

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 SWH Corporation, dba Mimi's Cafe, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License at 6670 East Pacific Coast Highway.

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 Gary DeLong, Third 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.

Enclosed is a copy of the City Council documentation.

Respectfully submitted,

LARRY G. HERRERA
CITY CLERK

Prepared by:
Carolyn Harris

Attachment

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
POLICE DEPARTMENT

R-27

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:

Receive and file the application of SWH Corporation, dba Mimi's Cafe 0057, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control license, at 6670 East Pacific Coast Highway, 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 April 14, 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: 3

Applicant: SWH Corporation
DBA: Mimi's Cafe 0057
Address: 6670 East Pacific Coast Highway

Type of Application: A person-to-person and premise-to-premise transfer of an On-Sale General for bonafide eating place license. This license is being transferred from Next USA LLC to SWH Corporation. This license is an upgrade from a Beer and Wine license to a General license.

Basis for possible protest: Over concentration.

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

Census Tract: 5776.01

Boundaries: 7th Street/Garden Grove Freeway to the North
Long Beach Marina/San Gabriel River/County Line to the South
County Line to the East
Los Cerritos Channel/Marina Drive/Long Beach Marina to the West

Number of licenses allowed: 2
Number of licenses existing: 25

Police Reporting District: 623

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

Reported crimes in this district for ABC purposes are 167. Crime in a reporting district must be at least 199 to qualify for a high crime protest.

Type of business: A restaurant.
Last day to request conditions and protest: April 14, 2010



Date: April 6, 2010
To: File
From: Dana Smith, Detective, Vice Investigations Section
Subject: MIMI'S CAFE 0057, 6670 EAST PACIFIC COAST HIGHWAY

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (03/15/09-03/15/10)

2 459A Audible Alarm Call Bad Order Alarm

ABC INSPECTIONS (past three years)

None

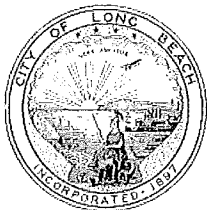
RESIDENCE WITHIN 100 FEET

None

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

None

DBS:db
cfs.memo



Date: April 6, 2010

To: Honorable Mayor Foster and Members of the City Council

From: Gary DeLong, Councilmember, Third District

Subject: 6670 East Pacific Coast Highway, dba Mimi's Cafe, ABC License

R-27

I am submitting the following conditions for your consideration for the application of an Original On-Sale General license for a bonafide eating place.

1. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.
2. The permittee shall not allow employees to discard trash or bottles into the outside dumpsters between the hours of 10 p.m. and 8 a.m.
3. There shall be no exterior advertising promoting or indicating the availability of alcoholic beverages.
4. Sound shall not be audible within fifty feet (50') from the exterior of the premises in any direction.
5. The permittee shall take reasonable measures to prohibit and prevent the loitering of persons immediately outside the establishment at all times.
6. Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 7:00 a.m. and 11 p.m., Sunday thru Thursday, and 7:00 a.m. and 12 midnight, Friday and Saturday.
7. 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 Department on demand.
8. The sale of alcoholic beverages for consumption off the premises is strictly prohibited.