



CITY OF LONG BEACH
POLICE DEPARTMENT

UB-20
~~**R-30**~~

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

Jim McDonnell
Chief of Police

December 6, 2011

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive and file the application of Simmzys, LLC, dba Simmzys, for an original Alcoholic Beverage Control license, at 5271 East 2nd Street. (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 December 7, 2011. Accordingly, City Council action is required at the December 6, 2011 City Council meeting.

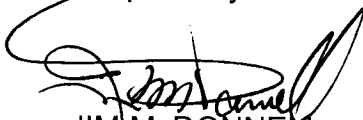
FISCAL IMPACT

None.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,


JIM McDONNELL
CHIEF OF POLICE

JM:DBS:dbs

APPROVED:


PATRICK H. WEST
CITY MANAGER

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
December 6, 2011

Council District: 3

Applicant: Simmzys, LLC
DBA: Simmzys
Address: 5271 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.
Residences within 100 feet.

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

Census Tract: 5774.00

Boundaries: Vista Street to the North
Livingston Drive/2nd Street to the South
Nieto Avenue/Broadway/Los Cerritos Channel to the East
Ximeno Avenue to the West

Number of licenses allowed: 3
Number of licenses existing: 20

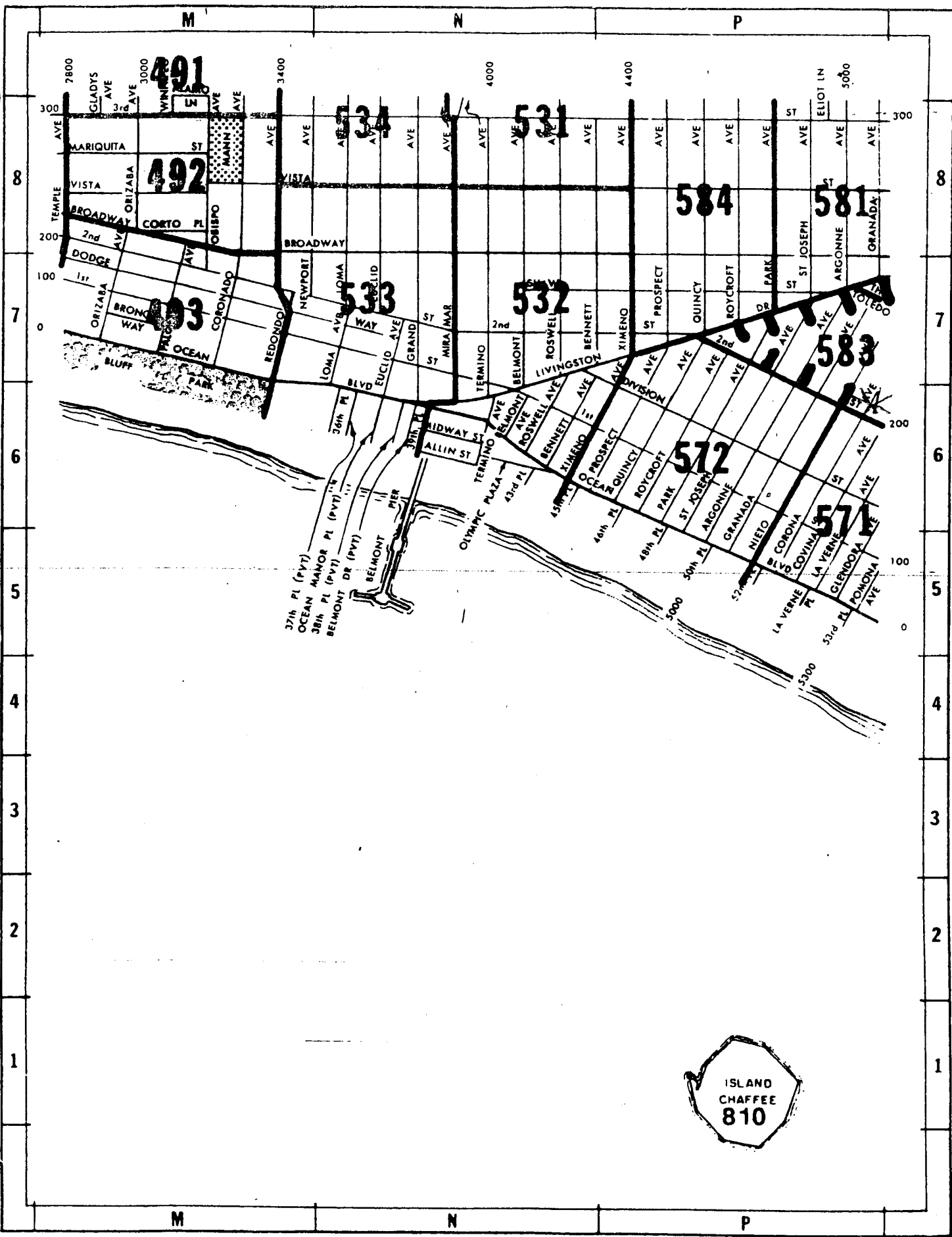
Police Reporting District: 583

Boundaries: Livingston Drive/The Toledo to the North
2nd Street to the South
Bay Shore Avenue to the East
Quincy Avenue to the West

Reported crimes in this district for ABC purposes are 175. Crime in a reporting district must be at least 177 to qualify for a high crime protest.

Type of business: A restaurant.
Last day to request conditions and protest: December 7, 2011

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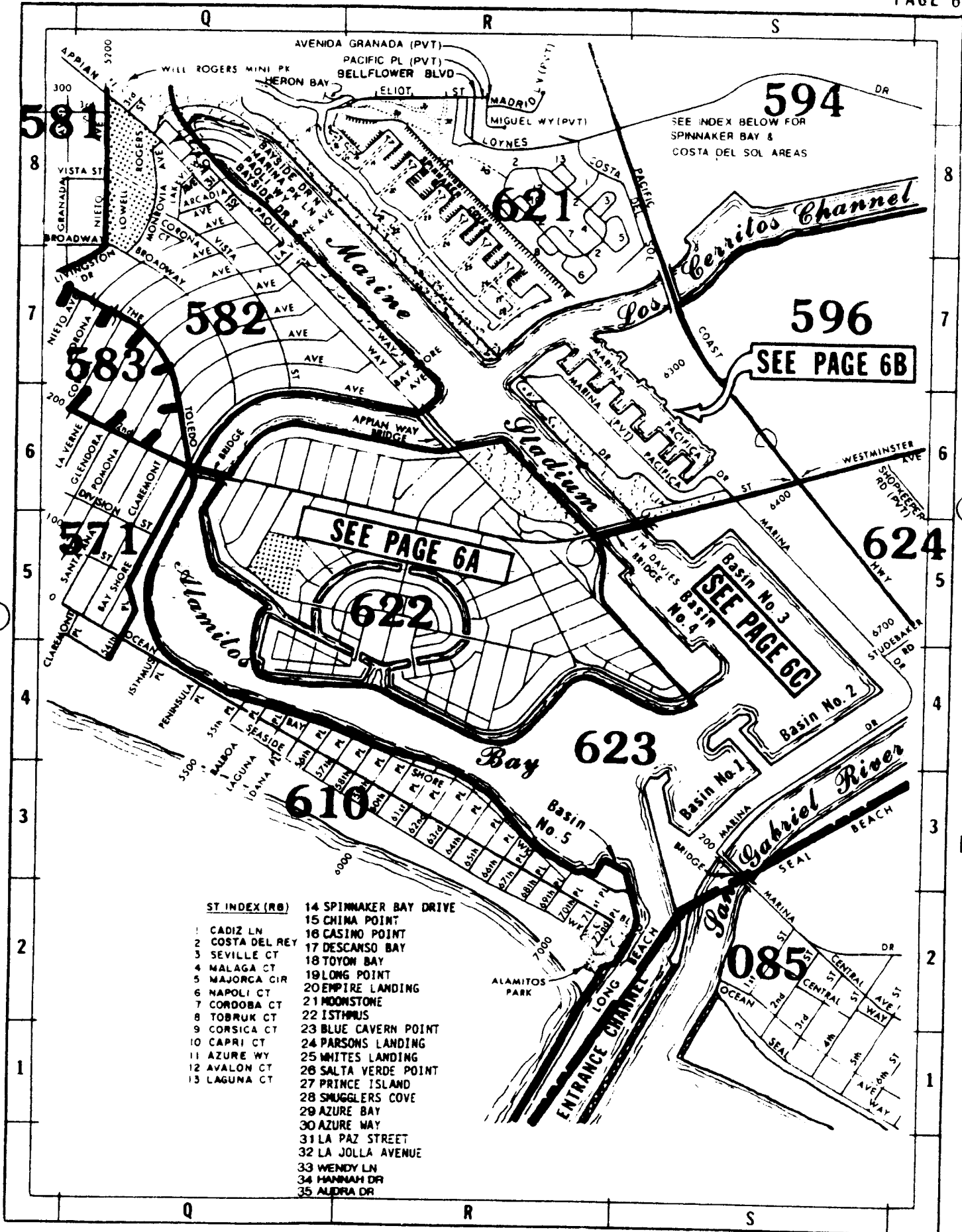
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SEE PAGE 6A

