

January 30, 2023

Hani Abuershaid
Supervising Agent In Charge
Department of Alcoholic Beverage Control
3950 Paramount Boulevard, Suite No. 250
Lakewood, California 90712

Re: Application of Ruta 15 Restaurant Solutions, Incorporated, dba Ruta 15
Ceviche Bar Mexican Kitchen, for an original application of an Alcoholic
Beverage Control License, at 1436 East 7th Street.

Dear Hani Abuershaid:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, January 24, 2023 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 a Conditional Use Permit Exemption (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:
Karen Baldwin

Attachment

cc: Cindy Allen, Vice Mayor, Second District
Mayor
City Prosecutor
Police Department (2) Chief & Vice
Referral File
FAX forwarded to ABC, (562) 982-1396

**AN EXCERPT FROM THE MINUTES OF
THE LONG BEACH CITY COUNCIL MEETING
HELD TUESDAY, JANUARY 24, 2023**

CONSENT CALENDAR: (05:17 PM)

10. (23-0065) Recommendation to receive the application of Ruta 15 Restaurant Solutions, Incorporated, dba Ruta 15 Ceviche Bar Mexican Kitchen, for an original application of an Alcoholic Beverage Control (ABC) License, at 1436 East 7th Street, 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 2)

Suggested Action: Approve recommendation

Motion:

Approve Consent Calendar Item Nos. 1 - 13, except for Item Nos. 8, 11, and 13.

Moved by Councilwoman Zendejas, seconded by Councilmember Uranga.

Vote:

Approve Consent Calendar Item Nos. 1 - 13, except for Item Nos. 8, 11, and 13.

(Carried 8-0)

Yes: Councilwoman Zendejas, Councilmember Duggan, Councilman Supernaw, Councilwoman Kerr, Councilwoman Saro, Councilmember Uranga, Councilman Austin, and Councilmember Ricks-Oddie.

Absent: Vice Mayor Allen.

CERTIFIED AS A TRUE AND CORRECT COPY



CITY CLERK OF THE CITY OF LONG BEACH

DATE: January 30, 2023

By: Karen Baldwin, City Clerk Specialist

January 24, 2023

C-10

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the application of Ruta 15 Restaurant Solutions, Incorporated, dba Ruta 15 Ceviche Bar Mexican Kitchen, for an original application of an Alcoholic Beverage Control (ABC) License, at 1436 East 7th Street, 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 2)

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 basis for protest.

TIMING CONSIDERATIONS

The Department of Alcoholic Beverage Control received the above application on December 8, 2022. 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 January 24, 2023, to respond to the Department of Alcoholic Beverage Control by the January 27, 2023 due date.

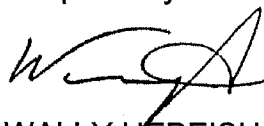
FISCAL IMPACT

There is no fiscal impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



WALLY HEBEISH
CHIEF OF POLICE

APPROVED:



THOMAS B. MODICA
CITY MANAGER

ATTACHMENTS

HONORABLE MAYOR AND CITY COUNCIL
January 24, 2023

Council District: 2
Applicant: Ruta 15 Restaurant Solutions, Incorporated
DBA: Ruta 15 Ceviche Bar Mexican Kitchen
Address: 1436 East 7th Street
Type of Application: Type 41 - An Original Application for an On-Sale Beer and Wine for a Bona Fide Public Eating Place License.
Basis for protest: Residences within 100 feet

PUBLIC CONVENIENCE DETERMINATION: A determination of Public Convenience and Necessity **is not** required for this application.

Census Tract: 5765.02
Boundaries: 7th Street/3rd Street to the North
Appleton Street to the South
Walnut Avenue/Gaviota Avenue to the East
Orange Avenue to the West
Number of licenses allowed: 4
Number of licenses existing: 3
Police Reporting District: 361
Boundaries: 7th Street to the North
4th Street to the South
Walnut Avenue to the East
Orange Avenue to the West

Reported crimes in this district for ABC purposes are 93. Crime in a reporting district must be at least 97 to qualify for a high crime protest.

Type of business: A restaurant
Last day to request conditions and protest: January 27, 2023

Date: January 24, 2023

To: File

From: Jose Gonzalez, Detective, Vice Investigations Section

Subject: **RUTA 15 CEVICHE BAR MEXICAN KITCHEN - 1436 EAST 7TH STREET**

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (12/8/21 - 12/8/22)

None.

ABC INSPECTIONS (Past three years)

Not applicable.

RESIDENCES WITHIN 100 FEET

646 Nebraska Avenue	Multi-Unit Residences
638 Nebraska Avenue	Multi-Unit Residences
1447 East 7 th Street	Single Family Residence
1445 East 7 th Street	Single Family Residence
1431 East 7 th Street	Single Family Residence

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

None.

