

CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

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

January 16, 2008

Marcie Griffin
District Administrator
Department of Alcoholic Beverage Control
3950 Paramount Boulevard, Suite No. 250
Lakewood, California 90712

Re: Application of K C Branaghans LLC, dba K C Branaghans, for an Original Alcoholic Beverage Control License at 5734 East 2nd Street

Dear Ms. Griffin:

Please be advised that the Long Beach City Council, at its meeting held January 15, 2008, received and filed the subject application with the attached conditions, as agreed between the City and the applicant. 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:
Nancy Muth

Attachments

Cc: Councilmember Gary DeLong, Third District
City Prosecutor
Police Department (2) Chief & Vice
Referral File
FAX forwarded to ABC, (562) 982-1396



CITY OF LONG BEACH

R-12

POLICE DEPARTMENT

400 WEST BROADWAY • LONG BEACH • CALIFORNIA 90802 • (562) 570-7260 • FAX (562) 570-7114

ANTHONY W. BATTS
Chief of Police

January 15, 2008

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive and file the application of K C Branaghans LLC, dba K C Branaghans, for an original Alcoholic Beverage Control license, at 5734 East 2nd Street, with conditions. (District 3)

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 18, 2008. Accordingly, City Council action is required at the January 15, 2008 City Council meeting.

FISCAL IMPACT

None.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

ANTHONY W. BATTS
CHIEF OF POLICE

APPROVED:

PATRICK H. WEST
CITY MANAGER

AWB:DBS:dbs
attachments

ADMINISTRATION BUREAU
(562) 570-5830
FAX (562) 570-5833

INVESTIGATIONS BUREAU
(562) 570-7350
FAX (562) 570-7175

PATROL BUREAU
(562) 570-7214
FAX (562) 570-7058

SUPPORT BUREAU
(562) 570-7342
FAX (562) 570-6018

HONORABLE MAYOR AND CITY COUNCIL
January 15, 2008

Council District: 3

Applicant: K C Branaghans LLC
DBA: K C Branaghans
Address: 5734 East 2nd Street

Type of Application: An original application for an On-Sale Beer and Wine for bonafide eating place license.

Bases for possible protest: Over concentration.
Residence within 100 feet.

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

Census Tract: 5775.01

Boundaries: Marine Stadium to the North
Alamitos Bay to the South
Alamitos Bay to the East
Alamitos Bay to the West

Number of licenses allowed: 3
Number of licenses existing: 13

Police Reporting District: 622

Boundaries: Marine Stadium to the North
Alamitos Bay to the South
City Limits to the East
Alamitos Bay to the West

Reported crimes in this district for ABC purposes are 157. Crime in a reporting district must be at least 191 to qualify for a high crime protest.

Type of business: A restaurant.

Last day to request
conditions and protest: January 18, 2008



Date: January 15, 2008
To: File
From: Dana Smith, Detective, Vice Investigations Section
Subject: **K C BRANAGHANS, 5734 EAST 2ND STREET**

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (12/20/06-12/20/07)

2	Group	Group Call	Gone on arrival
1	9271	Incomplete 911 Call	Gone on arrival
1	Unwelc	Unwelcome Call	Assisted a citizen
1	925	Suspicious Person	Gone on arrival

ABC INSPECTIONS (past three years)

2 No Violations Observed

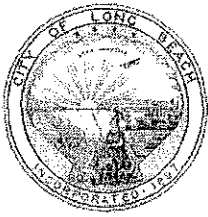
RESIDENCE WITHIN 100 FEET

5715 Campo Walk	Single Family Dwelling
5721 Campo Walk	Single Family Dwelling
5727 Campo Walk	Single Family Dwelling
5731 Campo Walk	Single Family Dwelling
5737 Campo Walk	Single Family Dwelling
5741 Campo Walk	Single Family Dwelling
5747 Campo Walk	Single Family Dwelling
5751 Campo Walk	Single Family Dwelling
5753 Campo Walk	Single Family Dwelling
5755 Campo Walk	Single Family Dwelling
5757 Campo Walk	Single Family Dwelling
5759 Campo Walk	Single Family Dwelling
5775 Campo Walk	Single Family Dwelling
5781 Campo Walk	Single Family Dwelling

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

None

DBS:db
cfs.mem



City of Long Beach Memorandum
Working Together to Serve

Date: January 15, 2008

To: Honorable Mayor Foster and Members of the City Council

From: Gary DeLong, Councilmember, Third District

Subject: **ABC LICENSE W/ CONDITIONS – KC Branaghans at 5734 East 2nd Street**

I am submitting the following conditions for your consideration for an original application of an On-Sale Beer and Wine license for a bonafide eating place license.

1. Due to the proximity of residences, all door(s) and windows shall be kept closed at all times, except in cases of emergency and to permit deliveries. Said door(s) is not to consist solely of a screen or ventilated security door. Sound shall not be audible within fifty feet (50') from the exterior of the premises in any direction.
2. Patrons under twenty-one (21) years of age shall not be permitted to enter nor to remain on the premises after the restaurant (food services) portion of the establishment has closed. Private functions not open to the public are exempt from this condition.
3. The permittee shall not allow employees to discard trash or bottles into the outside dumpsters between the hours of 10 p.m. and 7 a.m.
4. There shall be no "queue" allowed after 9 p.m. Sunday through Wednesday nights, and 11 p.m. Thursday through Saturday nights. Queue is defined as persons awaiting entry after the business is at capacity.
5. Security guards must be identifiable as "KC Branaghans employees." Should the permittee's operations give rise to a substantial increase in complaint/calls for police service, or trash left in the parking lot, the permittee shall increase security staff or make other changes to the premises or operation as the Chief of Police determines are necessary to protect the safety of the public.
6. The permittee shall take reasonable measures to prohibit and prevent the loitering of persons immediately outside any of the entrance/exit doors and the parking lot, at all times while open for business.
7. Signs reminding patrons to exit the business quietly and to be respectful of the neighborhood should be posted inside and outside the establishment.

8. Current occupancy loads shall be posted at all times and the permittee shall have an effective system to keep count of the number of occupants present at any given time and provide that information to public safety personnel upon request. (LBMC section 18.48.320)
9. The permittee agrees to reimburse the City whenever excessive police services, as determined by the Chief of Police, are required as the result of any incidents or nuisance activity in connection with the permittee's operations.
10. The quarterly gross sales of food shall not be less than fifty (50%) percent of total gross food and alcohol sales for the same period. The permittee shall keep separate records that reflect the gross sales of food and alcohol. Quarterly gross food and alcohol sales records along with quarterly State Board of Equalization Sales and Use Permit records shall be provided to the City of Long Beach.
11. KC Branaghans, its promoters, or agents shall not distribute any advertising matter such as signs, posters, or promotional cards in or upon any public property or in or on any vehicle in the City of Long Beach. Distribution of any advertising matter upon private property shall adhere to the following guidelines: By placing the same matter in a receptacle, clip, or other device designed or intended to receive advertising matter. The permittee shall keep all promoter contracts including names, addresses, and phone numbers on file at all times and must be available for inspection at anytime.
12. The permittee 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 your conditional use permit or your Alcoholic Beverage Control license the more stringent regulation shall apply.
13. Persons under eighteen (18) years of age shall not be permitted to enter or to remain on the premises after 10 p.m. unless accompanied by a parent or legal guardian.
14. The establishment shall remain in compliance with all applicable sections of the Long Beach Noise Ordinance (LBMC Chapter 8.80).

In the event that any of the recommended conditions attached to any permit or license is in conflict the permittee shall adhere to the strictest of the applicable conditions.