Basin No. 3
Basin No. 4
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085



Date: December 6, 2011
To: File
From: Dana Smith, Detective, Vice Investigations Section
Subject: **SIMMZYS, 5271 EAST 2ND STREET**

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (11/07/10-11/07/11)

4	Unwelc	Unwelcome Call	Advised/Gone On Arrival
3	ASTF	Assist Fire Department	UNF/WFL/AOA
2	Dispute	Dispute Call	Advised
1	484	Petty Theft	Cited
1	927B	Open Door	Unfounded
1	Fight	Fight Call	Gone On Arrival
1	242	Battery	Advised
1	647F	Intoxicated Person	Unable To Locate

ABC INSPECTIONS (past three years)

None

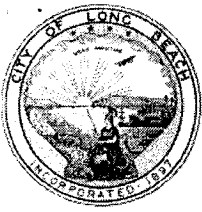
RESIDENCE WITHIN 100 FEET

204 La Verne Avenue	Single Family Residence
205 La Verne Avenue	Single Family Residence
206 La Verne Avenue	Single Family Residence
207 La Verne Avenue	Single Family Residence
208 La Verne Avenue	Single Family Residence
209 La Verne Avenue	Single Family Residence
204 Covina Avenue	Single Family Residence
2041/2 Covina Avenue	Single Family Residence
206 Covina Avenue	Single Family Residence

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

None

DBS:db
cfs.memo



Date: December 6, 2011

To: Honorable Mayor Foster and Members of the City Council

From: Gary DeLong, Councilmember, Third District

Subject: R-30: 5271 East 2nd Street, dba Simmzys, LLC

Below are proposed conditions for your consideration for an original application of an On-Sale Beer and Wine license for a bonafide eating place.

For Census Tract 5774.00 whereas there are residences within 100 feet, I am recommending the following:

1. Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 10:00 a.m. and 12:00 a.m. each day of the week.
2. The sale of beer and/or wine off the premises is strictly prohibited.
3. There shall be no amusement machines, pool tables, billiard tables or video game devices in the premises at any time.
4. There shall be no live entertainment, dancing, disc jockey and no amplified music or stereo systems permitted on the premises at any time.
5. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.
6. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of licensee.
7. There shall be no exterior advertising promoting or indicating the availability of alcoholic beverages.
8. Sound shall not be audible within fifty feet (50') from the exterior of the premises in any direction.
9. The permittee shall take reasonable measures to prohibit and prevent the loitering of persons immediately outside the establishment at all times.
10. No "happy hour" type of reduced price alcoholic beverage promotion shall be allowed.

11. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. The licensee shall at all times maintain records which reflect separately the gross sales of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the city on demand.
12. The permittee shall install and maintain a video surveillance system that monitors no less than the front and rear of the business with full view of public right-of-ways and any parking lot under the control of the permittee. The video system must be capable of delineating on playback the activity and physical features of persons and areas within the premises. Recordings shall be retained for a minimum of 30 days and be accessible via the internet by the Long Beach Police Department. A Public Internet Protocol (IP) address and user name/password is also required to allow the Long Beach Police Department to view live and recorded video from these cameras over the internet. All video security cameras shall be installed to the satisfaction of the Chief of Police, Director of Technology Services, and Director of Development Services. At the discretion of the Chief of Police, the permittee may be required to add additional video cameras.
13. During the hours of operations, the rear door(s) of the establishment shall remain closed at all times except to accept deliveries and in cases of emergency. The rear door(s) shall be constructed of a solid material to help reduce noise pollution and shall not consist solely of a screen or ventilated security door. No deliveries shall occur after 10:00 p.m.