



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

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

May 14, 2010

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

Re: Application of K C Branaghans LLC, dba K C Branaghans, for an Original Alcoholic Beverage Control License at 5734 East 2nd Street

Dear Mr. Cravens:

By letter dated January 20, 2010, the City Clerk Department advised you of the January 19, 2010, Long Beach City Council action protesting the subject application.

Please be advised that the Long Beach City Council, at its meeting held Tuesday, May 11, 2010 took the following actions to: (1) withdraw the protest approved on January 19, 2010 and (2) uphold the March 4, 2010 Planning Commission decision to a Modification to a Conditional Use Permit, with City Council requested additions to the Conditions of Approval.

Enclosed is a copy of the City Council documentation for your file.

Respectfully submitted,

LARRY G. HERRERA
CITY CLERK

Prepared by:
Carolyn Harris

Attachments

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

H-2

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 4th Floor Long Beach, CA 90802 (562) 570-5237 Fax: (562) 570-6205

May 11, 2010

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive supporting documentation into the record, conclude the public hearing, deny the appeal, and uphold the Planning Commission decision to approve a Modification to a Conditional Use Permit and Local Coastal Development permit to upgrade an alcohol license from a Type 41 (beer and wine) to a Type 47 (beer, wine, and distilled spirits) at an existing restaurant located at 5734 East 2nd Street, and withdraw the public notice of protest approved by the City Council on January 19, 2010. (District 3)

DISCUSSION

On March 4, 2010, the Planning Commission voted 5-1 to approve a Modification to a Conditional Use Permit and a Local Coastal Development Permit to upgrade an alcohol license from a Type 41 (beer and wine) to a Type 47 (beer, wine, and distilled spirits) located at a 2,400-square-foot restaurant use at 5734 East 2nd Street (Exhibit A – Plans and Photographs). The Planning Commission decision was appealed on March 15, 2010 (Exhibit B - Appeal). The appellants contend that the proposed hours of operation are unacceptable. Planning staff recommended that on-premise liquor sales end at 11:00 p.m. on weekdays and 11:30 p.m. on weekends (Exhibit C – Findings and Conditions of Approval). The Planning Commission approved Planning staff's recommended hours of operation, and mandated additional security measures including: (1) requiring the business owner to provide a security patrol car, and (2) requiring the installation of an alarm system at the rear exit doors.

The restaurant has been operating at the subject site since 1997 without negative impacts to the neighborhood. The Long Beach Police Department (LBPD) has reviewed the request and has no objection to approval. Though the project site is not located in a high crime area per LBPD, it is in an over concentrated district for on-site alcohol sales uses. ABC reports that the existing liquor license for the subject property is in good standing and the restaurant has no history of nuisance or disorder at the site. This approval will not add to the concentration of alcohol licenses in this Census Tract given that this is an upgrade of an existing license. With the incorporated Conditions of Approval, staff is recommending approval (Exhibit C – Findings and Conditions of Approval).

On January 19, 2010, the City Council voted to submit a public notice of protest to ABC

HONORABLE MAYOR AND CITY COUNCIL

May 11, 2010

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because the City's administrative process had not yet been completed. If the appeal is denied, this public notice of protest should be withdrawn so that the applicant can complete its process with ABC.

This letter was reviewed by City Attorney Michael Mais on April 15, 2010 and by Budget Management Officer Victoria Bell on April 26, 2010.

TIMING CONSIDERATIONS

The Municipal Code requires City Council action within 60 days of positive action by the Planning Commission, which took place on March 4, 2010.

FISCAL IMPACT

There is no fiscal impact and no job impact associated with the recommended action.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

for 
REGINALD I. HARRISON
INTERIM DIRECTOR OF DEVELOPMENT SERVICES

RH:DB:JR

P:\Planning\City Council Items (Pending)\Council Letters\2010-06-07\CC5734 E 2nd Street

Attachments: Exhibit A – Plans and Photographs
Exhibit B – Appeal
Exhibit C – Findings and Conditions of Approval

APPROVED:


PATRICK H. WEST
CITY MANAGER



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • (562) 570-6101 • FAX (562) 570-6789

January 20, 2010

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

Re: Application of K C Branaghans LLC, dba K C Branaghans, for an Original Alcoholic Beverage Control License at 5734 East 2nd Street

Dear Mr. Cravens:

Please be advised that the Long Beach City Council, at its meeting held January 19, 2010 approved the request of Councilmember Gary DeLong, Third District, that the subject application be protested based on the Conditional Use Permit process has not been completed.

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 taking this request into consideration.

Respectfully submitted,

LARRY G. HERRERA
CITY CLERK

Prepared by:
Nancy Muth

Attachments

Cc: Councilmember Gary DeLong, Third District
City Prosecutor
Police Department (2) Chief & Vice
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