



CITY OF LONG BEACH

OFFICE OF THE CITY CLERK

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • (562) 570-6101 •

September 20, 2018

Mr. Vincent Cravens
District Administrator
Department of Alcoholic Beverage Control
3950 Paramount Boulevard, Suite No. 250
Lakewood, California 90712

Re: Application of M & L Leasing, Incorporated, dba Long Beach Circle K, to Determine the Application Serves the Public Convenience and Necessity for an original application of an Alcoholic Beverage Control License, at 6370 East Stearns Street.

Dear Mr. Cravens:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, September 18, 2018 approved the request to file a protest regarding the subject application based on the fact that licensing the premises would be contrary to City of Long Beach zoning ordinances, since a Conditional Use Permit (CUP) is required.

The City Council also approved the City Manager to withdraw the protest if the City's Planning Commission approves the CUP and if no appeal is made during the 10-day appeal period for the CUP. It is anticipated that the CUP will be acted upon by the Planning Commission, and once the appeal period has elapsed, a letter will be transmitted to ABC withdrawing the City's protest.

At the same meeting, the Long Beach City Council took the concurrent action to determine and find that the subject application would serve the public convenience and necessity.

Enclosed is a copy of the City Council documentation and a certified excerpt of the minutes for your file. The City of Long Beach thanks you for your assistance in this matter.

Respectfully submitted,

MONIQUE DE LA GARZA
CITY CLERK

Prepared by:
Pablo Rubio

Attachment

cc: Daryl Supernaw, Councilmember, Fourth District
Mayor
City Prosecutor
Police Department (2) Chief & Vice
Referral File
FAX forwarded to ABC, (562) 982-1396



CITY OF LONG BEACH

POLICE DEPARTMENT

400 WEST BROADWAY LONG BEACH CALIFORNIA 90802

C-22

Robert G. Luna
Chief of Police

September 18, 2018

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the application of M & L Leasing, Incorporated, dba Long Beach Circle K, for an original application of an Alcoholic Beverage Control (ABC) license, at 6370 East Stearns Street; determine that the application serves the public convenience and necessity; submit a Public Notice of Protest to ABC; and, direct the City Manager to withdraw the protest if a Conditional Use Permit (CUP) is granted. (District 4)

DISCUSSION

It is City Council policy to review applications for ABC licenses to determine if a basis for protest against the issuance of the license exists. The attached application lists the possible bases for protest.

TIMING CONSIDERATIONS

The Department of Alcoholic Beverage Control received the above application on August 2, 2018. The applicant is still in the planning stages, and has not yet received a CUP. Provided the Planning Commission approves the CUP, the recommendation includes a request to direct the City Manager to withdraw the Public Notice of Protest. City Council action is requested on September 18, 2018, to respond to the Department of Alcoholic Beverage Control by the September 21, 2018, due date.

FISCAL IMPACT

There is no fiscal impact associated with this recommendation.

HONORABLE MAYOR AND CITY COUNCIL
September 18, 2018
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SUGGESTED ACTION:

Approve recommendation.


Respectfully submitted,



ROBERT G. LUNA
CHIEF OF POLICE

RGL:ja

APPROVED:



PATRICK H. WEST
CITY MANAGER

ATTACHMENTS

HONORABLE MAYOR AND CITY COUNCIL
September 18, 2018

Council District: 4

Applicant: M & L Leasing, Incorporated
DBA: Long Beach Circle K
Address: 6370 East Stearns Street

Type of Application: An original application for an Off-Sale Beer and Wine license.

Bases for possible protest: Over concentration.
High crime.
Residences within 100 feet.

PUBLIC CONVENIENCE DETERMINATION: A determination by the City of public convenience and necessity **is** required for this application.

