of the City where strip retail uses catering primarily to pedestrian trade abound or may be developed. "Pedestrian-oriented", as it is used here, means that shoppers arrive by foot (or arrive by car and park in one location) and then stroll to a number of shops, services and restaurants. Stops in these retail strips tend to be of much longer duration than in the auto-oriented retail strips. They may also have less parking for automobiles, and such parking may be located behind stores instead of in front of them.

Because of the importance of the role that the pedestrian-oriented strips play in serving the adjacent residential neighborhoods, and the special ambiance which they create for all shoppers, they are considered to be a valuable resource to be preserved and enhanced for the future.

Typically, the stores in this district will be fairly small and will provide shoppers with a variety of convenience goods (bakery, delicatessen, flowers, etc.), or comparison goods on a small scale (dresses, beachwear, sporting goods, men's wear, etc.). Small scale services are also consistent with this district, providing they are intended for neighborhood use. Large frontage users, such as financial institutions in independent structures, are not consistent with the policies of this district. Small restaurants and bars are consistent, but not larger nightclubs or places which emphasize entertainment and therefore draw from an area wider than one or two neighborhoods. Retail uses drawing on sub-regional and regional markets are not permitted.

Designs of commercial structures must be sensitive to neighboring residential uses. Commercial uses which may adversely affect adjoining residential uses are subject to conditional use permits.