

September 9, 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 Full Belly Food Group, Incorporated, dba Heritage Sandwich Shop, for an original application of an Alcoholic Beverage Control License, at 2032 East 7<sup>th</sup> Street.

Dear Mr. Beach:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, September 8, 2020 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 Exception (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:  
Pablo Rubio

Attachment

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

September 8, 2020

**C-11**

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

**RECOMMENDATION:**

Receive the application of Full Belly Food Group, Incorporated, dba Heritage Sandwich Shop, for an original application of an Alcoholic Beverage Control (ABC) license, at 2032 East 7th 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 July 21, 2020. 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 September 8, 2020, to respond to the Department of Alcoholic Beverage Control by the September 9, 2020 due date.

**FISCAL IMPACT**

There is no fiscal impact associated with this recommendation.

**SUGGESTED ACTION:**

Approve recommendation.

Respectfully submitted,



ROBERT G. LUNA  
CHIEF OF POLICE

APPROVED:



THOMAS B. MODICA  
CITY MANAGER

ATTACHMENTS

HONORABLE MAYOR AND CITY COUNCIL  
September 8, 2020

Council District: 2

Applicant: Full Belly Food Group, Incorporated

DBA: Heritage Sandwich Shop

Address: 2032 East 7<sup>th</sup> Street

Type of Application: An original application of an On-Sale General Bona Fide Eating Place license.

Bases for possible protest: Over concentration  
Residences within 100 feet  
School within 600 feet  
Church within 600 feet

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

Census Tract: 5768.01

Boundaries: 7th Street to the North  
Appleton Street/3rd Street to the South  
Molino Avenue to the East  
Cherry Avenue to the West

Number of licenses allowed: 4

Number of licenses existing: 14

Police Reporting District: 441

Boundaries: 7th Street to the North  
4th Street to the South  
Junipero Avenue to the East  
Cherry Avenue to the West

Reported crimes in this district for ABC purposes are 58. Crime in a reporting district must be at least 108 to qualify for a high crime protest.

Type of business: A restaurant

Last day to request conditions and protest: September 9, 2020



**Date:** September 8, 2020  
**To:** File  
**From:** Jennifer Arzola, Detective, Vice Investigations Section  
**Subject:** **HERITAGE SANDWICH SHOP - 2032 EAST 7<sup>TH</sup> STREET**

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**CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (7/21/19-7/21/20)**

None.

**ABC INSPECTIONS (Past three years)**

None.

**RESIDENCES WITHIN 100 FEET**

2026 East 7 <sup>th</sup> Street	Single Family Dwelling
2022 East 7 <sup>th</sup> Street	Multi-Unit Complex
2100 East 7 <sup>th</sup> Street	Multi-Unit Complex
625 St. Louis Avenue	Multi-Unit Complex

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

501 Junipero Avenue	Luther Burbank Elementary School
2209 East 6 <sup>th</sup> Street	City at the Cross

**AN EXCERPT FROM THE MINUTES OF  
THE LONG BEACH CITY COUNCIL MEETING  
HELD TUESDAY, SEPTEMBER 8, 2020**

CONSENT CALENDAR: **(05:08 PM)**

11. (20-0888) Recommendation to receive the application of Full Belly Food Group, Incorporated, dba Heritage Sandwich Shop, for an original application of an Alcoholic Beverage Control (ABC) License, at 2032 East 7th 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 - 12.  
Moved by Councilmember Uranga, seconded by Councilmember Richardson.

**Vote:** Approve Consent Calendar Items 1 - 12.(Carried 9-0)  
Yes: Councilwoman Zendejas, Councilmember Pearce, Councilwoman Price, Councilman Supernaw, Councilwoman Mungo, Vice Mayor Andrews, Councilmember Uranga, Councilman Austin, and Councilmember Richardson.

CERTIFIED AS A TRUE AND CORRECT COPY



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CITY CLERK OF THE CITY OF LONG BEACH

DATE: September 9, 2020

By: Pablo Rubio, Sr. City Clerk Analyst

## Pablo Rubio

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**From:** Fax2Mail Powered by OpenText <reports@reply.fax2mail.com>  
**Sent:** Wednesday, September 9, 2020 5:45 PM  
**To:** Pablo Rubio  
**Subject:** ABC License Letter - dba Heritage Sandwich Shop, 2032 East 7th Street

**-EXTERNAL-**

### MAIL2FAX DETAILED DELIVERY REPORT

<b>Attention</b>	DLA Admin
<b>Job Number</b>	1865052160
<b>Sent By User</b>	F2M/30565075606
<b>Entered Fax2Mail System</b>	09/09 17:42
<b>Report Generated</b>	09/09 17:44
<b>Subject</b>	ABC License Letter - dba Heritage Sandwich Shop, 2032 East 7th Street
<b>Page Count</b>	6 (including cover sheet)

### SUMMARY

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

<b>Destination</b>	<b>Status</b>	<b>Date</b>	<b>Time</b>	<b>Num. Retries</b>
5629821396	SENT	09/09	17:44	1