

City of Long Beach


Working Together to Serve

**Memorandum
3rd Council District**

R-16

Date: November 9, 2010

To: Honorable Mayor Foster and Members of the City Council

From: Gary DeLong, Councilmember, 3rd District 

Subject: 5372 East 2nd Street, dba Me Soo Hungry, ABC License

On September 21, 2010, the City Council protested the application of Me Soo Hungry Incorporated, dba Me Soo Hungry, for an original On-Sale Beer and Wine Alcoholic Beverage Control License at 5372 East 2nd Street.

The protest was based on an over concentration of ABC licenses in the census tract. Upon receipt of additional community input, it was found that the neighborhood is in support of the granting of an ABC license at this location.

Therefore, I am requesting that the Council reconsider the action of September 21, 2010, and remove the protest in support of the license.

Recommended Action: Request the City Council reconsider the action of September 21, 2010, for an original ABC license application for Me Soo Hungry Incorporated, dba Me Soo Hungry, and approve the application with conditions.




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Date: November 9, 2010

To: Honorable Mayor Foster and Members of the City Council

From: Gary DeLong, Councilmember, 3rd District 

Subject: 5372 East 2nd Street, dba Me Soo Hungry, ABC License

I am submitting the following conditions for your consideration for an original application of an On-Sale Beer and Wine license for a bonafide eating place.

1. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.
2. The permittee shall not allow employees to discard trash or bottles into the outside dumpsters between the hours of 10 p.m. and 8 a.m.
3. There shall be no exterior advertising promoting or indicating the availability of alcoholic beverages.
4. Sound shall not be audible within fifty feet (50') from the exterior of the premises in any direction.
5. The permittee shall take reasonable measures to prohibit and prevent the loitering of persons immediately outside the establishment at all times.
6. Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 11:30 a.m. and 9:30 p.m. Sunday through Thursday and 11:30 a.m. and 10:00 p.m. Friday and Saturday.
7. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. The licensee shall at all times maintain records which reflect separately the gross sales of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the Department on demand.
8. The sale of alcoholic beverages for consumption off the premises is strictly prohibited.
9. No "happy hour" type of reduced price alcoholic beverage promotion shall be allowed.

10. There shall be no pool or billiard tables, amusement machines, video game devices or television(s) in the premises at any time.

GD:jt



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

333 West Ocean Boulevard • Long Beach, California 90802 • (562) 570-6101 • FAX (562) 570-6789

September 24, 2010

Vincent Cravens
District Administrator
Department of Alcoholic Beverage Control
3950 Paramount Boulevard, Suite 250
Lakewood, California 90712

Re: Application of Me Soo Hungry Incorporated, dba Me Soo Hungry, for an Original
Alcoholic Beverage Control License at 5372 East 2nd Street

Dear Mr. Cravens:

Please be advised that the Long Beach City Council, at its meeting held
September 21, 2010, approved the request of Councilmember Gary DeLong, Third
District, that the subject application be protested based on:

- Over concentration

Enclosed is a copy of the City Council documentation and a certified excerpt of the
minutes for your files. The City of Long Beach thanks you for taking this request into
consideration.

Respectfully submitted,

LARRY G. HERRERA
CITY CLERK

Prepared by:
Carolyn Harris

Attachments

cc: Councilmember Gary DeLong, Third District
City Prosecutor
Police Department (2) Chief & Vice
Referral File
FAX forwarded to ABC, (562) 982-1396



CITY OF LONG BEACH

POLICE DEPARTMENT

~~R-29~~

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

Jim McDonnell
Chief of Police

September 21, 2010

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive and file the application of Me Soo Hungry Incorporated, dba Me Soo Hungry, for an original Alcoholic Beverage Control license, at 5372 East 2nd Street, with conditions. (District 3)

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 October 5, 2010. Accordingly, City Council action is required at the September 21, 2010 City Council meeting.

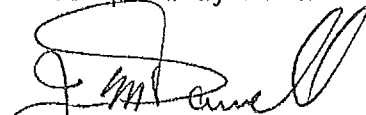
FISCAL IMPACT

None.


SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,


JIM McDONNELL
CHIEF OF POLICE

APPROVED:


PATRICK H. WEST
CITY MANAGER

JM:DBS:dbs

HONORABLE MAYOR AND CITY COUNCIL
September 21, 2010

Council District: 3

Applicant: Me Soo Hungry Incorporated
DBA: Me Soo Hungry
Address: 5372 East 2nd Street

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

Bases for possible protest: High crime.
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: 5773.00

Boundaries: Livingston Drive/2nd Street to the North
Long Beach Outer Harbor to the South
Bayshore Avenue/54th Place/Long Beach Outer Harbor to the East
Termino Avenue/Long Beach Outer Harbor to the West

Number of licenses allowed: 5
Number of licenses existing: 25

Police Reporting District: 571

Boundaries: 2nd Street to the North
Pacific Ocean to the South
Bayshore Avenue/54th Place to the East
Nieto Avenue/52nd Place to the West

Reported crimes in this district for ABC purposes are 419. Crime in a reporting district must be at least 199 to qualify for a high crime protest.

Type of business: A restaurant.

Last day to request conditions and protest: Extended to October 5, 2010



Date: September 21, 2010
To: File
From: Dana Smith, Detective, Vice Investigations Section
Subject: ME SOO HUNGRY, 5372 EAST 2ND STREET

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (08/16/09-08/16/10)

1	919	Keep The Peace Call	Civil
1	415	Disturbance Call	Advised

- Above Calls For Service related to previous business.

ABC INSPECTIONS (past three years)

None

RESIDENCE WITHIN 100 FEET

180 Santa Ana Avenue	Single Family Residence
180 Claremont Avenue	Single Family Residence
181 Claremont Avenue	Single Family Residence
182 Claremont Avenue	Single Family Residence
183 Claremont Avenue	Single Family Residence
184 Claremont Avenue	Single Family Residence
185 Claremont Avenue	Single Family Residence
188 Claremont Avenue	Single Family Residence

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

None

DBS:dbs
cfs.memo

AN EXCERPT FROM THE MINUTES OF
THE LONG BEACH CITY COUNCIL MEETING
HELD TUESDAY, SEPTEMBER 21, 2010

REGULAR CALENDAR:

29. (10-1053) Recommendation to receive and file the application of Me Soo Hungry Incorporated, dba Me Soo Hungry, for an original Alcoholic Beverage Control License, at 5372 East 2nd Street, with conditions. (District 3) (7:38 PM)
Suggested Action: Approve recommendation.


Motion: Approve recommendation to protest due to over concentration in the area.
Moved by DeLong, seconded by Garcia.

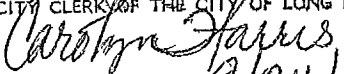
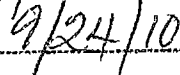
Vote: Approve recommendation to protest due to over concentration in the area. (Carried 8-0)
Yes: Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, and Neal.
Absent: Gabelich.

Councilmember Johnson spoke.

Councilmember DeLong spoke.

CERTIFIED AS A TRUE AND CORRECT COPY



CITY CLERK OF THE CITY OF LONG BEACH
BY 
DATE: -----

***** -IND. XMT JOURNAL- ***** DATE SEP-24-2010 ***** TIME 11:21 *****

DATE/TIME. = SEP-24-2010 11:20
JOURNAL No. = 49
COMM. RESULT = OK
PAGE(S) = 005/005
DURATION = 00:00'40
FILE No. = 175
MODE = MEMORY TRANSMISSION
DESTINATION = 99821396
RECEIVED ID = D.A.B.C. / 562 982 1396
RESOLUTION = STD

***** - *****