



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

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

October 12, 2015

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

Re: Application of The Bottle Shoppe Naples, Incorporated, dba The Bottle Shoppe, to Determine the Application Serves the Public Convenience and Necessity, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License at 5764 East 2nd Street, Suite 150.

Dear Mr. Cravens:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, October 6, 2015, 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, with conditions as requested by Councilwoman Suzie Price, Third District, 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.

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 a certified excerpt of the minutes for your file. The City of Long Beach thanks you for your assistance in this matter.

Respectfully submitted,

MARIA DE LA LUZ GARCIA
CITY CLERK

Prepared by:
Pablo Rubio

Attachments

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

Date: October 1, 2015
To: Honorable Mayor Garcia and Members of the City Council
From: Suzie Price, Councilwoman, Third District
Subject: 5764 East 2nd Street, Ste. 150, The Bottle Shoppe Naples

I am submitting the following conditions for your consideration for a premise-to-premise transfer application of an Off-Sale General license:

1. Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 8:00 AM to 10:00 PM, Monday – Thursday, and 8:00 AM to 11:00 PM, Friday – Sunday.
2. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.
3. Trash shall not be emptied into outside trash containers between the hours of 10:00 PM and 7:00 AM.
4. Petitioner(s) shall police the area under the control in an effort to prevent the loitering of persons about the premises.
5. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of licensee, except as otherwise approved for a special event.
6. All sales of alcoholic beverages shall be made within the premises.
7. 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.
8. No drive thru window shall be maintained on the premises and no sale of alcoholic beverages shall be made to any person in a motor vehicle.
9. 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.

10. There shall be no exterior advertising promoting or indicating the availability of alcoholic beverages.
11. The permittee shall take reasonable measures to prohibit and prevent the loitering of persons immediately outside the establishment at all times.
12. There shall be no single sales of beer or malt beverage products, except that of micro-brews and specialty malt products sold under such designations as Stout, Porter, India Pale Ale (IPA) and English Special Bitters (ESB), which are sold as singles by the supplier may be sold as singles at the licensed premises
13. The sales of beer or malt beverages in quantities of quarts, 22 oz., 32 oz., or 40 oz., or similar size containers are prohibited.
14. Beer, malt beverages, and wine coolers in containers of 16 oz. or less cannot be sold by single containers, but must be sold in manufacturer pre-packaged multi-unit quantities.
15. There shall be no cups, glasses, or similar receptacles commonly used for drinking of beverages, sold, furnished, or given away at the applicant's premises in quantities of less than their original multi-container package, unless such items have been prepackaged for sale in combination with other items (i.e., picnic packs/gift baskets).
16. No "happy hour" type of reduced price alcoholic beverage promotion shall be allowed.
17. There shall be no amplified music on the premises at any time.
18. Deliveries shall be limited to non-peak hours, generally between 9 a.m. and 6 p.m. on no more than two occasions per week
19. All commercial vehicle delivery trucks must use commercial streets for deliveries.

SP: lw



R-31

CITY OF LONG BEACH

POLICE DEPARTMENT
400 WEST BROADWAY LONG BEACH CALIFORNIA 90802

Robert G. Luna
Chief of Police

October 6, 2015

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the application of The Bottle Shoppe Naples, Incorporated, dba The Bottle Shoppe, for a Person-to-Person and Premise-to-Premise transfer of an Alcoholic Beverage Control license, at 5764 East 2nd Street, Suite 150, determine that 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 is granted. (District 3)

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

The Department of Alcoholic Beverage Control (ABC) received the above application on September 1, 2015. The applicant is still in the planning stage, and has not yet received a Conditional Use Permit (CUP). City Council response is due to ABC by October 21, 2015. Provided the Planning Commission approves the CUP, the recommendation includes a request to direct the City Manager to withdraw the Public Notice of Protest.

