

July 18, 2024

CHAIR AND PLANNING COMMISSIONERS

City of Long Beach
California

RECOMMENDATION:

Accept Categorical Exemption CE-24-096; and

Approve Conditional Use Permit CUP24-001 and adopt the proposed findings and conditions of approval thereto, to allow off-site alcohol sales (License Type 20 – Off-Sale Beer and Wine) for a Sprouts Farmers Market grocery store proposed within an existing 23,117-square-foot commercial tenant space located at 4600 East Pacific Coast Highway in the Community Automobile Oriented District (CCA) Zoning District. (District 3)

APPLICANT: Sprouts Farmers Market, LLC
C/o Terri Dickerhoff
5455 E High Street Suite 111
Phoenix, AZ 85054
(Application No. 2401-23)

DISCUSSION

The subject site is located within an existing 9.31-acre commercial shopping center at the southern corner of the Ximeno Avene and East Pacific Coast Highway intersection (Attachment A - Vicinity Map). The site is in the Community Automobile-Oriented (CCA) Zoning District and has a Neighborhood-Serving Centers or Corridors – Moderate General Plan Land Use Element (LUE) PlaceType, which allows for medium-rise, moderate intensity mixed-use (housing and retail) commercial centers and corridors that provide goods and services conveniently located relative to housing. A variety of commercial uses is encouraged for this LUE PlaceType to meet consumers' daily needs for goods and services, including but not limited to restaurants, cafes, retail shops, financial institutions, fitness centers and other daily conveniences within walking distance from residential uses. Surrounding uses include commercial uses to the west, north, and east, and residential uses to the south (Attachment B - Site Photographs).

The site was granted a special use permit in 1957 (S-37-57) to permit the construction operation and maintenance of a 119,082 square foot shopping center. Since then, each tenant



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space has gone through multiple tenant improvements and recently the site has received Site Plan Review approval for a façade remodel (App. No. 2305-08). The approval includes three new bulkhead buildouts, new architectural tower treatment, new patio seating, and new landscaping throughout. The tenant improvement and façade remodel are currently under construction and are in the inspection stages. A total of 607 parking spaces are provided onsite and shared between uses within the 9.31-acre shopping center. This site is also located within an Assembly Bill (AB) 2097 area, which prohibits local jurisdictions from imposing parking minimums on commercial uses when located in defined high-quality transit areas. Pursuant to Section 21.15.2486, the shopping center is considered a regional shopping center and meets the criteria of the 100,001 square foot of floor area minimum.

Project Proposal

The proposed project entails off-site alcohol sales (License Type 20 – Off-Sale Beer and Wine) within an existing 23,117-square-foot tenant space that will be rebranded and renovated from a former office supply retail store to a full-service grocery store (Sprouts Farmers Market) (Attachment C – Plans). The existing tenant space has gone through by right approvals for the tenant improvement and is currently in the inspection stages. In the CCA Zoning District, a Conditional Use Permit (CUP) is required for on-site alcohol sales within 500 feet of a residential zoning district.

Conditional Use Permit

The applicant is requesting a Type 20 Alcoholic Beverage Control (ABC) license which allows the sale of beer and wine for off-site consumption in conjunction with a retail establishment. This license type allows for minors to be on the premises. The grocery store will operate daily, Monday through Sunday from 7:00 a.m. to 10:00 p.m. (Attachment D – Operational Statement). The proposed use will provide dry food items, fresh fruit and vegetables, and other essentials to the surrounding community. Within the grocery store, a total of 400 square feet will be dedicated to alcohol sales, which amounts to less than two percent of the overall tenant space reserved for alcohol display. The alcohol will only be located in specific areas of the grocery store, including within refrigerated and non-refrigerated sections that are located central to the tenant space. Based on the size of the tenant space, a total of 116 parking spaces are required for the retail use and 607 parking spaces are provided and shared between uses within the 9.31-acre shopping center. This site is also located within AB 2097 area, which prohibits local jurisdictions from imposing parking minimums on commercial uses when located in defined high-quality transit areas.

In accordance with Section 21.25.201 of the Zoning Regulations, the purpose of a CUP is to allow the review of a proposed use to determine if it is compatible with the adjacent uses or can be made compatible with the surrounding uses, with the imposition of conditions. In addition, Section 21.52.201 of the Zoning Regulations establishes a number of requirements for projects that propose alcohol beverage sales that require a CUP. These requirements include compliance with off-street parking; that there not be an overconcentration of alcohol licenses within a Census Tract; that the use not be in a reporting district with a high crime rate as reported

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by the Long Beach Police Department (LBPD); and the use is not in proximity to schools and parks (Attachment E - Findings). Section 21.25.209 of the Zoning Regulations allows these conditions to be waived subject to written findings.

