



CITY OF LONG BEACH

OFFICE OF THE CITY CLERK

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

April 21, 2016

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

Re: Application of AI California, LLC, dba Aldi, to Determine the Application Serves the Public Convenience and Necessity for an original application of an Alcoholic Beverage Control License, at 4580 Atlantic Avenue.

Dear Mr. Cravens:

At its Tuesday, February 16, 2016 meeting the Long Beach City Council voted to file a protest with the Department of Alcoholic Beverage Control concerning the subject application. Enclosed is a copy of the protest letter, which indicated that the City Council also approved withdrawing the protest if no appeal was filed concerning the required Conditional Use Permit within the 10-day appeal period for the CUP.

Please be advised that the Long Beach City Council, by this letter, is officially withdrawing its protest for the subject application for AI California, LLC, dba Aldi.

The City of Long Beach thanks you for your assistance in this matter.

Respectfully submitted,

Maria de la Luz Garcia
MARIA DE LA LUZ GARCIA
CITY CLERK

Prepared by:
Pablo Rubio

Attachment

cc: AI Austin, Councilman, Eighth District
Mayor
City Prosecutor
Police Department (2) Chief & Vice
Referral File
FAX forwarded to ABC, (562) 982-1396



CITY OF LONG BEACH

OFFICE OF THE CITY CLERK

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

February 19, 2016

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

Re: Application of AI California, LLC, dba Aldi, to Determine the Application Serves the Public Convenience and Necessity for an original application of an Alcoholic Beverage Control License, at 4580 Atlantic Avenue.

Dear Mr. Cravens:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, February 16, 2016 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.

At the same meeting, the Long Beach City Council took the concurrent action to determine and find that the subject application would serve the public convenience and necessity.

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,

Maria de la Luz Garcia
MARIA DE LA LUZ GARCIA
CITY CLERK

Prepared by:
Pablo Rubio

Attachment

cc: Al Austin, Councilman, Eighth District
Mayor
City Prosecutor
Police Department (2) Chief & Vice
Referral File
FAX forwarded to ABC, (562) 982-1396



CITY OF LONG BEACH

POLICE DEPARTMENT
400 WEST BROADWAY LONG BEACH CALIFORNIA 90802

R-19

Robert G. Luna
Chief of Police

February 16, 2016

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the application of AI California, LLC, dba Aldi, for an original application of an Alcoholic Beverage Control (ABC) license, at 4580 Atlantic Avenue, 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 is granted. (District 8)

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

The Department of Alcoholic Beverage Control received the above application on January 4, 2016. The applicant is still in the planning stage, and has not yet received a Conditional Use Permit (CUP). City Council response is due to ABC by February 23, 2016. Provided the Planning Commission approves the CUP, the recommendation includes a request to direct the City Manager to withdraw the Public Notice of Protest.

FISCAL IMPACT

None.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

Handwritten signature of Robert G. Luna in black ink.

ROBERT G. LUNA
CHIEF OF POLICE

APPROVED:

Handwritten signature of Patrick H. West in black ink.
PATRICK H. WEST
CITY MANAGER

HONORABLE MAYOR AND CITY COUNCIL
February 16, 2016

Council District: 8

Applicant: AI California, LLC
DBA: Aldi
Address: 4580 Atlantic Avenue

Type of Application: An original application for an Off-Sale Beer and Wine license.

Bases for possible protest: Over Concentration.
Residences within 100 feet.
Park within 600 feet.
High Crime.
Licensing this premise would be in contrary to Long Beach
Zoning Ordinances

PUBLIC CONVENIENCE DETERMINATION: A determination by the City of public
convenience and necessity is required for this
application.

Census Tract: 5715.02

Boundaries: Union Pacific Railroad to the North
San Antonio Drive to the South
Orange Avenue to the East
Long Beach Boulevard to the West

Number of licenses allowed: 3
Number of licenses existing: 5

Police Reporting District: 333

Boundaries: Union Pacific Railroad to the North
San Antonio Drive to the South
Orange Avenue to the East
Atlantic Avenue to the West

The reported crime in this district for ABC purposes is 187. Crime in a reporting district
must be at least 149 to qualify for a high crime protest.

Type of business: A grocery store.
Last day to request
conditions and protest: February 23, 2016



Date: February 16, 2016
To: File
From: Laurie Barajas, Detective, Vice Investigations Section
Subject: **ALDI – 4580 ATLANTIC AVENUE**

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (1/4/15 to 1/4/16)

4	Unwelc	Unwelcome guest	Advised
1	459S	Silent Burglary Alarm	Bad Order Alarm
2	459A	Burglary Alarm	Bad Order Alarm

ABC INSPECTIONS (past three years)

Not Applicable

RESIDENCES WITHIN 100 FEET

701 East 46 th Street	Multi-Unit Dwelling
731 East 46 th Street	Multi-Unit Dwelling
761 East 46 th Street	Multi-Unit Dwelling
799 East 46 th Street	Multi-Unit Dwelling
801 East 46 th Street	Multi-Unit Dwelling
901-923 East 46 th Street	Multi-Unit Dwelling
4565 California Avenue	Multi-Unit Dwelling
4595 California Avenue	Multi-Unit Dwelling

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

Scherer Park	4600 Long Beach Boulevard
--------------	---------------------------

LBB:lb
CFSmemoAldi

**AN EXCERPT FROM THE MINUTES OF
THE LONG BEACH CITY COUNCIL MEETING
HELD TUESDAY, FEBRUARY 16, 2016**

REGULAR AGENDA: (06:56 PM)

19. (16-0143) Recommendation to receive the application of AI California, LLC, dba Aldi, for an original application of an Alcoholic Beverage Control License, at 4580 Atlantic Avenue, 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 is granted. (District 8) (07:59 PM)

Suggested Action: Approve recommendation.

Motion: Approve recommendation.

Moved by Councilman Austin, seconded by Councilwoman Mungo.

Vote: Approve recommendation. (Carried 9-0)

Yes: Councilwoman Gonzalez, Vice Mayor Lowenthal, Councilwoman Price, Councilmember Supernaw, Councilwoman Mungo, Councilman Andrews, Councilmember Uranga, Councilman Austin, and Councilmember Richardson.

CERTIFIED AS A TRUE AND CORRECT COPY



CITY CLERK OF THE CITY OF LONG BEACH

DATE: 2/19/16

Pablo Rubio

From: Fax2Mail Powered by EasyLink Services <reports@reply.fax2mail.com>
Sent: Thursday, April 21, 2016 5:23 PM
To: Pablo Rubio
Subject: ABC License Letter withdrawing protest - dba Aldi, 4580 Atlantic Avenue

MAIL2FAX DETAILED DELIVERY REPORT	
Attention	DLA Admin
Job Number	1601977211
Sent By User	F2M/37283576077
Entered Fax2Mail System	04/21 20:19
Report Generated	04/21 20:22
Subject	ABC License Letter withdrawing protest - dba Aldi, 4580 Atlantic Avenue
Page Count	7 (including cover sheet)

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

Destination	Status	Date	Time	Num. Retries
5629821396	SENT	04/21	20:23	1