

April 17, 2020

Mr. Brad D. Beach
Supervising Agent In Charge
Department of Alcoholic Beverage Control
3950 Paramount Boulevard, Suite No. 250
Lakewood, California 90712

Re: Application of Exact Agency, Incorporated, dba The Cove, for an original application of Alcoholic Beverage Control License, at 6276 East Pacific Coast Highway.

Dear Mr. Beach:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, April 14, 2020 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 Exemption (CUPEX) is granted.

The City Council also approved the City Manager to withdraw the protest if the City's Planning Commission approves the CUPEX and if no appeal is made during the 10-day appeal period for the CUPEX. It is anticipated that the CUPEX 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: Suzie Price, Councilwoman, Third District
Mayor
City Prosecutor
Police Department (2) Chief & Vice
Referral File
FAX forwarded to ABC, (562) 982-1396

April 14, 2020

C-25

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the application of Exact Agency, Incorporated, dba The Cove, for an original application of an Alcoholic Beverage Control (ABC) license, at 6276 East Pacific Coast Highway; submit a Public Notice of Protest to ABC; and, direct the City Manager to withdraw the protest if a Conditional Use Permit Exemption (CUPEX) is granted. (District 3)

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.

TIMING CONSIDERATIONS

The Department of Alcoholic Beverage Control received the above application on February 18, 2020. The applicant is still in the planning stages and has not yet received a CUPEX. Provided the Planning Commission approves the CUPEX, the recommendation includes a request to direct the City Manager to withdraw the Public Notice of Protest. City Council action is requested on April 14, 2020, to respond to the Department of Alcoholic Beverage Control at the first opportunity, after the April 14, 2020 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

ATTACHMENTS

APPROVED:



THOMAS B. MODICA
ACTING CITY MANAGER

HONORABLE MAYOR AND CITY COUNCIL
April 14, 2020

Council District: 3

Applicant: Exact Agency, Incorporated

DBA: The Cove

Address: 6276 East Pacific Coast Highway

Type of application: An original application for an On-Sale Beer and Wine for a Bona Fide Public Eating Place license.

Bases for possible protest: High Crime.
Over Concentration.

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

Census Tract: 5776.04

Boundaries: Pacific Coast Highway/2nd Street to the North
Alamitos Bay to the South
San Gabriel River to the East
Alamitos Bay to the West

Number of licenses allowed: 1

Number of licenses existing: 42

Police Reporting District: 621

Boundaries: Colorado Street to the North
2nd Street to the South
Pacific Coast Highway to the East
Marine Stadium/Paoli Way to the West

Reported crimes in this district for ABC purposes are 116. Crime in a reporting district must be at least 108 to qualify for a high crime protest.

Type of business: A restaurant.

Last day to request conditions and protest: April 8, 2020



Date: April 14, 2020
To: File
From: Jose Gonzalez, Detective, Vice Investigations Section
Subject: **THE COVE – 6276 EAST PACIFIC COAST HIGHWAY**

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (02/18/19-02/18/20)

None.

ABC INSPECTIONS (Past three years)

Not applicable.

RESIDENCES WITHIN 100 FEET

None.

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

None.

**AN EXCERPT FROM THE MINUTES OF
THE LONG BEACH CITY COUNCIL MEETING
HELD TUESDAY, APRIL 14, 2020**

CONSENT CALENDAR: (05:10 PM)

25. (20-0294) Recommendation to receive the application of Exact Agency, Incorporated, dba The Cove, for an original application of an Alcoholic Beverage Control (ABC) License, at 6276 East Pacific Coast Highway; submit a Public Notice of Protest to ABC; and, direct City Manager to withdraw the protest if a Conditional Use Permit Exemption (CUPEX) is granted. (District 3)

Suggested Action: Approve recommendation.

Motion: Approve Consent Calendar 1 - 31, except for Item 9.
Moved by Councilmember Uranga, seconded by Councilmember Richardson.

Vote: Approve Consent Calendar 1 - 31, except for Item 9.(Carried 9-0)
Yes: Councilwoman Zendejas, Councilmember Pearce, Councilwoman Price, Councilman Supernaw, Councilwoman Mungo, Vice Mayor Andrews, Councilmember Uranga, Councilman Austin, and Councilmember Richardson.

CERTIFIED AS A TRUE AND CORRECT COPY



CITY CLERK OF THE CITY OF LONG BEACH

DATE: April 17, 2020

By: Pablo Rubio, City Clerk Analyst

Pablo Rubio

From: Fax2Mail Powered by OpenText <reports@reply.fax2mail.com>
Sent: Friday, April 17, 2020 6:34 PM
To: Pablo Rubio
Subject: ABC License Letter - dba The Cove, 6276 East Pacific Coast Highway

-EXTERNAL-

MAIL2FAX DETAILED DELIVERY REPORT

Attention	DLA Admin
Job Number	1608723156
Sent By User	F2M/30565075606
Entered Fax2Mail System	04/17 18:32
Report Generated	04/17 18:34
Subject	ABC License Letter - dba The Cove, 6276 East Pacific Coast Highway
Page Count	6 (including cover sheet)

SUMMARY

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

Destination	Status	Date	Time	Num. Retries
5629821396	SENT	04/17	18:33	1