

CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

333 West Ocean Boulevard • Long Beach, California 90802 • (562) 570-6101 • FAX (562) 570-6789

April 8, 2010

Vincent Cravens
District Administrator
Department of Alcoholic Beverage Control
3950 Paramount Boulevard, Suite 250
Lakewood, California 90712

Re: Application of Brian Cho and Hamee Jessica Cho, dba Cherry Market, to Determine the Application Serves the Public Convenience and Necessity for an Original Alcoholic Beverage Control License at 1429 Cherry Avenue.

Dear Mr. Cravens:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, April 6, 2010 received and filed the subject application with the attached conditions, as requested by Councilmember Patrick O'Donnell, Fourth 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.

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 for your file.

Respectfully submitted,

LARRY G. HERRERA
CITY CLERK

Prepared by:
Carolyn Harris

Attachment

cc: Councilmember Patrick O'Donnell, Fourth District
City Prosecutor
Police Department (2) Chief & Vice
Referral File
FAX forwarded to ABC, (562) 982-1396



CITY OF LONG BEACH
POLICE DEPARTMENT

R-28

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

Jim McDonnell
Chief of Police

April 6, 2010

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Determine that the application serves the public convenience and necessity, and receive and file the application of Brian Cho and Hamee Jessica Cho, dba Cherry Market, for an original Alcoholic Beverage Control license, at 1429 Cherry Avenue, with conditions. (District 4)

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 April 9, 2010. Accordingly, City Council action is required at the April 6, 2010 City Council meeting.

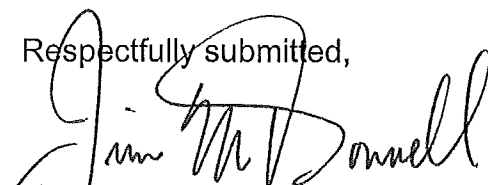
FISCAL IMPACT

None.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,


JIM McDONNELL
CHIEF OF POLICE

APPROVED:


PATRICK H. WEST
CITY MANAGER

JM:DBS:dbs

ADMINISTRATION BUREAU
(562) 570-5830
FAX (562) 570-5883

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
April 6, 2010

Council District: 4

Applicant: Brian Cho and Hamee Jessica Cho
DBA: Cherry Market
Address: 1429 Cherry Avenue

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

Bases for possible protest: High crime.
Over concentration.
Residences within 100 feet.
Church within immediate vicinity.

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

Census Tract: 5752.02

Boundaries: Pacific Coast Highway to the North
Anaheim Street to the South
Cherry Avenue to the East
Walnut Avenue/Gundry Avenue to the West

Number of licenses allowed: 4
Number of licenses existing: 6

Police Reporting District: 382

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

Reported crimes in this district for ABC purposes are 240. Crime in a reporting district must be at least 199 to qualify for a high crime protest.

Type of business: A neighborhood market.

Last day to request conditions and protest: April 9, 2010



Date: April 6, 2010
To: File
From: Dana Smith, Detective, Vice Investigations Section
Subject: **CHERRY MARKET, 1429 CHERRY AVENUE**

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (03/11/09-03/11/10)

1	415	Disturbance Call	Gone On Arrival
1	484	Petty Theft	Advised
1	Unwelcome	Unwelcome Call	Unable To Locate
1	459A	Audible Alarm Call	Bad Order Alarm

ABC INSPECTIONS (past three years)

1 No Violations Observed

RESIDENCE WITHIN 100 FEET

1418	Gardenia Avenue	Single Family Residence
1424	Gardenia Avenue	Single Family Residence
1426	Gardenia Avenue	Single Family Residence
1434	Gardenia Avenue	Single Family Residence
1442	Gardenia Avenue	Single Family Residence
1442A	Gardenia Avenue	Single Family Residence
1442B	Gardenia Avenue	Single Family Residence
1446	Gardenia Avenue	Single Family Residence
1448	Gardenia Avenue	Single Family Residence
1452	Gardenia Avenue	Single Family Residence
1456	Gardenia Avenue	Single Family Residence
1458	Gardenia Avenue	Single Family Residence
1460	Gardenia Avenue	Single Family Residence
1462	Gardenia Avenue	Single Family Residence
1464	Gardenia Avenue	Multi-Unit Complex
1420	Cherry Avenue	Multi-Unit Complex
1424	Cherry Avenue	Multi-Unit Complex
1428	Cherry Avenue	Multi-Unit Complex
1430	Cherry Avenue	Multi-Unit Complex
1432	Cherry Avenue	Multi-Unit Complex

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

1526 Cherry Avenue Cherry Avenue Church of God



Date: April 6, 2010

To: Honorable Mayor and Members of the City Council

From: Councilmember Patrick O'Donnell, Fourth District

Subject: **Item 28- Original ABC license –1429 Cherry Ave.- Cherry Market**

I request that the City of Long Beach impose the following conditions for Cherry Market at 1429 Cherry Ave.

1. No alcoholic beverages shall be consumed on the property or any property adjacent to the licensed premises under the control of the licensee, not licensed by ABC for such sales.
2. All beverages offered for sale at the premises shall be displayed and available for convenient inspection and purchase within the premises by the general public.
3. The petitioner(s) shall be responsible for maintaining free of litter the premises and the area adjacent to the licensed premise over which they have control.
4. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the licensee shall be removed or painted over within 24 hours of being applied.
5. To prevent loitering and other criminal activities exterior payphones are prohibited.
6. Petitioner(s) shall regularly police the area under their control in an effort to prevent loitering of persons about the premises.
7. Alcohol may be sold during business hours of operation and sales of alcohol shall end at 8:00 pm.
8. Surveillance cameras inside and outside of location proper must be maintained and made available to the Long Beach Police Department upon request.