



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

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

June 15, 2011

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

Re: Application of WFM-WO Incorporated, dba Whole Foods Market, 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 6550 East Pacific Coast Highway

Dear Mr. Cravens:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, June 14, 2011, received and filed the subject application, with the conditions recommended by Gary DeLong, Councilmember for the Third District.

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 conditions and the City Council documentation for your records.

Respectfully submitted,

LARRY G. HERRERA
CITY CLERK

Prepared by:
Nancy Muth

Attachment

Cc: Gary DeLong, Councilmember, 3rd District
City Prosecutor
Police Department (2) Chief & Vice
Referral File
FAX forwarded to ABC, (562) 982-1396

AN EXCERPT FROM THE MINUTES OF
THE LONG BEACH CITY COUNCIL MEETING
HELD TUESDAY, JUNE 14, 2011

REGULAR AGENDA: (5:54 PM)


16. (11-0579) Recommendation to determine that the application serves the public convenience and necessity, and receive and file the application of WFM-WO Incorporated, dba Whole Foods Market, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 6550 East Pacific Coast Highway, with conditions. (District 3) (6:38 PM)

Suggested Action: Approve recommendation.

Motion: Approve recommendation.
Moved by DeLong, seconded by O'Donnell.

Vote: Approve recommendation. (Carried 9-0)
Yes: Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, Gabelich, and Neal.

CERTIFIED AS A TRUE AND CORRECT COPY


CITY CLERK OF THE CITY OF LONG BEACH

G. Smith


DATE: June 15, 2011



R-16

Date: June 14, 2011

To: Honorable Mayor Foster and Members of the City Council

From: Gary DeLong, Councilmember, 3rd District 

Subject: 6550 East Pacific Coast Highway, dba Whole Foods, ABC License

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

1. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.
2. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of licensee.
3. All sales of alcoholic beverages shall be made within the premises.
4. 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.
5. 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.
6. 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.
7. There shall be no exterior advertising promoting or indicating the availability of alcoholic beverages.
8. The permittee shall take reasonable measures to prohibit and prevent the loitering of persons immediately outside the establishment at all times.
9. No beer or malt beverage products shall be sold, regardless of container size, in quantities of less than four per sale.
10. The sales of beer or malt beverages in quantities of quarts, 22 oz., 32 oz., or 40 oz., or similar size containers are prohibited.
11. 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.

12. 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.

13. No pay phone will be maintained on the exterior of the premises.

GD:jt



CITY OF LONG BEACH
POLICE DEPARTMENT

R-16

400 WEST BROADWAY • LONG BEACH • CALIFORNIA 90802 • (562) 570-7260 • FAX (562) 570-7114

Jim McDonnell
Chief of Police

June 14, 2011

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Determine that the application serves the public convenience and necessity, and receive and file the application of WFM-WO Incorporated, dba Whole Foods Market, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control license, at 6550 East Pacific Coast Highway, with conditions. (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

City Council response is due to the Department of Alcoholic Beverage Control by June 15, 2011. Accordingly, City Council action is required at the June 14, 2011 City Council meeting.

FISCAL IMPACT

None.

SUGGESTED ACTION:


Approve recommendation.

Respectfully submitted,

R. Luvira for J McDonnell

JIM McDONNELL
CHIEF OF POLICE

APPROVED:


PATRICK H. WEST
CITY MANAGER

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

INVESTIGATIONS BUREAU
(562) 570-7350
FAX (562) 570-7175

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

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

HONORABLE MAYOR AND CITY COUNCIL
June 14, 2011

Council District: 3
Applicant: WFM-WO Incorporated
DBA: Whole Foods Market
Address: 6550 East Pacific Coast Highway

Type of Application: A person-to-person and premise-to-premise transfer of an Off-Sale General license. This license is being transferred from Mrs. Goochs Natural Food Markets Incorporated to WFM-WO Incorporated. This business is upgrading from a Beer and Wine to a General license.

Basis for possible protest: Over concentration.

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

Census Tract: 5776.01
Boundaries: 7th Street/Garden Grove Freeway to the North
Long Beach Marina/San Gabriel River/County Line to the South
County Line to the East
Los Cerritos Channel/Marina Drive/Long Beach Marina to the West

Number of licenses allowed: 1
Number of licenses existing: 7
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 108. Crime in a reporting district must be at least 177 to qualify for a high crime protest.

Type of business: A neighborhood market.
Last day to request conditions and protest: June 15, 2011



Date: June 14, 2011
To: File
From: Dana Smith, Detective, Vice Investigations Section
Subject: **WHOLE FOODS MARKET, 6550 EAST PACIFIC COAST HIGHWAY**

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (05/16/10-05/16/11)

13	Unwelcome	Unwelcome Call	ADV/GOA/CIVIL
3	211S	Silent Robbery Alarm	BOA
2	925	Suspicious Person	ADV/GOA
2	Dispute	Dispute Call	GOA
2	Ckwel	Check the Well Call	GOA
1	Ast	Assist Call	ADV
1	484	Petty Theft	ADV
1	487	Grand Theft	ACIT
1	415	Disturbance Call	ADV
1	R594	Vandalism Report	ADV
1	647FD	Person Using Drugs	GOA
1	242	Battery	ADV

ABC INSPECTIONS (past three years)

None

RESIDENCE WITHIN 100 FEET

None

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

None

DBS:dbs
cfs.memo

***** -IND. XMT JOURNAL- ***** DATE JUN-15-2011 ***** TIME 11:36 *****

DATE/TIME = JUN-15-2011 11:35
JOURNAL No. = 09
COMM.RESULT = OK
PAGE(S) = 007/007
DURATION = 00:00'56
FILE No. = 096
MODE = MEMORY TRANSMISSION
DESTINATION = 99821396
RECEIVED ID = D.A.B.C. / 562 982 1396
RESOLUTION = STD

***** - ***** - *****