

March 11, 2020

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 LB Beadels, LLC, dba The Breakfast Bar 4th Street, for an original application of an Alcoholic Beverage Control License, at 3404 East 4th Street.

Dear Mr. Beach:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, March 10, 2020 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 the CUP and if no appeal is made during the 10-day appeal period for the CUP. It is anticipated that the CUP 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:
Pablo Rubio

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-18

March 10, 2020

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the application of LB Beadels, LLC, dba The Breakfast Bar 4th Street, for an original application of an Alcoholic Beverage Control (ABC) license, at 3404 East 4th Street; 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 16, 2020. 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 10, 2020, to respond to the Department of Alcoholic Beverage Control by the March 10, 2020 due date.

FISCAL IMPACT

There is no fiscal impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



ROBERT G. LUNA
CHIEF OF POLICE

APPROVED:



THOMAS B. MODICA
ACTING CITY MANAGER

ATTACHMENTS

HONORABLE MAYOR AND CITY COUNCIL

March 10, 2020

Council District: 3

Applicant: LB Beadels, LLC

DBA: The Breakfast Bar 4th Street

Address: 3404 East 4th Street

Type of Application: An original application for an On-Sale Beer and Wine for Bona Fide Public Eating Place license.

Bases for possible protest: School within 600 feet.
Churches within 600 feet.
Residences within 100 feet.

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

Census Tract: 5771.00

Boundaries: 7th Street to the North
Vista Street to the South
Ximeno Avenue to the East
Obispo Avenue to the West

Number of licenses allowed: 6

Number of licenses existing: 6

Police Reporting District: 534

Boundaries: 4th Street to the North
Vista Street to the South
Miramar Avenue to the East
Redondo Avenue to the West

Reported crimes in this district for ABC purposes are 38. Crime in a reporting district must be at least 108 to qualify for a high crime protest.

Type of business: A restaurant.

Last day to request conditions and protest: March 10, 2020



Date: March 10, 2020
To: File
From: Jennifer Arzola, Detective, Vice Investigations Section
Subject: **THE BREAKFAST BAR 4TH STREET - 3404 EAST 4TH STREET**

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (01/16/19-01/16/20)

1 5150 Mentally Ill Person Advised

ABC INSPECTIONS (Past three years)

Not applicable

RESIDENCES WITHIN 100 FEET

3401 E 4 th Street	Multi-Unit Family Residence
3424 E 4 th Street	Single Family Residence
3431 E 4 th Street	Single Family Residence
384 Redondo Avenue	Multi-Unit Family Residence
379 Newport Avenue	Multi-Unit Family Residence

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

3500 East 4 th Street	Thubten Dhargye Ling Monastery
404 Newport Avenue	Newport Academy Preschool

**AN EXCERPT FROM THE MINUTES OF
THE LONG BEACH CITY COUNCIL MEETING
HELD TUESDAY, MARCH 10, 2020**

CONSENT CALENDAR:

18. (20-0193) Recommendation to receive the application of LB Beadels, LLC, dba The Breakfast Bar 4th Street, for an original application of an Alcoholic Beverage Control (ABC) License, at 3404 East 4th Street; 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) **(05:14 PM)**

Suggested Action: Approve recommendation.

Motion: Approve recommendation.

Moved by Councilwoman Price, seconded by Councilmember Pearce.

Vote: Approve recommendation.(Carried 7-0)

Yes: Councilwoman Zendejas, Councilmember Pearce, Councilwoman Price, Councilman Supernaw, Councilwoman Mungo, Vice Mayor Andrews, and Councilmember Richardson.

Absent: Councilmember Uranga, Councilman Austin.

CERTIFIED AS A TRUE AND CORRECT COPY



CITY CLERK OF THE CITY OF LONG BEACH

DATE: March 11, 2020

By: Pablo Rubio, City Clerk Analyst

Pablo Rubio

From: Fax2Mail Powered by OpenText <reports@reply.fax2mail.com>
Sent: Wednesday, March 11, 2020 5:42 PM
To: Pablo Rubio
Subject: ABC License Letter - dba The Breakfast Bar 4th Street, 3404 East 4th Street

-EXTERNAL-

MAIL2FAX DETAILED DELIVERY REPORT

Attention	DLA Admin
Job Number	1602176914
Sent By User	F2M/30565075606
Entered Fax2Mail System	03/11 17:31
Report Generated	03/11 17:42
Subject	ABC License Letter - dba The Breakfast Bar 4th Street, 3404 East 4th Street
Page Count	7 (including cover sheet)

SUMMARY

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

Destination	Status	Date	Time	Num. Retries
5629821396	SENT	03/11	17:41	4