

April 7, 2022

Mr. Brad D. Beach  
Supervising Agent In Charge  
Department of Alcoholic Beverage Control  
3950 Paramount Boulevard, Suite No. 250  
Lakewood, California 90712

Re: Application of Shady Grove Oak Grill, Incorporated, dba Shad Oak Grill, for an original application of an Alcoholic Beverage Control License, at 2708 East 4<sup>th</sup> Street.

Dear Mr. Beach:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, April 5, 2022 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 a Conditional Use Permit Exemption (CUPEX) and if no appeal is made during the 10-day appeal period for the CUPEX. It is anticipated that the CUPEX 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.

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,



MONIQUE DE LA GARZA  
CITY CLERK

Prepared by:  
Kyle Smith

Attachment

cc: Cindy Allen, Councilwoman, Second District  
Mayor  
City Prosecutor  
Police Department (2) Chief & Vice  
Referral File  
FAX forwarded to ABC, (562) 982-1396

**C-22**

April 5, 2022

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

**RECOMMENDATION:**

Receive the application of Shady Grove Oak Grill, Incorporated, dba Shady Grove, for an original application of an Alcoholic Beverage Control (ABC) License, at 2708 East 4<sup>th</sup> Street; submit a Public Notice of Protest to ABC; and, direct the City Manager to withdraw the protest if a Conditional Use Permit Exemption (CUPEX) is granted. (District 2)

DISCUSSION

It is City Council policy to review applications for ABC 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 February 18, 2022. The applicant is still in the planning stages and has not yet received a CUPEX. Provided the Planning Commission approves the CUPEX, the recommendation includes a request to direct the City Manager to withdraw the Public Notice of Protest. City Council action is requested on April 5, 2022, to respond to the Department of Alcoholic Beverage Control by the April 9, 2022 due date.

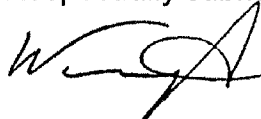
FISCAL IMPACT

There is no fiscal impact associated with this recommendation.

**SUGGESTED ACTION:**

Approve recommendation.

Respectfully submitted,



WALLY HEBEISH  
CHIEF OF POLICE

APPROVED:



THOMAS B. MODICA  
CITY MANAGER

ATTACHMENTS

HONORABLE MAYOR AND CITY COUNCIL  
April 5, 2022

Council District: 2  
Applicant: Shady Grove Oak Grill, Incorporated  
DBA: Shady Grove  
Address: 2708 East 4<sup>th</sup> Street  
Type of Application: An original application for an On-Sale Beer and Wine for  
A Bona Fide Public Eating Place License  
Bases for possible protest: Over concentration  
Residences within 100 feet

**PUBLIC CONVENIENCE DETERMINATION:** A determination of Public Convenience and  
Necessity **is not** required for this application.

Census Tract: 5768.02  
Boundaries: 7<sup>th</sup> Street/4<sup>th</sup> Street to the North  
3<sup>rd</sup> Street to the South  
Obispo Avenue to the East  
Molino Avenue to the West  
Number of licenses allowed: 4  
Number of licenses existing: 5  
Police Reporting District: 431  
Boundaries: 4<sup>th</sup> Street to the North  
Broadway to the South  
Temple Avenue to the East  
Lindero Avenue/Carroll Park to the West

Reported crimes in this district for ABC purposes are 64. Crime in a reporting district  
must be at least 97 to qualify for a high crime protest.

Type of business: A restaurant  
Last day to request  
conditions and protest: April 9, 2022

Date: April 5, 2022

To: File

From: Jose Gonzalez, Detective, Vice Investigations Section

Subject: **SHADY GROVE - 2708 EAST 4<sup>TH</sup> STREET**

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**CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (2/18/21 - 2/18/22)**

None

**ABC INSPECTIONS (Past three years)**

Not applicable

**RESIDENCES WITHIN 100 FEET**

2730 East 4 <sup>th</sup> Street	Multi-Unit Residence
2720 East 4 <sup>th</sup> Street	Multi-Unit Residence
2716 East 4 <sup>th</sup> Street	Multi-Unit Residence
2712 East 4 <sup>th</sup> Street	Multi-Unit Residence
2708 East 4 <sup>th</sup> Street	Multi-Unit Residence
2644 East 4 <sup>th</sup> Street	Multi-Unit Residence
2638 East 4 <sup>th</sup> Street	Single Family Residence
2636 East 4 <sup>th</sup> Street	Single Family Residence
2632 East 4 <sup>th</sup> Street	Single Family Residence
2741 East De Soto Street	Multi-Unit Residence
2737 East De Soto Street	Single Family Residence
2733 East De Soto Street	Single Family Residence
392 Molino Avenue	Single Family Residence
390 Molino Avenue	Single Family Residence
386 Molino Avenue	Single Family Residence

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

None

**AN EXCERPT FROM THE MINUTES OF  
THE LONG BEACH CITY COUNCIL MEETING  
HELD TUESDAY, APRIL 5, 2022**

**CONSENT CALENDAR: (05:27 PM)**

22. (22-0372) Recommendation to receive the application of Shady Grove Oak Grill, Incorporated, dba Shady Grove, for an original application of an Alcoholic Beverage Control (ABC) License, at 2708 East 4th Street; submit a Public Notice of Protest to ABC; and, direct City Manager to withdraw the protest if a Conditional Use Permit Exemption (CUPEX) is granted. (District 2)

*Suggested Action: Approve recommendation.*

**Motion:** Approve Consent Calendar Items 1 - 19, 21 - 23.  
Moved by Councilwoman Price, seconded by Councilman Austin.

**Vote:** Approve Consent Calendar Items 1 - 19, 21 - 23.(Carried 9-0)  
Yes: Councilwoman Zendejas, Councilwoman Allen, Councilwoman Price, Councilman Supernaw, Councilwoman Mungo, Councilwoman Saro, Councilmember Uranga, Councilman Austin, and Vice Mayor Richardson.

**CERTIFIED AS A TRUE AND CORRECT COPY**



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CITY CLERK OF THE CITY OF LONG BEACH

DATE: April 7, 2022

By: Kyle Smith, City Clerk Specialist

**From:** [Fax2Mail powered by OpenText](#)  
**To:** [Kyle J. Smith](#)  
**Subject:** City of Long Beach - Shady Oak Grill  
**Date:** Thursday, April 7, 2022 10:24:21 AM

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**-EXTERNAL-**

MAIL2FAX DETAILED DELIVERY REPORT	
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<b>Job Number</b>	1669914822
<b>Sent By User</b>	F2M/30565075606
<b>Entered Fax2Mail System</b>	04/07 10:02
<b>Report Generated</b>	04/07 10:24
<b>Subject</b>	City of Long Beach - Shady Oak Grill
<b>Page Count</b>	6 (including cover sheet)

SUMMARY		
<b>Sent: 0</b>	<b>Errors: 1</b>	<b>Cancelled: 0</b>
<b>Total: 1</b>		

Destination	Status	Date	Time	Num. Retries
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