



# CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

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

September 19, 2013

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

Re: Application of Eleno Machuca, dba Birdcage Coffee House, for an original Alcoholic Beverage Control License, at 224 West 4<sup>th</sup> Street, with conditions.

Dear Mr. Cravens:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, September 17, 2013, received and filed the subject application with the attached conditions, as requested by Vice Mayor Robert Garcia, Councilmember, First District. Transmitted for your files is a copy of the conditions, and this request that the conditions be applied to the license, as applicable under ABC rules and regulations.

The City of Long Beach thanks you for taking this request into consideration.

Respectfully submitted,

LARRY G. HERRERA  
CITY CLERK

Prepared by:  
Pablo Rubio

Attachment

cc: Vice Mayor Robert Garcia, Councilmember, First District  
City Prosecutor  
Police Department (2) Chief & Vice  
Referral File  
FAX forwarded to ABC, (562) 982-1396

**Requested Alcoholic Beverage License Conditions**  
**Original application of Eleno Machuca**  
**dba Birdcage Coffee House**  
**for an On-Sale Beer & Wine for a bonafide eating place license**  
**at 440 Pine Ave**

**This is an original** On-Sale General Beer and Wine for Bonafide Eating Place alcoholic beverage control license. The location is located within 100 feet of residences and is located in a high crime area as defined by ABC guidelines. In order to mitigate these issues we are requesting the following conditions be attached to the license.

1. The premises shall be maintained as a bona fide eating establishment and shall provide a menu containing an assortment of foods normally offered in such coffee houses.
2. Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 10 AM to 10 PM on Sunday through Saturday.
3. All exterior doors shall be kept closed at all times during the operation of the premises except in cases of emergency and to permit deliveries. Said doors not to consist solely of a screen or ventilated security door.
4. There shall be no amusement machines or video games devices in the premise at any times.
5. No pool or billiard tables may be maintained on the premises
6. All sales of alcoholic beverages shall be made within the premises. The sale of beer and wine for consumption off the premises is strictly prohibited.
7. The petitioner(s) shall be responsible for maintaining free of litter the premises and the area adjacent to the licensed premise over which they have control.
8. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the licensee shall be removed or painted over within 24 hours of being applied.
9. Exterior payphones are prohibited.
10. Petitioner(s) shall regularly police the area under their control in an effort to prevent loitering of persons about the premises.
11. A single jukebox or stereo may be maintained on the premises; however, the music shall not be audible outside the premises.
12. Window promotional signage of any kind related to beer and wine is prohibited.
13. Licensee shall not offer or permit or provide any type of live amplified entertainment including live music, disc jockey, karaoke or dancing except as allowed by a valid Entertainment Permit issued by the city of Long Beach.



# CITY OF LONG BEACH

## POLICE DEPARTMENT

# R-26

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

Jim McDonnell  
Chief of Police

September 17, 2013

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

### RECOMMENDATION:

Receive and file the application of Eleno Machuca, dba Birdcage Coffee House, for an original Alcoholic Beverage Control license, at 224 West 4<sup>th</sup> Street, with conditions. (District 1)

### 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

City Council response is due to the Department of Alcoholic Beverage Control by September 18, 2013. Accordingly, City Council action is required at the September 17, 2013 City Council meeting.

### FISCAL IMPACT

None.

### SUGGESTED ACTION:

Approve recommendation.


Respectfully submitted,

*R. Luna for JMCO.*

JIM McDONNELL  
CHIEF OF POLICE

JM:LBB:ibb

APPROVED:

  
PATRICK H. WEST  
CITY MANAGER

ADMINISTRATION BUREAU  
(562) 570-5830  
FAX (562) 570-5833

INVESTIGATIONS BUREAU  
(562) 570-7350  
FAX (562) 570-7175

PATROL BUREAU  
(562) 570-7214  
FAX (562) 570-7058

SUPPORT BUREAU  
(562) 570-7342  
FAX (562) 570-6018

HONORABLE MAYOR AND CITY COUNCIL  
September 17, 2013

Council 1

Applicant: Eleno Machuca  
DBA: Birdcage Coffee House  
Address: 224 West 4th Street

Type of Application: An original application for an On-Sale Beer and Wine for a bonafide eating place license.

Basis for possible protest: Over concentration.  
Residences within 100 feet.

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

Census Tract: 5759.02

Boundaries: 7th Street to the North  
Broadway to the South  
Pine Avenue to the East  
Magnolia Avenue to the West

Number of licenses allowed: 4  
Number of licenses existing: 11

Police Reporting District: 092

Boundaries: 4th Street to the North  
Broadway to the South  
Pacific Avenue to the East  
Magnolia Avenue to the West

Reported crimes in this district for ABC purposes are 153. Crime in a reporting district must be at least 168 to qualify for a high crime protest.

Type of business: Coffee Shop.

Last day to request  
conditions and protest: September 18, 2013



**Date:** September 17, 2013  
**To:** File  
**From:** Laurie Briney, Detective, Vice Investigations Section  
**Subject:** **BIRDCAGE COFFEE HOUSE – 224 WEST 4<sup>TH</sup> STREET**

---

**CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (08/20/12-08/20/13)**

2	Custom	Customer Dispute	Advised
1	925D	Suspicious Drug Activity	Cancelled
1	487R	Grand Theft Report	Will File Later
1	Unwelc	Unwelcome Guest	Advised
1	Neighb	Neighbor Dispute	Advised

**ABC INSPECTIONS (past three years)**

None

**RESIDENCE WITHIN 100 FEET**

234 West 4 <sup>th</sup> Street	Multi-Unit Complex
330 Cedar Avenue	Multi-Unit Complex
332 Cedar Avenue	Multi-Unit Complex
338 Cedar Avenue	Multi-Unit Complex
350 Cedar Avenue	Multi-Unit Complex

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

None

# Fax Delivery Successful

## Fax Notification

Fax Notification			
To:	ABC License	From:	Pablo Rubio/CC/CLB
Fax subject:	ABC License Letter and Conditions - Birdcage Coffee House, 224 West 4th Street	Status:	
Fax number:	982-1396	Cover page:	Default
Date sent:	2013-09-19 11:10:59	Total pages sent:	7
Calling Station ID:	City of Long Beach		

## Advanced

Fax Notification			
Request number:	408404	Line number:	1
Number of retries:	0	Process time:	77 seconds

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