FISCAL IMPACT

None.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

ROBERT G. LUNA
CHIEF OF POLICE

APPROVED:

PATRICK H. WEST
CITY MANAGER

ADMINISTRATION BUREAU
(562) 570-5830
FAX (562) 570-5833

FINANCIAL BUREAU
(562) 570-7447
FAX (562) 570-5833

INVESTIGATIONS BUREAU
(562) 570-7350
FAX (562) 570-5837

PATROL BUREAU
(562) 570-7214
FAX (562) 570-7058

SUPPORT BUREAU
(562) 570-7342
FAX (562) 570-6018

HONORABLE MAYOR AND CITY COUNCIL
October 6, 2015

Council District: 3

Applicant: The Bottle Shoppe Naples, Incorporated
DBA: The Bottle Shoppe
Address: 5764 East 2nd Street, Suite 150

Type of Application: A person-to-person and premise-to-premise transfer of an Off-Sale General license.

Bases for possible protest: Residence within 100 feet.
Licensing this premise would be in contrary to Long Beach Zoning Ordinances.

PUBLIC CONVENIENCE DETERMINATION: A determination by the City of public convenience and necessity **is** required for this application.

Census Tract: 5775.01

Boundaries: Marine Stadium to the North
Alamitos Bay to the South
Alamitos Bay to the East
Alamitos Bay to the West

Number of licenses allowed: 2
Number of licenses existing: 1

Police Reporting District: 622

Boundaries: Marine Stadium to the North
Alamitos Bay to the South
Alamitos Bay to the East
Alamitos Bay to the West

Reported crimes in this district for ABC purposes are 118. Crime in a reporting district must be at least 149 to qualify for a high crime protest.

Type of business: A liquor store.

Last day to request conditions and protest: October 21, 2015



Date: October 6, 2015
To: File
From: Laurie Barajas, Detective, Vice Investigations Section
Subject: **THE BOTTLE SHOPPE – 5764 EAST 2ND STREET, SUITE 150**

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (9/1/14 to 9/1/15)

None

ABC INSPECTIONS (past three years)

Not Applicable

RESIDENCES WITHIN 100 FEET

5749 Campo Walk	Single Family Dwelling
5751 Campo Walk	Single Family Dwelling
5753 Campo Walk	Single Family Dwelling
5755 Campo Walk	Single Family Dwelling
5757 Campo Walk	Single Family Dwelling
5759 Campo Walk	Single Family Dwelling
5775 Campo Walk	Single Family Dwelling
5781 Campo Walk	Single Family Dwelling

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

None

LBB:lbb
CFSmemoBottleShoppe

**AN EXCERPT FROM THE MINUTES OF
THE LONG BEACH CITY COUNCIL MEETING
HELD TUESDAY, OCTOBER 6, 2015**

REGULAR AGENDA: (07:18 PM)

31. (15-1013) Recommendation to receive the application of The Bottle Shoppe Naples, Incorporated, dba The Bottle Shoppe, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 5764 East 2nd Street, Suite 150, determine that 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 is granted. (District 3) (09:10 PM)

Suggested Action: Approve recommendation.

Distributed at the meeting: ABC conditions.

Motion: Approve recommendation with conditions.


Moved by Councilwoman Price, seconded by Councilwoman Mungo.

Vote: Approve recommendation with conditions. (Carried 8-0)

Yes: Vice Mayor Lowenthal, Councilwoman Price, Councilmember Supernaw, Councilwoman Mungo, Councilman Andrews, Councilmember Uranga, Councilman Austin, and Councilmember Richardson.

Absent: Councilwoman Gonzalez.

CERTIFIED AS A TRUE AND CORRECT COPY


CITY CLERK OF THE CITY OF LONG BEACH *P. Rubio*
DATE: October 12, 2015

Pablo Rubio

From: Fax2Mail Powered by EasyLink Services <reports@reply.fax2mail.com>
Sent: Monday, October 12, 2015 1:26 PM
To: Pablo Rubio
Subject: ABC License Letter and Conditions - dba The Bottle Shoppe, 5764 East 2nd Street, Suite 150

MAIL2FAX DETAILED DELIVERY REPORT

Attention	DLA Admin
Job Number	1767050218
Sent By User	F2M/37283576077
Entered Fax2Mail System	10/12 16:09
Report Generated	10/12 16:25
Subject	ABC License Letter and Conditions - dba The Bottle Shoppe, 5764 East 2nd Street, Suite 150
Page Count	8 (including cover sheet)

SUMMARY

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

Destination	Status	Date	Time	Num. Retries
5629821396	SENT	10/12	16:25	2