

December 16, 2020

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 Binny Shah, dba Prince Market and Deli, to determine the application does not serves the Public Convenience and Necessity, for an original application of an Alcoholic Beverage Control License, at 6401 Cherry Avenue.

Dear Mr. Beach:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, December 15, 2020, approved that a protest be filed regarding the subject application based on the following:

- 1) High crime.
- 2) Over concentration.
- 3) Residence within 100 feet.
- 4) Church within 600 feet.

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 taking this request into consideration.

Respectfully submitted,



MONIQUE DE LA GARZA
CITY CLERK

Prepared by:
Pablo Rubio

Attachment

cc: Rex Richardson, Vice Mayor, Ninth District
Mayor
City Prosecutor
Police Department (2) Chief & Vice
Referral File
FAX forwarded to ABC, (562) 982-1396

C-17

December 15, 2020

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive and file the application of Binny Shah, dba Prince Market and Deli, for an original application of an Alcoholic Beverage Control (ABC) license at 6401 Cherry Avenue; and, determine the application serves the Public Convenience and Necessity; 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 9)

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 November 10, 2020. 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 December 15, 2020, to respond to the Department of Alcoholic Beverage Control by the December 30, 2020 due date.

FISCAL IMPACT

There is no fiscal impact associated with this recommendation.

Respectfully submitted,



ROBERT G. LUNA
CHIEF OF POLICE

ATTACHMENTS

APPROVED:



THOMAS B. MODICA
CITY MANAGER

HONORABLE MAYOR AND CITY COUNCIL
December 15, 2020

Council District: 9
Applicant: Binny Shah
DBA: Prince Market and Deli
Address: 6401 Cherry Avenue
Type of Application: An original application of an Off-Sale General license
Bases for possible protest: High crime
Over concentration
Residences within 100 feet
Church within 600 feet

PUBLIC CONVENIENCE DETERMINATION: A determination of Public Convenience and Necessity is required for this application.

Census Tract: 5705.02
Boundaries: Harding Street/Artesia Boulevard to the North
59th Street/South Street to the South
Paramount Boulevard to the East
Gundry Avenue/Walnut Avenue/Cherry Avenue to the West
Number of licenses allowed: 4
Number of licenses existing: 7
Police Reporting District: 422
Boundaries: Artesia Boulevard to the North
Harding Street to the South
Cherry Avenue to the East
Orange Avenue to the West

Reported crimes in this district for ABC purposes are 128. Crime in a reporting district must be at least 108 to qualify for a high crime protest.

Type of business: A market store
Last day to request conditions and protest: December 30, 2020

Date: December 15, 2020

To: File

From: Jose Gonzalez, Detective, Vice Investigations Section

Subject: **PRINCE MARKET AND DELI - 6401 CHERRY AVENUE**

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (11/10/19-11/10/20)

1	459PC	Burglary	Filed
1	Dispute	Dispute	Civil
1	594PC	Vandalism	Filed
1	470PC	Forgery	Filed
1	484PC	Petty Theft	Advised

ABC INSPECTIONS (Past three years)

Not applicable.

RESIDENCES WITHIN 100 FEET

6419 Cherry Avenue	Single Family Residence
6413 Cherry Avenue	Single Family Residence
6395 Cherry Avenue	Single Family Residence
6401 St. Louis Avenue	Single Family Residence
6373 St. Louis Avenue	Single Family Residence
1916 East 64 th Street	Single Family Residence
1915 East 64 th Street	Single Family Residence

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

6465 Cherry Avenue	Light & Life West Church
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**AN EXCERPT FROM THE MINUTES OF
THE LONG BEACH CITY COUNCIL MEETING
HELD TUESDAY, DECEMBER 15, 2020**

CONSENT CALENDAR: (06:11 PM)

17. (20-1247) Recommendation to receive and file the application of Binny Shah, dba Prince Market and Deli, for an original application of an Alcoholic Beverage Control (ABC) License at 6401 Cherry Avenue; and, determine the application serves the Public Convenience and Necessity; 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 9) **(06:15 PM)**

Suggested Action: Approve recommendation.

Motion: Motion to deny the application and claim that it does to not serving the public convenience and necessity based on high crime, over concentration of licenses, residences within 100 ft, and church within 600 ft.

Moved by Councilmember Richardson, seconded by Councilwoman Saro.

Vote: Motion to deny the application and claim that it does to not serving the public convenience and necessity based on high crime, over concentration of licenses, residences within 100 ft, and church within 600 ft.(Carried 9-0)

Yes: Councilwoman Zendejas, Councilwoman Allen, Councilwoman Price, Councilman Supernaw, Councilwoman Mungo, Councilwoman Saro, Councilmember Uranga, Councilman Austin, and Councilmember Richardson.

CERTIFIED AS A TRUE AND CORRECT COPY



CITY CLERK OF THE CITY OF LONG BEACH

DATE: December 16, 2020

By: Pablo Rubio, Sr. City Clerk Analyst

Pablo Rubio

From: Fax2Mail Powered by OpenText <reports@reply.fax2mail.com>
Sent: Wednesday, December 16, 2020 6:07 PM
To: Pablo Rubio
Subject: ABC License Protest Letter - dba Prince Market and Deli, 6401 Cherry Avenue

-EXTERNAL-

MAIL2FAX DETAILED DELIVERY REPORT

Attention	DLA Admin
Job Number	1758733554
Sent By User	F2M/30565075606
Entered Fax2Mail System	12/16 18:04
Report Generated	12/16 18:07
Subject	ABC License Protest Letter - dba Prince Market and Deli, 6401 Cherry Avenue
Page Count	6 (including cover sheet)

SUMMARY

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

Destination	Status	Date	Time	Num. Retries
5629821396	SENT	12/16	18:06	1