



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • (562) 570-6101 •

February 7, 2014

Mr. Vincent Cravens
District Administrator
Department of Alcoholic Beverage Control
3950 Paramount Boulevard, Suite No. 250
Lakewood, California 90712

Re: Application of Abdul Jamal Sheriff, dba Come N Go Market, to Determine the Application Serves the Public Convenience and Necessity for an original Alcoholic Beverage Control License, at 3397 Atlantic Avenue.

Dear Mr. Cravens:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, February 4, 2014, 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 the CUP, with conditions as requested by Councilmember James Johnson, Seventh District, and if no appeal is made during the 10-day appeal period for the CUP. It is anticipated that the CUP 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.

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 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,

LARRY G. HERRERA
CITY CLERK

Prepared by:
Pablo Rubio

Attachment

cc: Councilmember James Johnson, Seventh District
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, FEBRUARY 4, 2014**

REGULAR AGENDA (5:59 PM)

19. (14-0092) Recommendation to receive the application of Abdul Jamal Sheriff, dba Come N Go Market, for an original Alcoholic Beverage Control License, at 3397 Atlantic Avenue, determine that the application serves the public convenience and necessity, submit a Public Notice of Protest to ABC, and direct City Manager to withdraw the protest if a Conditional Use Permit is granted. (District 7) (07:20 PM)

Suggested Action: Approve recommendation.

Distributed at the meeting: ABC Conditions.

Councilmember Johnson spoke.

Motion: Approve recommendation, with conditions.
Moved by James Johnson, seconded by Dee Andrews.

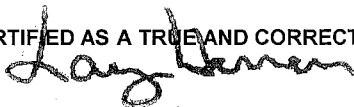
Abdul Sheriff, applicant, spoke; and submitted correspondence.

Councilmember Johnson spoke.

Vote: Approve recommendation, with conditions. (Carried 5-0)
Yes: Robert Garcia, Gary DeLong, Dee Andrews, James Johnson,
and Al Austin.

Absent: Suja Lowenthal, Patrick O'Donnell, Gerrie Schipske,
Steven Neal.

CERTIFIED AS A TRUE AND CORRECT COPY



P. Rubio

CITY CLERK OF THE CITY OF LONG BEACH

DATE: February 7, 2014



CITY OF LONG BEACH

POLICE DEPARTMENT

R-19

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

Jim McDonnell
Chief of Police

February 4, 2014

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the application of Abdul Jamal Sheriff, dba Come N Go Market, for an original Alcoholic Beverage Control license, at 3397 Atlantic Avenue, determine that the application serves the public convenience and necessity, submit a Public Notice of Protest to ABC, and direct the City Manager to withdraw the protest if a Conditional Use Permit is granted. (District 7)

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

The Department of Alcoholic Beverage Control (ABC) received the above application on December 20, 2013. The applicant is still in the planning stage, and has not yet received a Conditional Use Permit (CUP). City Council response is due to ABC by February 7, 2014. Provided the Planning Commission approves the CUP, the recommendation includes a request to direct the City Manager to withdraw the Public Notice of Protest.

FISCAL IMPACT


None.

SUGGESTED ACTION:

Approve recommendation.

ABC Application-3397 Atlantic Ave
February 4, 2014

Respectfully submitted,



JIM McDONNELL
CHIEF OF POLICE

APPROVED:



PATRICK H. WEST
CITY MANAGER

JM:LBB:ibb

HONORABLE MAYOR AND CITY COUNCIL
February 4, 2014

Council 7

Applicant: Abdul Jamal Sheriff
DBA: Come N Go Market
Address: 3397 Atlantic Avenue
Type of Application: An original application for an Off-Sale General license.

Basis for possible protest: Residence within 100 feet.
Licensing this premise would be in contrary to Long Beach Zoning Ordinances.

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

Census Tract: 5722.01

Boundaries: Wardlow Road to the North
Spring Street to the South
Atlantic Avenue to the East
Los Angeles River to the West

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

Police Reporting District: 211

Boundaries: Wardlow Road to the North
Spring Street to the South
City Limits to the East
Long Beach Boulevard to the West

Reported crimes in this district for ABC purposes are 94. Crime in a reporting district must be at least 168 to qualify for a high crime protest.

Type of business: A convenience store.

Last day to request conditions and protest: February 7, 2014



Date: February 4, 2014
To: File
From: Laurie Briney, Detective, Vice Investigations Section
Subject: **COME N GO MARKET – 3397 ATLANTIC AVENUE**

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (12/20/12-12/20/13)

18	Unwelc	Unwelcome Subject	Gone on Arrival/Advised
2	415	Disturbing the Peace	Advised
2	484	Petty Theft	Advised/Assisted Citizen
1	Dispute	Dispute	Cancelled
1	925	Suspicious Person	Advised

ABC INSPECTIONS (past three years)

N/A

RESIDENCES WITHIN 100 FEET

3368 Linden Avenue

Multi-Unit Complex

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

None

LBB:ibb
CFSmemoComeNGo



~~19~~ 19

James Johnson
City of Long Beach
Councilmember, Seventh District

Recommended Conditions for Come N Go Market, 3397 Atlantic Ave

1. Sales and service of alcoholic beverages shall be permitted only between the hours of 8:00 a.m. and 1:00 a.m. Sunday through Thursday and 8:00 a.m. and 2:00 a.m. Friday and Saturday.
2. No beer or malt beverage products shall be sold, regardless of container size, in quantities of less than four per sale in manufacturer pre-packaged quantities.
3. Wine shall not be sold in bottles or containers smaller than 750ml. Wine-coolers, beer coolers, or pre-mixed distilled spirit cocktails must be sold in manufacturer pre-packaged multi-unit quantities.
4. Distilled spirits shall not be sold in bottles or containers smaller than 750 ml.
5. Sale and delivery of distilled spirits shall be made from behind a counter where a clerk will obtain the product; no self-service of distilled spirits will be permitted.
6. There shall be no cups, glasses or similar receptacles commonly used for the drinking of beverages, sold, furnished, or given away at the petitioner's premises in quantities of less than 24 in their original multi-container package.
7. All ice shall be sold at or about the prevailing prices in the area and in quantities of not less than five pounds per sale and shall not be given away free.
8. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee(s).
9. There shall be no amplified music on the premises at any time.
10. The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot. Additionally, the position of such lighting shall not disturb the normal privacy and use of any neighboring residences.
11. The petitioner(s) shall police the area under their control in an effort to prevent the loitering of persons about the premises.



James Johnson
City of Long Beach
Councilmember, Seventh District

12. The petitioner(s) shall post and maintain a professional quality sign facing the premises parking lot that reads as follows:

NO LOITERING, NO LITTERING
NO DRINKING OF ALCOHOLIC BEVERAGES

VIOLATORS ARE SUBJECT TO ARREST

The sign shall be at least two feet square with two inch block lettering. The sign shall be in English and Spanish.

13. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.
14. There shall be no exterior advertising or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.
15. No pay phone shall be maintained on the interior or exterior of the premises.

Fax Delivery Successful

Fax Notification

Fax Notification			
To:	ABC License	From:	Pablo Rubio/CC/CLB
Fax subject:	ABC License Letter, Conditions and Protest - Jamal Sheriff, dba Come N Go Market, at 3397 Atlantic Avenue	Status:	
Fax number:	982-1396	Cover page:	Default
Date sent:	2014-02-07 13:56:23	Total pages sent:	10
Calling Station ID:	City of Long Beach		

Advanced

Fax Notification			
Request number:	441643	Line number:	7
Number of retries:	0	Process time:	105 seconds

For more information follow this document link to the outbound log entry. 