



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

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

May 19, 2010

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

Re: Application of Construction Group Incorporated, dba A B S Market, to Determine the Application Serves the Public Convenience and Necessity for an original Alcoholic Beverage Control License at 1605 East Wardlow Road

Dear Mr. Cravens:

Please be advised that the Long Beach City Council, at its meeting held May 18 2010 approved the request of Councilmember Tonia Reyes Uranga, Seventh District, that the subject application be conditionally protested based on: (1) over concentration, and (2) residences with 100 feet.

Should ABC not uphold the protest, the Councilmember requests that the following conditions be applied to the license: (1) to limit hours to close not later than 10:00 PM for Monday through Thursday and 12:00 PM for Friday through Sunday, and (2) restrict sales of singles.

No determination that the application serves the public convenience and necessity was made by the City Council.

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,

LARRY G. HERRERA
CITY CLERK

Prepared by:
Nancy Muth

Attachments

Cc: Councilmember Gary DeLong, Third 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, MAY 18, 2010**

REGULAR AGENDA: (8:06 PM)

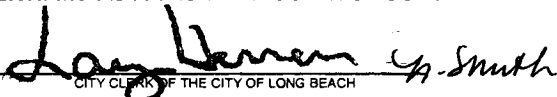
27. (10-0546) Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of Construction Group Incorporated, dba A B S Market, for an original Alcoholic Beverage Control License, at 1605 East Wardlow Road, with conditions. (District 7) (8:26 PM)

Suggested Action: Approve recommendation.

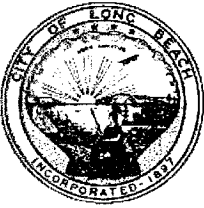
Motion: Request that a conditional protest be filed with ABC on the basis of (1) over concentration and (2) proximity to residences; and with the conditions (1) to limit hours to close not later than 10:00 PM for Monday through Thursday and 12:00 PM for Friday through Sunday, and (2) restrict sales of singles.
Moved by Reyes Uranga, seconded by Andrews.

Vote: Request that a conditional protest be filed with ABC on the basis of (1) over concentration and (2) proximity to residences; and with the conditions (1) to limit hours to close not later than 10:00 PM for Monday through Thursday and 12:00 PM for Friday through Sunday, and (2) restrict sales of singles.(Carried 7-0)
Yes: Lowenthal, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich, and Lerch.
Absent: Garcia, DeLong.

CERTIFIED AS A TRUE AND CORRECT COPY


CITY CLERK OF THE CITY OF LONG BEACH

DATE: May 19, 2010



CITY OF LONG BEACH

R-27

POLICE DEPARTMENT

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

Jim McDonnell
Chief of Police

May 18, 2010

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Determine that the application serves the public convenience and necessity, and receive and file the application of Construction Group Incorporated, dba A B S Market, for an original Alcoholic Beverage Control license, at 1605 East Wardlow Road, with conditions. (District 7)

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 May 27, 2010. Accordingly, City Council action is required at the May 18, 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

ADMINISTRATION BUREAU
(562) 570-5830
FAX (562) 570-5883

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
May 18, 2010

Council District: 7

Applicant: Construction Group Incorporated
DBA: A B S Market
Address: 1605 East Wardlow Road

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

Bases for possible protest: Over concentration.
Residences within 100 feet.

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

Census Tract: 5720.01

Boundaries: Bixby Road to the North
City Limits/Wardlow Road to the South
City Limits/Cherry Avenue to the East
Atlantic Avenue to the West

Number of licenses allowed: 4
Number of licenses existing: 6

Police Reporting District: 402

Boundaries: 36th Street to the North
City Limits/Wardlow Road to the South
City Limits/Cherry Avenue to the East
Orange Avenue to the West

Reported crimes in this district for ABC purposes are 40. Crime in a reporting district must be at least 199 to qualify for a high crime protest.

Type of business: A neighborhood market.

Last day to request
conditions and protest: May 27, 2010



Date: May 18, 2010
To: File
From: Dana Smith, Detective, Vice Investigations Section
Subject: **A B S MARKET, 1605 EAST WARDLOW ROAD**

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (04/27/09-04/27/10)

None

ABC INSPECTIONS (past three years)

None

RESIDENCE WITHIN 100 FEET

3401 Walnut Avenue	Single Family Residence
3405 Walnut Avenue	Single Family Residence
3409 Walnut Avenue	Single Family Residence
3411 Walnut Avenue	Single Family Residence
3421 Walnut Avenue	Single Family Residence
3428 Walnut Avenue	Single Family Residence
3429 Walnut Avenue	Single Family Residence
3435 Walnut Avenue	Single Family Residence
3436 Walnut Avenue	Single Family Residence
3425 Gaviota Avenue	Single Family Residence
3401 Gaviota Avenue	Multi-Unit Complex
1621 Wardlow Road	Multi-Unit Complex
1695 Wardlow Road	Multi-Unit Complex

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

None

DBS:db
cfs.memo

***** -IND. XMT JOURNAL- ***** DATE MAY-19-2010 ***** TIME 16:30 *****

DATE/TIME = MAY-19-2010 16:29
JOURNAL No. = 61
COMM.RESULT = OK
PAGE(S) = 005/005
DURATION = 00:00'47
FILE No. = 213
MODE = MEMORY TRANSMISSION
DESTINATION = 99821396
RECEIVED ID = D.A.B.C. / 562 982 1396
RESOLUTION = STD

***** - ***** - *****