



# 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 Joseph Macleod Irwin, dba The Cellar, to Determine the Application Serves the Public Convenience and Necessity for an exchange of an Alcoholic Beverage Control License at 206 The Promenade

Dear Mr. Cravens:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, May 18, 2010 received and filed the subject application, with conditions.

At the same meeting, the Long Beach City Council took the concurrent action to determine and find that the subject application would serve the public convenience and necessity.

Enclosed is a copy of the City Council documentation and the memorandum from Suja Lowenthal, Councilmember for the Second District, containing the requested conditions. Our request is that the conditions be applied to the license as applicable under ABC rules and regulations.

Thanks you for your consideration of this matter.

Respectfully submitted,

LARRY G. HERRERA  
CITY CLERK

Prepared by:  
Nancy Muth

Attachment

Cc: Councilmember Suja Lowenthal, Second District  
City Prosecutor  
Police Department (2) Chief & Vice  
Referral File  
FAX forwarded to ABC, (562) 982-1396

**City of Long Beach**  
**Working Together to Serve**

**Suja Lowenthal**  
**Councilmember, 2<sup>nd</sup> District**



**Memorandum**

**To:** Mayor and City Council

May 18, 2010

**From:** Suja Lowenthal, Second District

**Subject:** Conditions for The Cellar, 206 The Promenade

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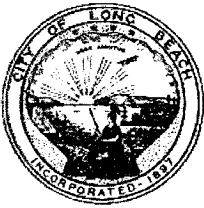
Based on feedback from residents and advice from our Police Department, I request that the following conditions be approved by City Council and forwarded to the Department of Alcoholic Beverage Control (ABC) for inclusion in the permit for The Cellar:

The hours of operation shall not exceed 2:00 am.

The rear doors of the premises shall be equipped on the inside with an automatic locking device and shall be closed at all times, and shall not be used as a means of access by patrons to and from the licensed premises. Temporary use of these doors for delivery of supplies does not constitute a violation.

Trash shall not be emptied between the hours of 10:00 pm to 7:00 am.

The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they ~~have control~~ share with residents.



# CITY OF LONG BEACH **R-26**

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 Joseph Macleod Irwin, dba The Cellar, for an exchange of an Alcoholic Beverage Control license, at 206 The Promenade, with conditions. (District 2)

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 26, 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: 2

Applicant: Joseph Macleod Irwin  
DBA: The Cellar  
Address: 206 The Promenade

Type of Application: An exchange application for an On-Sale General for public premises license. This license is changing from an On-Sale General Eating Place to an On-Sale General Public Premises. This business will no longer be providing food services.

Bases for possible protest: High crime.  
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: 5762.00

Boundaries: 7th Street to the North  
Broadway to the South  
Alamitos Avenue/Martin Luther King Jr, to the East  
Pine Avenue to the West

Number of licenses allowed: 5  
Number of licenses existing: 19

Police Reporting District: 163

Boundaries: 4th Street to the North  
Broadway to the South  
Long Beach Boulevard to the East  
Pacific Avenue to the West

Reported crimes in this district for ABC purposes are 440. Crime in a reporting district must be at least 199 to qualify for a high crime protest.

Type of business: A bar.  
Last day to request  
conditions and protest: May 26, 2010



**Date:** May 18, 2010  
**To:** File  
**From:** Dana Smith, Detective, Vice Investigations Section  
**Subject:** **THE CELLAR, 206 THE PROMENADE**

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**CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (04/26/09-04/26/10)**

2            Group            Group Call            Unfounded/Advised

**ABC INSPECTIONS (past three years)**

9            No Violations Observed

**RESIDENCE WITHIN 100 FEET**

150 The Promenade  
207 East Broadway

Multi-Unit Complex  
Multi-Unit Complex

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

None

DBS:dbs  
cfs.memo

\*\*\*\*\* -IND. XMT JOURNAL- \*\*\*\*\* DATE MAY-19-2010 \*\*\*\*\* TIME 16:33 \*\*\*\*\*

DATE/TIME = MAY-19-2010 16:32  
JOURNAL No. = 62  
COMM.RESULT = OK  
PAGE(S) = 005/005  
DURATION = 00:00'42  
FILE No. = 214  
MODE = MEMORY TRANSMISSION  
DESTINATION = 99821396  
RECEIVED ID = D.A.B.C. / 562 982 1396  
RESOLUTION = STD

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