



CITY OF LONG BEACH

OFFICE OF THE CITY CLERK

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

May 9, 2018

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

Re: Application of The Modern, LLC, dba The Bar Modern, for an original application of an Alcoholic Beverage Control License, at 2801 East Spring Street, Suite 300.

Dear Mr. Cravens:

At its Tuesday, February 20, 2018 meeting the Long Beach City Council voted to file a protest with the Department of Alcoholic Beverage Control concerning the subject application. Enclosed is a copy of the protest letter, which indicated that the City Council also approved withdrawing the protest if no appeal was filed concerning the required Conditional Use Permit within the 10-day appeal period for the CUP.

Please be advised that the Long Beach City Council, by this letter, is officially withdrawing its protest for the subject application for The Modern, LLC, dba The Bar Modern.

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: Stacy Mungo, Councilwoman, Fifth District
Mayor
City Prosecutor
Police Department (2) Chief & Vice
Referral File
FAX forwarded to ABC, (562) 982-1396



CITY OF LONG BEACH

OFFICE OF THE CITY CLERK

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • (562) 570-6101 • FAX (562) 570-6789

February 22, 2018

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

Re: Application of The Modern, LLC, dba The Bar Modern, for an original application of an Alcoholic Beverage Control License, at 2801 East Spring Street, Suite 300.

Dear Mr. Cravens:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, February 20, 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.

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: Stacy Mungo, Councilwoman, Fifth District
Mayor
City Prosecutor
Police Department (2) Chief & Vice
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**AN EXCERPT FROM THE MINUTES OF
THE LONG BEACH CITY COUNCIL MEETING
HELD TUESDAY, FEBRUARY 20, 2017**

CONSENT CALENDAR: (05:37 PM)


18. (18-0158) Recommendation to receive and file the application of The Modern, LLC, dba The Bar Modern, for an original application of an Alcoholic Beverage Control (ABC) License, at 2801 East Spring Street, Suite 300; submit a Public Notice of Protest to ABC; and, direct City Manager to withdraw the protest if a Conditional Use Permit is granted. (District 5)

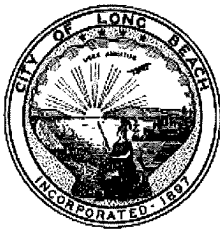
Suggested Action: Approve recommendation.

Motion: Approve Consent Calendar Items 3 - 20.
Moved by Councilman Andrews, seconded by Councilwoman Gonzalez.

Vote: Approve Consent Calendar Items 3 - 20.(Carried 9-0)
Yes: Councilwoman Gonzalez, Councilmember Pearce, Councilwoman Price, Councilmember Supernaw, Councilwoman Mungo, Councilman Andrews, Councilmember Uranga, Councilman Austin, and Vice Mayor Richardson.

CERTIFIED AS A TRUE AND CORRECT COPY


CITY CLERK OF THE CITY OF LONG BEACH *P. Rubio*
my 22, 2018



CITY OF LONG BEACH

C-18

POLICE DEPARTMENT

400 WEST BROADWAY LONG BEACH CALIFORNIA 90802

Robert G. Luna
Chief of Police

February 20, 2018

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive and file the application of The Modern, LLC, dba The Bar Modern, for an original application of an Alcoholic Beverage Control (ABC) license, at 2801 East Spring Street, Suite 300; 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 5)

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.

TIME CONSIDERATIONS

The Department of Alcoholic Beverage Control received the above application on January 4, 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 February 20, 2018, to respond to the Department of Alcoholic Beverage Control by the February 23, 2018 due date.

FISCAL IMPACT

There is no fiscal impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



ROBERT G. LUNA
CHIEF OF POLICE

APPROVED:


PATRICK H. WEST
CITY MANAGER

RGL:jjj

ATTACHMENTS

HONORABLE MAYOR AND CITY COUNCIL
February 20, 2018

Council District: 5
Applicant: The Modern, LLC
DBA: The Bar Modern
Address: 2801 East Spring Street, Suite 300

Type of Application: An original application for an On-Sale General bona fide eating place license.

Bases for possible protest: High Crime.
Over Concentration.

PUBLIC CONVENIENCE DETERMINATION: A determination by the City of public convenience and necessity **is not** required for this application.

Census Tract: 9800.18
Boundaries: Conant Street to the North
Willow Street to the South
Clark Avenue to the East
Cherry Avenue to the West

Number of licenses allowed: 0
Number of licenses existing: 9

Police Reporting District: 471

Boundaries: Conant Street to the North
Spring Street to the South
Lakewood Boulevard to the East
Junipero Avenue to the West

Reported crimes in this district for ABC purposes are 192. Crime in a reporting district must be at least 124 to qualify for a high crime protest.

Type of business: A restaurant.
Last day to request conditions and protest: February 23, 2018



Date: February 20, 2018
To: File
From: Jennifer Arzola, Detective, Vice Investigations Section
Subject: **THE MODERN BAR – 2801 EAST SPRING STREET, SUITE 300**

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (1/4/17-1/4/18)

None

ABC INSPECTIONS (past three years)

Not applicable

RESIDENCES WITHIN 100 FEET

None

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

None

JJA:jj
CFSmemo.TheModernBar

Pablo Rubio

From: Fax2Mail Powered by EasyLink Services <reports@reply.fax2mail.com>
Sent: Wednesday, May 9, 2018 6:17 PM
To: Pablo Rubio
Subject: ABC License Letter withdrawing protest - dba The Bar Modern, 2801 East Spring Street, Suite 300

MAIL2FAX DETAILED DELIVERY REPORT	
Attention	DLA Admin
Job Number	1536086466
Sent By User	F2M/30565075606
Entered Fax2Mail System	05/09 18:14
Report Generated	05/09 18:16
Subject	ABC License Letter withdrawing protest - dba The Bar Modern, 2801 East Spring Street, Suite 300
Page Count	8 (including cover sheet)

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

Destination	Status	Date	Time	Num. Retries
5629821396	SENT	05/09	18:16	1