



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

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

January 25, 2012

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

Re: Application of Ernest Ray Henson and Christine Tasche, dba Wilmore, for an
Original Alcoholic Beverage Control License at 3848 Atlantic Avenue

Dear Mr. Cravens:

Please be advised that the Long Beach City Council, at its meeting held January 24, 2012 approved the request of Councilwoman Rae Gabelich, Eighth District, 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 no appeal is made during the 10-day appeal period for this CUP, which ends at 4:30 p.m. on Monday, January 30, 2012. At such time, if no appeal has been filed, a letter will be transmitted to ABC withdrawing the City's protest of this application by the end of business on Monday, January 30, 2012.

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,

LARRY G. HERRERA
CITY CLERK

Prepared by:
Nancy Muth

Attachments

Cc: Councilwoman, Rae Gabelich, Eighth District
City Prosecutor
Police Department (2) Chief & Vice
Referral File
FAX forwarded to ABC, (562) 982-1396



CITY OF LONG BEACH

R-17

POLICE DEPARTMENT

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

Jim McDonnell
Chief of Police

January 24, 2012

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive and file the application of Ernest Ray Henson and Christine Tasche, dba Wilmore, for an original Alcoholic Beverage Control license, at 3848 Atlantic Avenue, and submit a Public Notice of Protest. (District 8)

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) granted a one-time 20-day extension to facilitate a Conditional Use Permit (CUP) hearing. The extension granted by ABC requires City Council response by January 26, 2012. The CUP Hearing is scheduled for the Planning Commission meeting of January 19, 2012; however, there is a 10-day appeal period, which would expire on January 29, 2012. As City Council response is due to ABC by January 26, 2012, City Council action is required on January 24, 2012.

FISCAL IMPACT

None.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

R. Run for JMcD.

JIM McDONNELL
CHIEF OF POLICE

JM:CNA:cna

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
January 24, 2012

Council District: 8

Applicant: Ernest Ray Henson and Christine Tasche
DBA: Wilmore
Address: 3848 Atlantic Avenue

Type of Application: An original application for an On-Sale Beer and Wine for public premises license.

Bases for possible protest: Over concentration.
Residence within 100 feet.
School within 600 feet.
Licensing the premises would be 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: 5719.00

Boundaries: San Antonio Drive to the North
Bixby Road to the South
Orange Avenue/Carson Street/City Limits to the East
Atlantic Avenue/Carson Street to the West

Number of licenses allowed: 5
Number of licenses existing: 9

Police Reporting District: 335

Boundaries: Carson Street to the North
Bixby Road to the South
Orange Avenue to the East
Atlantic Avenue to the West

Reported crimes in this district for ABC purposes are 59. Crime in a reporting district must be at least 177 to qualify for a high crime protest.

Type of business: A bar.

Last day to request

Conditions and protest: January 26, 2012



Date: January 24, 2012
To: File
From: Chris Anderson, Detective, Vice Investigations Section
Subject: **WILMORE, 3848 ATLANTIC AVENUE**

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (12/6/10-12/6/11)

None

ABC INSPECTIONS (past three years)

None

RESIDENCE WITHIN 100 FEET

3831 Lime Avenue	Single Family Residence
3835 Lime Avenue	Single Family Residence
3839 Lime Avenue	Single Family Residence
3845 Lime Avenue	Single Family Residence
3849 Lime Avenue	Single Family Residence
3851 Lime Avenue	Single Family Residence
3861 Lime Avenue	Single Family Residence

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

3800 Olive Avenue	Longfellow Elementary School
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CNA:cna
cfs.memo

**AN EXCERPT FROM THE MINUTES OF
THE LONG BEACH CITY COUNCIL MEETING
HELD TUESDAY, JANUARY 24, 2012**

REGULAR AGENDA: (5:51 PM)

17. (12-0068) Recommendation to receive and file the application of Ernest Ray Henson and Christine Tasche, dba Wilmore, for an original Alcoholic Beverage Control License, at 3848 Atlantic Avenue, and submit a public notice of protest. (District 8) (6:55 PM)

Suggested Action: Approve recommendation.

Councilmember Neal spoke.

Motion: Approve recommendation to receive and file the application, submit a Public Notice of Protest to ABC, and direct the City Manager to withdraw the protest if the 10-day appeal period for the Conditional Use Permit passes without an appeal.


Moved by Neal, seconded by Johnson.

Vote: Approve recommendation to receive and file the application, submit a Public Notice of Protest to ABC, and direct the City Manager to withdraw the protest if the 10-day appeal period for the Conditional Use Permit passes without an appeal.
(Carried 8-0)

Yes: Garcia, Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Johnson, and Neal.

Absent: Gabelich.

CERTIFIED AS A TRUE AND CORRECT COPY


CITY CLERK OF THE CITY OF LONG BEACH

DATE: January 25, 2012

***** -IND. XMT JOURNAL- ***** DATE JAN-25-2012 ***** TIME 15:01 *****

DATE/TIME = JAN-25-2012 15:00
JOURNAL No. = 58
COMM.RESULT = OK
PAGE(S) = 005/005
DURATION = 00:00'45
FILE No. = 122
MODE = MEMORY TRANSMISSION
DESTINATION = 99821396
RECEIVED ID = D.A.B.C. / 562 982 1396
RESOLUTION = STD

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