



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

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

August 24, 2011

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

Re: Application of Jose Adolfo Diaz, dba El Burrito Grill, an original Alcoholic Beverage Control License, at 5211 East Pacific Coast Highway

Dear Mr. Cravens:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, August 23, 2011, received and filed the subject application with the attached conditions requested by Gary DeLong, Councilmember for the Third 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. Enclosed is a copy of the City Council documentation for your file.

Respectfully submitted,


LARRY G. HERRERA
CITY CLERK

Prepared by:
Nancy Muth


Attachment

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



Date: August 23, 2011

To: Honorable Mayor Foster and Members of the City Council

From: Gary DeLong, Councilmember, 3rd District 

Subject: 5211 E. Pacific Coast Highway, dba El Burrito Grill, ABC License

R-19

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 or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs that are clearly visible to the exterior shall constitute a violation of this condition promoting or indicating the availability of alcoholic beverages.
4. There shall be no amplified music on the premises at any time.
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 9:00 a.m. and 9:00 p.m. seven days a week.
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 and a limit of one (1) television(s) in the premises at any time.

11. There shall be no bar or lounge area upon the licensed premises maintained for the purpose of sales, service or consumption of alcoholic beverages directly to patrons for consumption.

GD:jt



CITY OF LONG BEACH

POLICE DEPARTMENT

R-19

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

Jim McDonnell
Chief of Police

August 23, 2011

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive and file the application of Jose Adolfo Diaz, dba El Burrito Grill, for an original Alcoholic Beverage Control license, at 5211 East Pacific Coast Highway. (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 August 31, 2011. Accordingly, City Council action is required at the August 23, 2011 City Council meeting.

FISCAL IMPACT

None.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

R. Lema for JMCD.

JIM McDONNELL
CHIEF OF POLICE

JM:DBS:dbs

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

August 23, 2011

Council District: 3

Applicant: Jose Adolfo Diaz
DBA: El Burrito Grill
Address: 5211 East Pacific Coast Highway

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

Bases for possible protest: High crime.
Public playgrounds within 600 feet.
School within 600 feet.

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

Census Tract: 5748.00

Boundaries: Atherton Street to the North
Pacific Coast Highway/7th Street to the South
Bellflower Boulevard to the East
Clark Avenue to the West

Number of licenses allowed: 3
Number of licenses existing: 2

Police Reporting District: 602

Boundaries: Atherton Street to the North
Pacific Coast Highway/7th Street to the South
Bellflower Boulevard to the East
Clark Avenue to the West

Reported crimes in this district for ABC purposes are 210. Crime in a reporting district must be at least 177 to qualify for a high crime protest.

Type of business: A restaurant.

Last day to request

conditions and protest: August 31, 2011



Date: August 23, 2011
To: File
From: Dana Smith, Detective, Vice Investigations Section
Subject: **EL BURRITO GRILL, 5211 EAST PACIFIC COAST HIGHWAY**

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (08/01/10-08/01/11)

None

ABC INSPECTIONS (past three years)

None

RESIDENCE WITHIN 100 FEET

None

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

Recreation Park
Los Altos Plaza Park
Kindercare Learning Center

DBS:dbs
cfs.memo