



# CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

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

October 12, 2011

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

Re: Application of Sparkys Cheesesteaks, dba Philly's Best, for an original  
Alcoholic Beverage Control License, at 1998 Ximeno Avenue Suite B.

Dear Mr. Cravens:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, October 11, 2011, received and filed the subject application with the attached conditions requested by Patrick O'Donnell, Councilmember for the Fourth 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: Patrick O'Donnell, Councilmember, Fourth District  
City Prosecutor  
Police Department (2) Chief & Vice  
Referral File  
FAX forwarded to ABC, (562) 982-1396



**Date:** October 11, 2011

**To:** Honorable Mayor and Members of the City Council

**From:** Councilmember Patrick O'Donnell, Fourth District

**Subject:** **Item 18- Philly's Best- 1998 Ximeno Ave.**

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I request that the City impose the following conditions for the Original ABC License of Philly's Best, located at 1998 Ximeno Ave.

1. The premises shall be maintained as a bona fide eating establishment and shall provide a menu containing an assortment of foods normally offered in such restaurants.
2. Sales, service and consumption of alcoholic beverage shall take place only between the hours of 11:00 am and 9:00 pm each day of the week.
3. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period.
4. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee, not licensed by ABC for such sales.
5. All beverages offered for sale at the premises shall be displayed and available for convenient inspection and purchase within the premises by the general public.
6. The petitioner(s) shall be responsible for maintaining free of litter the premises and the area adjacent to the licensed premise over which they have control.
7. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the licensee shall be removed or painted over within 24 hours of being applied.
8. To prevent loitering and other criminal activities exterior payphones are prohibited.
9. Petitioner(s) shall regularly police the area under their control in an effort to prevent loitering of persons about the premises.
10. A single jukebox or stereo may be maintained on the premises; however, the music shall not be audible outside the premises.

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11. Doors shall remain closed during hours of operation to prevent noise disturbance.

12. Licensee shall not offer or permit or provide any type of live entertainment except as allowed by a valid Entertainment Permit issued by the city of Long Beach.



**CITY OF LONG BEACH**  
**POLICE DEPARTMENT**

**R-18**

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

Jim McDonnell  
Chief of Police

October 11, 2011

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

**RECOMMENDATION:**

Receive and file the application of Sparkys Cheesesteaks, dba Philly's Best, for an original Alcoholic Beverage Control license, at 1998 Ximeno Avenue Suite B. (District 4)

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 13, 2011. Accordingly, City Council action is required at the October 11, 2011 City Council meeting.

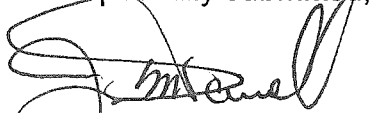
FISCAL IMPACT

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) 570-5833

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  
October 11, 2011

Council District: 4

Applicant: Sparkys Cheesesteaks  
DBA: Philly's Best  
Address: 1998 Ximeno Avenue Suite B

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

Basis for possible protest: Over concentration.

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

Census Tract: 5749.02

Boundaries: Stearns Street to the North  
Outer Traffic Circle/Pacific Coast Highway to the South  
Clark Avenue to the East  
Lakewood Boulevard to the West

Number of licenses allowed: 5  
Number of licenses existing: 7

Police Reporting District: 562

Boundaries: Stearns Street to the North  
Outer Traffic Circle/Atherton Street to the South  
Clark Avenue to the East  
Lakewood Boulevard to the West

Reported crimes in this district for ABC purposes are 166. 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: October 13, 2011



**Date:** October 11, 2011  
**To:** File  
**From:** Dana Smith, Detective, Vice Investigations Section  
**Subject:** PHILLY'S BEST, 1998 XIMENO AVENUE SUITE B

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**CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (09/13/10-09/13/11)**

None

**ABC INSPECTIONS (past three years)**

None

**RESIDENCE WITHIN 100 FEET**

None

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

None

DBS:dbs  
cfs.memo

\*\*\*\*\* -IND. XMT JOURNAL- \*\*\*\*\* DATE OCT-12-2011 \*\*\*\*\* TIME 15:28 \*\*\*\*\*

DATE/TIME = OCT-12-2011 15:26  
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DESTINATION = 99821396  
RECEIVED ID = D.A.B.C. / 562 982 1396  
RESOLUTION = STD

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