

September 17, 2021

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 Saltwater Deck, LLC., dba Saltwater Deck, for an original application of an Alcoholic Beverage Control License, at 2630 East Ocean Boulevard.

Dear Mr. Beach:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, September 14, 2021 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: Suzie Price, Councilwoman, Third District
Mayor
City Prosecutor
Police Department (2) Chief & Vice
Referral File
FAX forwarded to ABC, (562) 982-1396

C-15

September 14, 2021

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the application of Saltwater Deck, LLC, dba Saltwater Deck, for an original application of an Alcoholic Beverage Control (ABC) license, at 2630 East Ocean Boulevard; 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 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.

TIMING CONSIDERATIONS

The Department of Alcoholic Beverage Control received the above application on August 5, 2021. 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 14, 2021, to respond to the Department of Alcoholic Beverage Control by the September 24, 2021 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 14, 2021

Council District: 3
Applicant: Saltwater Deck, LLC
DBA: Saltwater Deck
Address: 2630 East Ocean Boulevard
Type of Application: An Original Application of an On-Sale Beer and Wine Bona Fide Eating Place license
Bases for possible protest: High crime
Over concentration
Parks within 600 feet

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

Census Tract: 5766.02
Boundaries: Third Street/Broadway to the North
Ocean Boulevard/San Pedro Bay to the South
Obispo Avenue/Paloma Avenue to the East
18th Place/Junipero Avenue to the West
Number of licenses allowed: 4
Number of licenses existing: 9
Police Reporting District: 433
Boundaries: Broadway/Ocean Boulevard to the North
San Pedro Bay to the South
Lindero Avenue to the East
15th Place/Cherry Avenue to the West

Reported crimes in this district for ABC purposes are 277. Crime in a reporting district must be at least 97 to qualify for a high crime protest.

Type of business: A restaurant
Last day to request conditions and protest: September 24, 2021

Date: September 14, 2021

To: File

From: Jose Gonzalez, Detective, Vice Investigations Section

Subject: **SALTWATER DECK - 2630 EAST OCEAN BOULEVARD**

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (8/5/20 - 8/5/21)

None

ABC INSPECTIONS (Past three years)

Not applicable

RESIDENCES WITHIN 100 FEET

None

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

2800-2998 East Ocean Boulevard
1 Junipero Avenue

Bluff Park
Junipero Beach

**AN EXCERPT FROM THE MINUTES OF
THE LONG BEACH CITY COUNCIL MEETING
HELD TUESDAY, SEPTEMBER 14, 2021**

CONSENT CALENDAR: (05:12 PM)

15. (21-0948) Recommendation to receive the application of Saltwater Deck, LLC, dba Saltwater Deck, for an original application of an Alcoholic Beverage Control (ABC) License, at 2630 East Ocean Boulevard; 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 3)

Suggested Action: Approve recommendation.

Motion: Approve Consent Calendar Items 1 - 18, 35.
Moved by Vice Mayor Richardson, seconded by Councilwoman Saro.

Vote: Approve Consent Calendar Items 1 - 18, 35.(Carried 9-0)
Yes: Councilwoman Zendejas, Councilwoman Allen, Councilwoman Price, Councilman Supernaw, Councilwoman Mungo, Councilwoman Saro, Councilmember Uranga, Councilman Austin, and Vice Mayor Richardson.

CERTIFIED AS A TRUE AND CORRECT COPY



CITY CLERK OF THE CITY OF LONG BEACH

DATE: September 17, 2021

By: Pablo Rubio, Sr. City Clerk Analyst

Pablo Rubio

From: Fax2Mail Powered by OpenText <reports@reply.fax2mail.com>
Sent: Friday, September 17, 2021 5:54 PM
To: Pablo Rubio
Subject: ABC License Letter - dba Saltwater Deck, 2630 East Ocean Boulevard

-EXTERNAL-

MAIL2FAX DETAILED DELIVERY REPORT

Attention	DLA Admin
Job Number	1949022103
Sent By User	F2M/30565075606
Entered Fax2Mail System	09/17 17:51
Report Generated	09/17 17:53
Subject	ABC License Letter - dba Saltwater Deck, 2630 East Ocean Boulevard
Page Count	6 (including cover sheet)

SUMMARY

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

Destination	Status	Date	Time	Num. Retries
5629821396	SENT	09/17	17:53	1