

March 25, 2022

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 Dion & Sons Marine Fuels, Incorporated, dba Alamitos Bay Marina Fuel Dock, for an original application of an Alcoholic Beverage Control License, at 227 North Marina Drive Atlantic Avenue.

Dear Mr. Beach:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, March 22, 2022 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:
Kyle Smith

Attachment

cc: Suzie Price, Councilwoman, Third District
Mayor
City Prosecutor
Police Department (2) Chief & Vice
Referral File
FAX forwarded to ABC, (562) 982-1396

C-13

March 22, 2022

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the application of Dion & Sons Marine Fuels, Incorporated, dba Alamos Bay Marina Fuel Dock, for an original application of an Alcoholic Beverage Control (ABC) License, at 227 North Marina Drive; 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 January 31, 2022. 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 March 22, 2022, to respond to the Department of Alcoholic Beverage Control by the March 23, 2022, 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
March 22, 2022

Council District: 3
Applicant: Dion & Sons Marine Fuels, Incorporated
DBA: Alamitos Bay Marina Fuel Dock
Address: 227 North Marina Drive
Type of Application: An Original Application of an Off-Sale Beer & Wine Package Store License
Bases for possible protest: High crime
Over concentration
Residences within 100 feet
Park within 600 feet

PUBLIC CONVENIENCE DETERMINATION: A determination of Public Convenience and Necessity **is** required for this application.

Census Tract: 5776.04
Boundaries: Marine Stadium to the North
County Line to the South
Pacific Coast Highway/County Line to the East
Marine Stadium to the West
Number of licenses allowed: 0
Number of licenses existing: 6
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 128. Crime in a reporting district must be at least 97 to qualify for a high crime protest.

Type of business: A package store
Last day to request conditions and protest: March 23, 2022

Date: March 22, 2022

To: File

From: Jose Gonzalez, Detective, Vice Investigations Section

Subject: **ALAMITOS BAY MARINA FUEL DOCK - 227 NORTH MARINA DRIVE**

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (1/31/21 - 1/31/22)

925 Suspicious Person Advised

ABC INSPECTIONS (Past three years)

Not applicable

RESIDENCES WITHIN 100 FEET

227 North Marina Drive Alamos Bay Marina Basin #1 - Boat Slips

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

225 North Marina Drive Maurice "Mossy" Kent Park

**AN EXCERPT FROM THE MINUTES OF
THE LONG BEACH CITY COUNCIL MEETING
HELD TUESDAY, March 22, 2022**

CONSENT CALENDAR: **(05:16 PM)**

13. (22-0323) Recommendation to receive the application of Dion & Sons Marine Fuels, Incorporated, dba Alamitos Bay Marina Fuel Dock, for an original application of an Alcoholic Beverage Control (ABC) License, at 227 North Marina Drive; submit a Public Notice of Protest to ABC; and direct City Manager to withdraw the protest if a Conditional Use Permit (CUP) is granted. (District 3)

Suggested Action: Approve recommendation.

Motion: CONSENT CALENDAR: (1 - 16)

Moved by Councilmember Uranga, seconded by Councilman Austin.

Vote: CONSENT CALENDAR: (1 - 16)(Carried 9-0)

Yes: Councilwoman Allen, Councilwoman Price, Councilman Supernaw, Councilwoman Mungo, Councilwoman Saro, Councilmember Uranga, Councilman Austin, Vice Mayor Richardson, and Councilwoman Zendejas.

CERTIFIED AS A TRUE AND CORRECT COPY



CITY CLERK OF THE CITY OF LONG BEACH

DATE: March 25, 2022

By: Kyle Smith, City Clerk Specialist

From: [Fax2Mail powered by OpenText](#)
To: [Kyle J. Smith](#)
Subject: City of Long Beach - Alamitos Bay Marina Fuel Dock ABC Letter
Date: Friday, March 25, 2022 5:05:42 PM

-EXTERNAL-

MAIL2FAX DETAILED DELIVERY REPORT	
Attention	DLA Admin
Job Number	1569248176
Sent By User	F2M/30565075606
Entered Fax2Mail System	03/25 16:43
Report Generated	03/25 17:05
Subject	City of Long Beach - Alamitos Bay Marina Fuel Dock ABC Letter
Page Count	6 (including cover sheet)

SUMMARY		
Sent: 0	Errors: 1	Cancelled: 0
Total: 1		

Destination	Status	Date	Time	Num. Retries
5629821396	NOAN	03/25	17:04	3