



CITY OF LONG BEACH

OFFICE OF THE CITY CLERK

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

July 25, 2016

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

Re: Application of Zeyad, Incorporated, dba California Heights Market, to Determine the Application Serves the Public Convenience and Necessity for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 3766 Orange Avenue.

Dear Mr. Cravens:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, July 19, 2016 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.

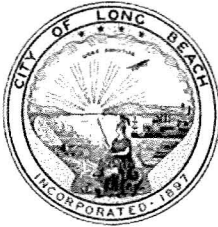
Respectfully submitted,


MARIA DE LA LUZ GARCIA
CITY CLERK

Prepared by:
Pablo Rubio

Attachment

cc: Roberto Uranga, Councilmember, Seventh 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

R-14

Robert G. Luna
Chief of Police

July 19, 2016

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the application of Zeyad, Incorporated, dba California Heights Market, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control (ABC) license, at 3766 Orange Avenue, determine 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 7)

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. This license is being transferred from a liquor store in the city of Pasadena, and will be an upgrade to the existing license at the premises.

TIMING CONSIDERATIONS

The Department of Alcoholic Beverage Control received the above application on June 10, 2016. The applicant is still in the planning stage, 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 July 19, 2016 to respond to the Department of Alcoholic Beverage Control by the July 29, 2016 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

HONORABLE MAYOR AND CITY COUNCIL
July 19, 2016

Council District 7

Applicant: Zeyad, Incorporated
DBA: California Heights Market
Address: 3766 Orange Avenue

Type of Application: A Person-to-Person and Premise-to-Premise transfer of an Off-Sale General license.

Bases for possible protest: Over concentration.
Residences within 100 feet.
School within 600 feet.
Church within 600 feet.
Licensing this premises would be in contrary to Long Beach Zoning Ordinances.

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

Census Tract: 5720.01

Boundaries: Bixby Road to the North
City Limits to the South
Cherry Avenue to the East
Atlantic Avenue to the West

Number of licenses allowed: 3
Number of licenses existing: 6

Police Reporting District: 401

Boundaries: Bixby Road to the North
36th Street to the South
Cherry Avenue to the East
Orange Avenue to the West

Reported crimes in this district for ABC purposes are 30. Crime in a reporting district must be at least 140 to qualify for a high crime protest.

Type of business: A liquor store.

Last day to request conditions and protest: July 29, 2016

**AN EXCERPT FROM THE MINUTES OF
THE LONG BEACH CITY COUNCIL MEETING
HELD TUESDAY, JULY 19, 2016**

REGULAR AGENDA: (08:08 PM)

14. (16-0651) Recommendation to receive the application of Zeyad, Incorporated, dba California Heights Market, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control (ABC) License, at 3766 Orange Avenue, determine 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 7) (08:12 PM)

Suggested Action: Approve recommendation.

Motion: Approve recommendation.

Moved by Councilmember Uranga, seconded by Councilwoman Mungo.

Vote: Approve recommendation.(Carried 7-0)

Yes: Councilwoman Gonzalez, Councilmember Pearce, Councilwoman Price, Councilmember Supernaw, Councilwoman Mungo, Councilmember Uranga, and Councilmember Richardson.

Absent: Councilman Andrews, Councilman Austin.

CERTIFIED AS A TRUE AND CORRECT COPY



CITY CLERK OF THE CITY OF LONG BEACH

p. Rubio

DATE: July 25, 2016

Pablo Rubio

From: Fax2Mail Powered by EasyLink Services <reports@reply.fax2mail.com>
Sent: Monday, July 25, 2016 5:49 PM
To: Pablo Rubio
Subject: ABC License Letter and Conditions - dba California Heights Market, 3766 Orange Avenue

MAIL2FAX DETAILED DELIVERY REPORT

Attention	DLA Admin
Job Number	1416551641
Sent By User	F2M/37283576077
Entered Fax2Mail System	07/25 17:35
Report Generated	07/25 17:49
Subject	ABC License Letter and Conditions - dba California Heights Market, 3766 Orange Avenue
Page Count	5 (including cover sheet)

SUMMARY

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

Destination	Status	Date	Time	Num. Retries
5629821396	SENT	07/25	17:48	2