The subject property is within Census Tract 5750.02. ABC recommends a maximum of two off-sale alcohol licenses for this census tract based on the current population within the tract. There are currently two licenses for off-premises sales within this Census Tract (Attachment F - ABC Statistics). Adding a third off-sales alcohol license at this location will contribute to the over concentration of off-site sales within the census tract. Pursuant to Section 21.52.201 of the Zoning Regulations grocery stores that are over 20,000 square feet, provide fresh fruit, vegetables, meat, and canned good are exempt from special standards related to over concentration in a census tract and being located 500 feet from a public school or public park.

While the census tract has two off-sale ABC licenses, those uses are located 1,024.49 feet and 2,644.90 feet from the site (Loma Mini Market and 7-Eleven) and are food retail uses. The requested CUP is for a Type 20 liquor license for a grocery store as a service and convenience to the customers. The site is located within a regional shopping center, which upon completion of the remodel already underway, the primary use will be the grocery store including the sale of alcohol as an accessory use. As such, the proposed project is not adding an establishment whose primary business involves the sale of alcohol, such as a liquor store.

The proposed primary and accessory use improves nearby residents' access to a variety of goods and services, consistent with General Plan-Strategy No. 10 (Land Use Element page 118) – to “create complete neighborhoods with identifiable centers and a full range of supporting neighborhood-serving uses to meet the daily needs of residents.” As conditioned, the proposed use is not anticipated to have negative impacts that can sometimes be associated with alcohol sales. The recommended conditions of approval are intended to ensure the use operates in a manner compatible with the surrounding area. Such proposed conditions include mandatory staff training to ensure that staff are adequately trained to address any issues that might arise in association with the sale of alcohol (Attachment G - Conditions of Approval).

The site is located within Police Reporting District 604 within the East Division. The crime rate for this reporting district is 40. Pursuant to Section 21.15.1338 of the Zoning Regulations, "high crime" means a crime rate in a crime reporting district that is 20 percent above the City-wide average for all crimes. The City-wide average for all crime is 55.04, therefore, the threshold for high crime is 66. Therefore, this area is not designated as a high crime area. LBPD has reviewed the CUP request for this location and has no objection to its approval. Although the location is not within a high-crime area, conditions pertaining to lighting and security have been included to maintain safe conditions within the surrounding community.

Section 21.52.201 of the Zoning Regulations requires the site not to be located within 500 feet of a public school or park. The site is located more than 500 feet from a public park. The nearest park (Recreation Park) is located approximately 1,243 feet southeasterly of the site. While there are no public schools within the 500-foot radius. Nonetheless, the conditions of approval will ensure security and safety measures are maintained with the operation of the use. Furthermore,

the site will be equipped with a surveillance system, which will cover all sale areas and exterior elevations to deter criminal activity and promote safety.

City staff coordinated with the LBPd to address potential negative impacts from the operation of the grocery store with alcohol sales (beer and wine only). City staff finds that the approval of this CUP application will have minimal impact on the surrounding land uses with the implementation of the operational requirements included in the conditions of approval. Therefore, City staff recommends that the Planning Commission accept categorical exemption CE-24-096 and approve the CUP, subject to conditions.

PUBLIC HEARING NOTICE

A total of 639 Public Hearing notices were distributed on July 3, 2024, for the Planning Commission hearing in accordance with the requirements of Chapter 21.21 of the Zoning Regulations. No comments were received at the time the report was prepared.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA) this project is eligible for a categorical exemption per Section 15301 (Existing Facilities) of the CEQA Guidelines (CE-24-096). The physical construction associated with the project relates to the sale of alcohol beverage products within an existing commercial building.

Respectfully submitted,



LIANA ARECHIGA
PROJECT PLANNER



MARYANNE CRONIN
ZONING ADMINISTRATION OFFICER



CHRISTOPHER KOONTZ, AICP
DIRECTOR OF COMMUNITY DEVELOPMENT

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Attachments: Attachment A – Vicinity Map
 Attachment B – Site Photographs
 Attachment C – Plans

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Attachment D – Operational Statement

Attachment E – Findings

Attachment F – ABC Statistics

Attachment G – Conditions of Approval