

May 26, 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 Double Cream, LLC, dba Oh La Vache, for an original application of an Alcoholic Beverage Control License, at 2112 East 4th Street.

Dear Mr. Beach:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, May 24, 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:
Karen Baldwin

Attachment

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

C-13

May 24, 2022

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive and file the application of Double Cream, LLC, dba Oh La Vache, for an original application of an Alcoholic Beverage Control (ABC) License, at 2112 East 4th Street; 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 (CUP) is granted. (District 2)

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 April 11, 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 May 24, 2022, to respond to the Department of Alcoholic Beverage Control by the May 31, 2022 due date.

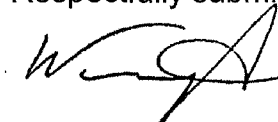
FISCAL IMPACT

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
May 24, 2022

Council District: 2

Applicant: Double Cream, LLC

DBA: Oh La Vache

Address: 2112 East 4th Street

Type of Application: Type 20 - An Original Application of an Off-Sale Beer & Wine for a Package Store License.

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

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

Census Tract: 5768.01

Boundaries: 7th Street/4th Street to the North
3rd Street/Appleton Street to the South
Molino Avenue to the East
Cherry Avenue to the West

Number of licenses allowed: 2

Number of licenses existing: 3

Police Reporting District: 434

Boundaries: 4th Street to the North
Broadway to the South
Lindero Avenue to the East
Cherry Avenue to the West

Reported crimes in this district for ABC purposes are 99. 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: May 31, 2022

Date: May 24, 2022
To: File
From: Jose Gonzalez, Detective, Vice Investigations Section
Subject: **OH LA VACHE - 2112 EAST 4TH STREET**

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (4/11/21 - 4/11/22)

None

ABC INSPECTIONS (Past three years)

Not applicable

RESIDENCES WITHIN 100 FEET

2133 East 4th Street	Multi Family Residence
2125 East 4th Street	Single Family Residence
2117 East 4th Street	Multi Family Residence
2111 East 4th Street	Single Family Residence
2127 East Florida Street	Single Family Residence
2125 East Florida Street	Single Family Residence
2123 East Florida Street	Single Family Residence
2121 East Florida Street	Single Family Residence
2105 East Florida Street	Multi Family Residence

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

370 Junipero Avenue	Our Savior's Lutheran Church
501 Junipero Avenue	Luther Burbank Elementary School
Junipero, Wisconsin, 4th Street & 3 rd Street	Carroll Park

**AN EXCERPT FROM THE MINUTES OF
THE LONG BEACH CITY COUNCIL MEETING
HELD TUESDAY, May 24, 2022**

CONSENT CALENDAR: (05:07 PM)

13. (22-0593) Recommendation to receive and file the application of Double Cream, LLC, dba Oh La Vache, for an original application of an Alcoholic Beverage Control (ABC) License, at 2112 East 4th Street; 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 (CUP) is granted. (District 2)

Suggested Action: Approve recommendation

Motion: Approve Consent Calendar Items 1 - 17.
Moved by Councilwoman Price, seconded by Councilmember Uranga.

Vote: Approve Consent Calendar Items 1 - 17. (Carried 6-0)
Yes: Councilwoman Zendejas, Councilwoman Price, Councilman Supernaw, Councilwoman Mungo, Councilmember Uranga, and Councilman Austin.
Absent: Councilwoman Allen, Councilwoman Saro, Vice Mayor Richardson.

CERTIFIED AS A TRUE AND CORRECT COPY



CITY CLERK OF THE CITY OF LONG BEACH

DATE: May 24, 2022

By: Karen Baldwin, City Clerk Specialist

Karen Baldwin

From: Fax2Mail powered by OpenText <reports@reply.fax2mail.com>
Sent: Thursday, May 26, 2022 10:45 AM
To: Karen Baldwin
Subject: City of Long Beach - Double Cream, LLC dba Oh La Vache

-EXTERNAL-

MAIL2FAX DETAILED DELIVERY REPORT

Attention	DLA Admin
Job Number	1584448763
Sent By User	F2M/30565075606
Entered Fax2Mail System	05/26 10:23
Report Generated	05/26 10:45
Subject	City of Long Beach - Double Cream, LLC dba Oh La Vache
Page Count	6 (including cover sheet)

SUMMARY

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

Destination	Status	Date	Time	Num. Retries
5629821396	NOAN	05/26	10:44	3