

April 22, 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 Lyens Foods, Incorporated, dba The Original Park Pantry, for a premise to premise and person to person transfer of an Alcoholic Beverage Control License, at 2104 East Broadway.

Dear Mr. Beach:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, April 21, 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 (CUP) is required.

The City Council also approved the City Manager to withdraw the protest if the City's Planning Commission approves the CUP 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.

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 21, 2020

**C-7**

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

RECOMMENDATION:

Receive the application of Lyens Foods, Incorporated, dba The Original Park Pantry, for a premise to premise and person to person transfer of an Alcoholic Beverage Control (ABC) license, at 2104 East Broadway; submit a Public Notice of Protest to ABC; and, direct the City Manager to withdraw the protest if a Conditional Use Permit (CUP) 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 March 3, 2020. The applicant is still in the planning stages, and has not yet received a CUP. Provided the Planning Commission approves the CUP, the recommendation includes a request to direct the City Manager to withdraw the Public Notice of Protest. City Council action is requested on April 21, 2020, to respond to the Department of Alcoholic Beverage Control by the April 23, 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 21, 2020

Council District: 3  
Applicant: Lyens Foods, Incorporated  
DBA: The Original Park Pantry  
Address: 2104 East Broadway  
Type of Application: A Person to Person and Premise to Premise Transfer of an On-Sale General for a Bona Fide Public Eating Place license.

Bases for possible protest: High crime.  
Over concentration.  
Residences within 100 feet.  
Church within 600 feet.  
Park within 600 feet.

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

Census Tract: 5767.00  
Boundaries: 3<sup>rd</sup> Street to the North  
Long Beach Outer Harbor to the South  
Obispo Avenue/Corto Place/Paloma Avenue to the East  
Junipero Avenue to the West  
Number of licenses allowed: 1  
Number of licenses existing: 42  
Police Reporting District: 433  
Boundaries: Broadway to the North  
Pacific Ocean to the South  
Lindero Avenue to the East  
15<sup>th</sup> Street/Cherry Avenue to the West

Reported crimes in this district for ABC purposes are 381. 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 23, 2020



**Date:** April 21, 2020  
**To:** File  
**From:** Jennifer Arzola, Detective, Vice Investigations Section  
**Subject:** **THE ORIGINAL PARK PANTRY – 2104 EAST BROADWAY**

---

**CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (3/3/19-3/3/20)**

5	UNWELC	Unwelcome Subject	Advised/Gone On Arrival
1	ACIT	Assist A Citizen	Advised

**ABC INSPECTIONS (Past three years)**

Not applicable.

**RESIDENCES WITHIN 100 FEET**

2101 East 2 <sup>nd</sup> Street	Multi-Unit Complex
231 Junipero Avenue	Multi-Unit Complex

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

130 Cherry Avenue	Bixby Park
2325 East 3 <sup>rd</sup> Street	Grace United Methodist Church

**AN EXCERPT FROM THE MINUTES OF  
THE LONG BEACH CITY COUNCIL MEETING  
HELD TUESDAY, APRIL 21, 2020**

**CONSENT CALENDAR: (05:05 PM)**

7. (20-0329) Recommendation to receive the application of Lyens Foods, Incorporated, dba The Original Park Pantry, for a premise to premise and person to person transfer of an Alcoholic Beverage Control (ABC) License, at 2104 East Broadway; submit a Public Notice of Protest to ABC; and, direct City Manager to withdraw the protest if a Conditional Use Permit is granted. (District 3)

*Suggested Action: Approve recommendation.*

**Motion:** Approve Consent Calendar Items 1 - 14.  
Moved by Councilmember Richardson, seconded by Councilwoman Price.

**Vote:** Approve Consent Calendar Items 1 - 14.(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 22, 2020

By: Pablo Rubio, City Clerk Analyst

## Pablo Rubio

---

**From:** Fax2Mail Powered by OpenText <reports@reply.fax2mail.com>  
**Sent:** Wednesday, April 22, 2020 5:55 PM  
**To:** Pablo Rubio  
**Subject:** ABC License Letter - dba The Original Park Pantry, 2104 East Broadway

**-EXTERNAL-**

### MAIL2FAX DETAILED DELIVERY REPORT

<b>Attention</b>	DLA Admin
<b>Job Number</b>	1937599068
<b>Sent By User</b>	F2M/30565075606
<b>Entered Fax2Mail System</b>	04/22 17:52
<b>Report Generated</b>	04/22 17:54
<b>Subject</b>	ABC License Letter - dba The Original Park Pantry, 2104 East Broadway
<b>Page Count</b>	6 (including cover sheet)

### SUMMARY

<b>Sent: 1</b>	<b>Errors: 0</b>	<b>Cancelled: 0</b>
<b>Total: 1</b>		

<b>Destination</b>	<b>Status</b>	<b>Date</b>	<b>Time</b>	<b>Num. Retries</b>
5629821396	SENT	04/22	17:54	1