



CITY OF LONG BEACH

OFFICE OF THE CITY CLERK

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

April 24, 2019

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 Tocaya Organica, LLC, dba Tocaya Organica, for an original application of an Alcoholic Beverage Control License, at 6400 East Pacific Coast Highway.

Dear Mr. Beach:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, April 23, 2019 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 the CUP and if no appeal is made during the 10-day appeal period for the CUP. It is anticipated that the CUP 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.

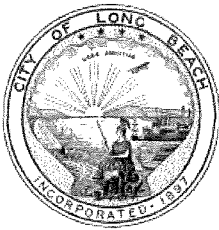
Respectfully submitted,

MONIQUE DE LA GARZA
CITY CLERK

Prepared by:
Pablo Rubio

Attachment

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



CITY OF LONG BEACH

POLICE DEPARTMENT

C-19

400 WEST BROADWAY LONG BEACH CALIFORNIA 90802

Robert G. Luna
Chief of Police

April 23, 2019

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the application of Tocaya Organica, LLC, dba Tocaya Organica, for an original application of an Alcoholic Beverage Control (ABC) license, at 6400 East Pacific Coast Highway, submit a Public Notice of Protest to ABC, and direct the City Manager to withdraw the protest if a Conditional Use Permit (CUP) is granted. (District 3)

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.

TIME CONSIDERATIONS

The Department of Alcoholic Beverage Control received the above application on March 6, 2019. The applicant is still in the planning stages and has not yet received a CUP. Provided the Planning Commission approves the CUP, the recommendation includes a request to direct the City Manager to withdraw the Public Notice of Protest. City Council action is requested on April 23, 2019, to respond to the Department of Alcoholic Beverage Control by the April 25, 2019 due date.

FISCAL IMPACT

There is no fiscal impact associated with this recommendation.

HONORABLE MAYOR AND CITY COUNCIL

April 23, 2019

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SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



ROBERT G. LUNA
CHIEF OF POLICE

APPROVED:


PATRICK H. WEST
CITY MANAGER

ATTACHMENTS

HONORABLE MAYOR AND CITY COUNCIL
April 23, 2019

Council District 3

Applicant: Tocaya Organica, LLC
DBA: Tocaya Organica
Address: 6400 East Pacific Coast Highway

Type of application: An original application for an On-Sale Beer and Wine for Bona Fide Public Eating Place license.

Bases for possible protest: Over concentration.
High crime.

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

Census Tract: 5776.04

Boundaries: Marine Stadium to the North
County line to the South
Pacific Coast Highway/County line to the East
Marine Stadium to the West

Number of licenses allowed: 1

Number of licenses existing: 26

Police Reporting District: 623

Boundaries: 2nd Street/ Naples Island to the North
Alamitos Bay/San Gabriel River to the South
Pacific Coast Highway/County line to the East
Alamitos Bay to the West

Reported crimes in this district for ABC purposes are 119. Crime in a reporting district must be at least 115 to qualify for a high crime protest.

Type of business: Restaurant.

Last day to request conditions and protest: April 25, 2019.



Date: April 23, 2019
To: File
From: Jennifer Arzola, Detective, Vice Investigations Section
Subject: **TOCAYA ORGANICA – 6400 EAST PACIFIC COAST HIGHWAY**

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (3/6/18-3/6/19)

None.

ABC INSPECTIONS (Past three years)

Not applicable.

RESIDENCE WITHIN 100 FEET

None.

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 23, 2019**

CONSENT CALENDAR: (05:42 PM)

19. (19-0386) Recommendation to receive the application of Tocaya Organica, LLC, dba Tocaya Organica, for an original application of an Alcoholic Beverage Control (ABC) License, at 6400 East Pacific Coast Highway, submit a Public Notice of Protest to ABC, and direct City Manager to withdraw the protest if a Conditional Use Permit (CUP) is granted. (District 3)

Suggested Action: Approve recommendation.

Motion: Approve Consent Calendar Items 3 - 22.
Moved by Councilwoman Mungo, seconded by Councilmember Uranga.

Vote: Approve Consent Calendar Items 3 - 22.(Carried 8-0)
Yes: Councilwoman Gonzalez, Councilmember Pearce, Councilmember Supernaw, Councilwoman Mungo, Vice Mayor Andrews, Councilmember Uranga, Councilman Austin, and Councilmember Richardson.
Absent: Councilwoman Price.

CERTIFIED AS A TRUE AND CORRECT COPY



CITY CLERK OF THE CITY OF LONG BEACH

DATE: April 24, 2019

By: Pablo Rubio, City Clerk Analyst

Pablo Rubio

From: Fax2Mail Powered by EasyLink Services <reports@reply.fax2mail.com>
Sent: Wednesday, April 24, 2019 5:14 PM
To: Pablo Rubio
Subject: ABC License Letter - dba Tocaya Organica, 6400 East Pacific Coast Highway

MAIL2FAX DETAILED DELIVERY REPORT	
Attention	DLA Admin
Job Number	1722125980
Sent By User	F2M/30565075606
Entered Fax2Mail System	04/24 17:11
Report Generated	04/24 17:13
Subject	ABC License Letter - dba Tocaya Organica, 6400 East Pacific Coast Highway
Page Count	7 (including cover sheet)

SUMMARY		
Sent: 1	Errors: 0	Cancelled: 0
Total: 1		

Destination	Status	Date	Time	Num. Retries
5629821396	SENT	04/24	17:13	1