



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

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

June 22, 2011

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

Re: City Council Action to Rescind Protest Filed Against the Application of EJM Mini Mart Incorporated, dba EJM Mini Mart Incorporated, at 2221 Palo Verde Avenue Suite 1G for an Original Alcoholic Beverage Control License

Dear Mr. Cravens:

At its February 15, 2011 meeting the Long Beach City Council voted to file a protest with the Department of Alcoholic Beverage Control concerning the subject application. Enclosed are a copy of the protest letter and an excerpt of the minutes showing the action taken at the February 15, 2011 Council meeting for Agenda Item No. 23.

Please be advised that the Long Beach City Council, at its meeting held Tuesday, June 21, 2011, approved the action recommended by Patrick O'Donnell, Councilmember for the Fourth District, to rescind the action taken on February 15, 2011, and withdraw its protest for the subject application.

This letter is our official notice that the City of Long Beach is withdrawing its protest for the application of EJM Mini Mart Incorporated. A copy of the City Council documentation from June 21, 2011 and a certified excerpt of the minutes are also enclosed for your records.

Respectfully submitted,

LARRY G. HERRERA
CITY CLERK

Prepared by:
Nancy Muth

Attachment

Cc: Patrick O'Donnell, Councilmember, 4th District
City Prosecutor
Police Department (2) Chief & Vice
Referral File
FAX forwarded to ABC, (562) 982-1396

**AN EXCERPT FROM THE MINUTES OF
THE LONG BEACH CITY COUNCIL MEETING
HELD TUESDAY, JUNE 21, 2011**

REGULAR AGENDA: (5:39 PM)

10. (11-0620) Recommendation to rescind City Council action of February 15, 2011, regarding a public notice of protest on the application of EJM Mini Mart for an original Alcoholic Beverage Control License, at 2221 Palo Verde Avenue, Suite 1G; and direct City Clerk to notify the Alcoholic Beverage Control Board of the City Council action to rescind. (5:56 PM)


Suggested Action: Approve recommendation.

Councilmember O'Donnell spoke.

Motion: Approve recommendation.
Moved by O'Donnell, seconded by Gabelich.

Vote: Approve recommendation.(Carried 8-0)
Yes: Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich, and Neal.
Absent: Garcia.

CERTIFIED AS A TRUE AND CORRECT COPY


CITY CLERK OF THE CITY OF LONG BEACH *n. Smith*

DATE: June 21, 2011




City of Long Beach
Working Together to Serve

*Memorandum
Councilmember
Patrick O'Donnell
4th District*

R-10

Date: June 21, 2011

To: Honorable Mayor and City Council

From: Councilmember Patrick O'Donnell, Fourth District 

Subject: **EJN Mini Mart- 2221 Palo Verde Avenue**

Background:

On March 17, 2011 the Planning Commission approved a Conditional Use Permit (CUP) for an upgrade of an existing Type 20 alcohol license at 2221 Palo Verde Avenue Suite 1G. Approval of the CUP corrects an outstanding issue of "licensing the premises would be contrary to Long Beach Zoning Ordinances."

Recommendation:

Rescind City Council action of February 15, 2011, regarding a public notice of protest on the application of EJN Mini Mart for an Original Alcoholic Beverage Control License, at 2221 Palo Verde Avenue, Suite 1G; and direct to the City Clerk to notify the Alcoholic Beverage Control Board of the City Council action to rescind.



CITY OF LONG BEACH

COPY

DEPARTMENT OF CITY CLERK

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

February 16, 2011

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

Re: Application of EJM Mini Mart Incorporated, dba EJM Mini Mart Incorporated, for an Original Alcoholic Beverage Control License at 2221 Palo Verde Avenue, Suite 1G

Dear Mr. Cravens:

Please be advised that the Long Beach City Council, at its meeting held February 15, 2011 approved the request of Councilmember Patrick O'Donnell, Fourth District, that a protest be filed regarding the subject application based on the following:

- 1) Over concentration.
- 2) Residences within 100 feet.
- 3) Licensing the premises would be contrary to City of Long Beach zoning ordinances.

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,

Handwritten signature of Larry G. Herrera in black ink.

LARRY G. HERRERA
CITY CLERK

Prepared by:
Nancy Muth

Attachments

Cc: Councilmember Patrick O'Donnell, Fourth District
City Prosecutor
Police Department (2) Chief & Vice
Referral File
FAX forwarded to ABC, (562) 982-1396

**AN EXCERPT FROM THE MINUTES OF
THE LONG BEACH CITY COUNCIL MEETING
HELD TUESDAY, FEBRUARY 15, 2011**

REGULAR AGENDA: (6:41 PM)

23. (11-0185) Recommendation to receive and file the application of EJM Mini Mart Incorporated, dba EJM Mini Mart Incorporated, for an original Alcoholic Beverage Control License, at 2221 Palo Verde Avenue Suite 1G, and submit a Public Notice of Protest. (District 4) (8:48 PM)

Suggested Action: Approve recommendation.

Councilmember O'Donnell spoke.

Motion: Approve recommendation to file a protest based on 1) over concentration, 2) residences within 100 feet, and 3) that licensing the premises would be contrary to City of Long Beach zoning ordinances.
Moved by O'Donnell, seconded by Andrews.

Vote: Approve recommendation to file a protest based on 1) over concentration, 2) residences within 100 feet, and 3) that licensing the premises would be contrary to City of Long Beach zoning ordinances. (Carried 9-0)
Yes: Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich, and Neal.

CERTIFIED AS A TRUE AND CORRECT COPY


CITY CLERK OF THE CITY OF LONG BEACH

DATE: 16 February 2011 *G. Smith*



CITY OF LONG BEACH

POLICE DEPARTMENT

COPY
R-23

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

Jim McDonnell
Chief of Police

February 15, 2011

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive and file the application of EJM Mini Mart Incorporated, dba EJM Mini Mart Incorporated, for an original Alcoholic Beverage Control license, at 2221 Palo Verde Avenue Suite 1G, and submit a Public Notice of Protest. (District 4)

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 February 25, 2011. Accordingly, City Council action is required at the February 15, 2011 City Council meeting.

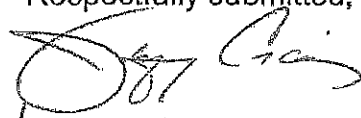
FISCAL IMPACT

None.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,


JIM McDONNELL
CHIEF OF POLICE

APPROVED:


PATRICK H. WEST
CITY MANAGER

JM:DBS:dbs

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

***** -IND. XMT JOURNAL- ***** DATE JUN-22-2011 ***** TIME 15:06 *****

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RESOLUTION = STD

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