



# CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

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

June 10, 2009

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

Re: Application of Roberto Gonzalez Orozco, dba La Penita Mexican Restaurant  
for an Original Alcoholic Beverage Control License at 3599 Atlantic Avenue

Dear Mr. Cravens:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, June 9, 2009 requested that the subject application be protested as follows:

That a protest be filed conditioned upon the modification of the proposed hours of sale and service from 9:00 AM to 9:00 PM, Monday through Sunday; and in the event the hours are not amended, that a protest be filed based on:

- (1) Over concentration,
- (2) Churches within the immediate vicinity, and
- (3) Schools within 600 feet.

Enclosed is a copy of the City Council documentation and a certified excerpt of the minutes for your file.

Respectfully submitted,

  
LARRY HERRERA  
CITY CLERK

Prepared by:  
Nancy Muth

Attachment

Cc: Councilmember Tonia Reyes Uranga, Seventh 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, JUNE 9, 2009**

**REGULAR AGENDA (8:12 PM)**

**16. (09-0581) Recommendation to receive and file the application of Roberto Gonzalez Orozco, dba La Penita Mexican Restaurant, for an original Alcoholic Beverage Control License, at 3599 Atlantic Avenue, with conditions. (District 7) (8:12 PM)**

*Suggested Action: Approve recommendation.*

**Motion:** Request that a protest be filed conditioned upon the modification of the proposed hours of sale and service from 9:00 AM to 9:00 PM, Monday through Sunday; and in the event the hours are not amended, that a protest be filed based on over concentration, churches within the immediate vicinity, and schools within 600 feet.

Moved by Gablich, seconded by Andrews.

**Vote:** Request that a protest be filed conditioned upon the modification of the proposed hours of sale and service from 9:00 AM to 9:00 PM, Monday through Sunday; and in the event the hours are not amended, that a protest be filed based on over concentration, churches within the immediate vicinity, and schools within 600 feet. (Carried 7-0)

Yes: Garcia, S. Lowenthal, O'Donnell, Schipske, Andrews, Gablich, and Lerch.

Absent: DeLong, Reyes Uranga.

CERTIFIED AS A TRUE AND CORRECT COPY

  
\_\_\_\_\_  
CITY CLERK OF THE CITY OF LONG BEACH *Ch. Smith*

DATE: June 10, 2009



# CITY OF LONG BEACH

# R-16

## POLICE DEPARTMENT

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

ANTHONY W. BATTS  
Chief of Police

June 9, 2009

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

### RECOMMENDATION:

Receive and file the application of Roberto Gonzalez Orozco, dba La Penita Mexican Restaurant, for an original Alcoholic Beverage Control license, at 3599 Atlantic Avenue, 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 June 11, 2009. Accordingly, City Council action is required at the June 9, 2009 City Council meeting.

### FISCAL IMPACT

None.

### SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

ANTHONY W. BATTS  
CHIEF OF POLICE

APPROVED:

PATRICK H. WEST  
CITY MANAGER

AWB:DBS:dbs  
attachments

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  
June 9, 2009

Council District: 7

Applicant: Roberto Gonzalez Orozco  
DBA: La Penita Mexican Restaurant  
Address: 3599 Atlantic Avenue

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

Bases for possible protest: Over concentration.  
Churches within immediate vicinity.  
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: 5720.02

Boundaries: Bixby Road to the North  
Wardlow Road to the South  
Atlantic Avenue to the East  
Metro Blue Line to the West

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

Police Reporting District: 223

Boundaries: Bixby Road to the North  
Wardlow Road to the South  
Atlantic Avenue to the East  
Long Beach Boulevard to the West

Reported crimes in this district for ABC purposes are 125. Crime in a reporting district must be at least 191 to qualify for a high crime protest.

Type of business: A restaurant.

Last day to request  
conditions and protest: June 11, 2009



**Date:** June 9, 2009  
**To:** File  
**From:** Dana Smith, Detective, Vice Investigations Section  
**Subject:** **LA PENITA MEXICAN RESTAURANT, 3599 ATLANTIC AVENUE**

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**CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (05/12/08-05/12/09)**

None

**ABC INSPECTIONS (past three years)**

None

**RESIDENCE WITHIN 100 FEET**

None

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

3601 Linden Avenue  
3601 Linden Avenue  
3629 Atlantic Avenue  
505 East 36<sup>th</sup> Street

Grace Brethren Church  
Grace Brethren School  
Fourth Church of Christ Scientist  
Church of Christ Iglesia Ni Cristo

DBS:dbs  
cfs.memo