Census Tract: 5743.00

Boundaries: Spring Street to the North
Atherton Street to the South
Palo Verde Avenue to the East
Bellflower Boulevard to the West

Number of licenses allowed: 3

Number of licenses existing: 5

Police Reporting District: 634

Boundaries: Willow Street to the North
Stearns Street to the South
Palo Verde Avenue to the East
Bellflower Boulevard to the West

Reported crimes in this district for ABC purposes are 151. Crime in a reporting district must be at least 126 to qualify for a high crime protest.

Type of business: A convenience store.

Last day to request
conditions and protest: September 21, 2018



Date: September 18, 2018
To: File
From: Jennifer Arzola, Detective, Vice Investigations Section
Subject: **LONG BEACH CIRCLE K – 6370 EAST STEARNS STREET**

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (8/2/17-8/2/18)

2	5150	Mentally Ill Person	Gone on Arrival
2	R594	Vandalism Report	Will File Later
1	245	Assault with Weapon	Booked and Filed
1	UNWELC	Unwelcome Subject	Advised

ABC INSPECTIONS (past three years)

Not Applicable

RESIDENCE WITHIN 100 FEET

6360 E Stearns Street	Single Family Dwelling
6350 E Stearns Street	Single Family Dwelling
6340 E Stearns Street	Single Family Dwelling
6330 E Stearns Street	Single Family Dwelling
2141 Palo Verde Avenue	Single Family Dwelling
2131 Palo Verde Avenue	Single Family Dwelling
2121 Palo Verde Avenue	Single Family Dwelling
6350 El Paseo Street	Single Family Dwelling
6351 El Paseo Street	Single Family Dwelling
6360 El Paseo Street	Single Family Dwelling
6361 El Paseo Street	Single Family Dwelling
6371 El Paseo Street	Single Family Dwelling

CHURCHES, SCHOOLS, PARKS, HOSPITALS AND PLAYGROUNDS WITHIN 600 FEET

None

**AN EXCERPT FROM THE MINUTES OF
THE LONG BEACH CITY COUNCIL MEETING
HELD TUESDAY, SEPTEMBER 18, 2018**

CONSENT CALENDAR: (6:49 PM)

22. (18-0835) Recommendation to receive the application of M & L Leasing, Incorporated, dba Long Beach Circle K, for an original application of an Alcoholic Beverage Control (ABC) license, at 6370 East Stearns Street; determine that the application serves the public convenience and necessity; submit a Public Notice of Protest to ABC; and, direct the City Manager to withdraw the protest if a Conditional Use Permit is granted. (District 4)

Suggested Action: Approve recommendation.

Motion: Approve Consent Calendar Items 4 - 23.
Moved by Councilmember Uranga, seconded by Councilwoman Gonzalez.

Vote: Approve Consent Calendar Items 4 - 23.(Carried 7-0)
Yes: Councilwoman Gonzalez, Councilmember Pearce, Councilmember Supernaw, Councilwoman Mungo, Councilmember Uranga, Councilman Austin, and Councilmember Richardson.
Absent: Councilwoman Price, Vice Mayor Andrews.

CERTIFIED AS A TRUE AND CORRECT COPY


CITY CLERK OF THE CITY OF LONG BEACH

DATE: September 20, 2018

Pablo Rubio

From: Fax2Mail Powered by EasyLink Services <reports@reply.fax2mail.com>
Sent: Thursday, September 20, 2018 1:01 PM
To: Pablo Rubio
Subject: ABC License Letter - dba Long Beach Circle K, 6370 East Stearns Street

MAIL2FAX DETAILED DELIVERY REPORT	
Attention	DLA Admin
Job Number	1764943242
Sent By User	F2M/30565075606
Entered Fax2Mail System	09/20 12:57
Report Generated	09/20 13:00
Subject	ABC License Letter - dba Long Beach Circle K, 6370 East Stearns Street
Page Count	7 (including cover sheet)

SUMMARY		
Sent: 1	Errors: 0	Cancelled: 0
Total: 1		

Destination	Status	Date	Time	Num. Retries
5629821396	SENT	09/20	13:00	1