



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

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

January 23, 2013

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

Re: Application of Peacer Ng and Nancy Nguyen, dba Dongmai
Supermarket, for an Original Alcoholic Beverage Control License
at 1241 East Anaheim Street. (District 6)

Dear Mr. Cravens:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, January 22, 2013, received and filed the subject application with the attached conditions, as requested by Dee Andrews, Councilman, Sixth District. Transmitted for your files is a copy of the conditions, and this request that the conditions be applied to the license, as applicable under ABC rules and regulations.

The City of Long Beach thanks you for taking this request into consideration.

Respectfully submitted,

LARRY G. HERRERA
CITY CLERK

Prepared by:
Daisy Gomez

Attachment (1)

Cc: Dee Andrews, Councilman, 6th District
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 • (562) 570-7260 • FAX (562) 570-7114

Jim McDonnell
Chief of Police

January 22, 2013

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive and file the application of Peacer Ng and Nancy Nguyen, dba Dongmai Supermarket, for an original Alcoholic Beverage Control license, at 1241 East Anaheim Street, with conditions. (District 6)

DISCUSSION

It is City Council policy to review applications for Alcoholic Beverage Control 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

City Council response is due to the Department of Alcoholic Beverage Control by January 31, 2013. Accordingly, City Council action is required at the January 22, 2013 City Council meeting.

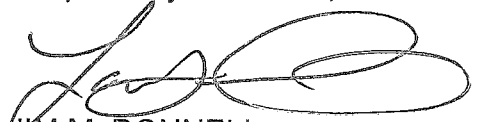
FISCAL IMPACT

None.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,


JIM McDONNELL
CHIEF OF POLICE
ACTING COP, LAURA FARENELLA
JM:CNA:cna

APPROVED:


PATRICK H. WEST
CITY MANAGER

HONORABLE MAYOR AND CITY COUNCIL
January 22, 2013

Council 6

Applicant: Peacer Ng and Nancy Nguyen
DBA: Dongmai Supermarket
Address: 1241 East Anaheim

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

Bases for possible protest: Residence within 100 feet.
Public playground within 600 feet
School within 600 feet.

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

Census Tract: 5752.01

Boundaries: Pacific Coast Highway to the North
Anaheim Street/15th Street to the South
Gundry Avenue/Walnut Avenue to the East
Martin Luther King Jr. Avenue to the West

Number of licenses allowed: 3
Number of licenses existing: 3

Police Reporting District: 383

Boundaries: 15th Street to the North
Anaheim Street to the South
Walnut Avenue to the East
Orange Avenue to the West

Reported crimes in this district for ABC purposes are 163. Crime in a reporting must be at least 171 to qualify for a high crime protest.

Type of business: A neighborhood market.

Last day to request conditions and protest: January 31, 2013



Date: January 22, 2013
To: File
From: Chris Anderson, Detective, Vice Investigations Section
Subject: **DONGMAI SUPERMARKET, 1241 EAST ANAHEIM STREET**

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (12/12/11-12/12/12)

4	UNWELC	Unwelcome Subject	ADV
1	UNWELC	Unwelcome Subject	GOA
1	415	Disturbing the Peace	UNF

ABC INSPECTIONS (past three years)

None

RESIDENCE WITHIN 100 FEET

1354 Orange Avenue	Single Family Residence
1334 Orange Avenue	Single Family Residence
1353 Warren Avenue	Single Family Residence
1202 Werner Street	Single Family Residence
1204 Werner Street	Single Family Residence
1203 Werner Street	Single Family Residence
1205 Werner Street	Single Family Residence
1213 Werner Street	Single Family Residence
1219 Werner Street	Single Family Residence
1221 Werner Street	Single Family Residence
1233 Werner Street	Single Family Residence
1235 Werner Street	Single Family Residence

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

Mac Arthur Park	1321 E. Anaheim Street
Abraham Lincoln Elementary	1175 E. 11 th Street

January 22, 2013

**CONDITIONS OF OPERATION
SALE BEER AND WINE LICENSE
Dongmai Supermarket
1241 East Anaheim Street**

1. 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 these special conditions 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.
2. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, fences and the perimeter of the site (including all public parkways). Any graffiti painted or marked upon the premises or on any adjacent area under the control of the licensee(s) shall be removed or painted over within 24 hours of being applied.
3. Sales of alcoholic beverages shall be permitted only between the hours of 8:00 a.m. and 9:00 p.m. each day of the week.
4. The petitioner(s) shall be responsible for maintaining the area adjacent to the premises over which they have control free of litter.
5. No wine shall be sold with an alcoholic content of greater than 15 percent by volume.
6. No beer or malt beverage products shall be sold, regardless of container size in packages of less than three per sale.
7. No wine shall be sold in bottles or containers smaller than 750ml, other than dessert wines in 375ml bottles, and wine coolers shall not be sold in quantities of less than four per sale.
8. No alcoholic beverages shall be consumed on any property adjacent to the premises under the control of the licensee.
9. There shall be no exterior advertising or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs, which are clearly visible to the exterior, shall constitute a violation of this condition.

10. The possession of alcoholic beverages in open containers and the consumption of alcoholic beverages is prohibited on or around these premises.
11. There shall be no cups, glasses, or similar receptacles, commonly used for the drinking of beverages given away at the petitioner's premises in quantities of less than twenty-four or in their original multi-container package. Licensee(s) may sell such receptacles at fair market value.
12. No sales to any person appearing to be or actually intoxicated shall be allowed.
13. All sales of alcohol shall be directly supervised by an authorized employee of the licensee, aged at least 21 years, including inspection of identification to verify age of purchaser, and observation of purchaser to ensure no sales to intoxicated persons.
14. The sale of beer or malt beverages in quantities of quarts, 32 oz., or 40 oz. is prohibited.
15. The operator shall maintain full compliance with all applicable laws, ABC laws, ordinances and stated conditions. In the event of a conflict between the requirements of this permit, Conditional Use Permit, or Alcoholic Beverage Control license, the more stringent regulation shall apply.
16. The operator of the approved use shall prevent loitering and loud noises around the project site and after hours of operation. Licensee shall take all reasonable measures to prohibit and prevent any loitering on the premises.

FAILURE TO COMPLY WITH THESE CONDITIONS MAY RESULT IN A BUSINESS LICENSE REVOCATION OR SUSPENSION, PURSUANT TO LONG BEACH MUNICIPAL CODE (LBMC) SECTION 3.80.429.1.

Fax Delivery Successful

Fax Notification

Fax Notification			
To:	ABC	From:	Daisy Gomez/CC/CLB
Fax subject:	Original ABC License- Dongmai Supermarket, 1241 E. Anaheim St	Status:	
Fax number:	982-1396	Cover page:	Default
Date sent:	2013-01-24 13:10:12	Total pages sent:	8
Calling Station ID:	City of Long Beach		

Advanced

Fax Notification			
Request number:	347391	Line number:	1
Number of retries:	0	Process time:	107 seconds

For more information follow this document link to the outbound log entry. 