



CITY OF LONG BEACH

OFFICE OF THE CITY CLERK

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

March 24, 2016

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

Re: Application of Apro, LLC, dba United Oil #140, 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 2440 East Anaheim Street.

Dear Mr. Cravens:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, March 22, 2016 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 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

Attachment

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



CITY OF LONG BEACH

POLICE DEPARTMENT

400 WEST BROADWAY LONG BEACH CALIFORNIA 90802

R-28

Robert G. Luna
Chief of Police

March 22, 2016

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the application of Apro, LLC, dba United Oil #140, for a Person-to-Person and Premise-to-Premise transfer of an Alcoholic Beverage Control (ABC) license, at 2440 East Anaheim Street, determine 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 (CUP) is granted. (District 4)

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. This license is being transferred from a drug store within the city limits.

TIMING CONSIDERATIONS

The Department of Alcoholic Beverage Control received the above application on February 3, 2016. The applicant is still in the planning stage, and has not yet received a CUP. City Council response is due to ABC by March 24, 2016. Accordingly, City Council action is required on March 22, 2016. 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

HONORABLE MAYOR AND CITY COUNCIL
March 22, 2016

Council District: 4
Applicant: Apro, LLC
DBA: United Oil #140
Address: 2440 East Anaheim Street

Type of Application: A person-to-person and premise-to-premise transfer of an Off-Sale Beer and Wine license. This license is being transferred from CVS Pharmacy at 1928 Lakewood Boulevard within the city limits.

Bases for possible protest: High crime.
Residences 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: 5769.01
Boundaries: Anaheim Street to the North
7th Street/10th Street to the South
Molino Avenue/Stanley Avenue to the East
Cherry Avenue to the West

Number of licenses allowed: 3
Number of licenses existing: 2
Police Reporting District: 451

Boundaries: Anaheim Street to the North
10th Street to the South
Temple Avenue to the East
Junipero Avenue to the West

Reported crimes in this district for ABC purposes are 157. Crime in a reporting district must be at least 140 to qualify for a high crime protest.

Type of business: Gas station.
Last day to request conditions and protest: March 24, 2016



Date: March 22, 2016
To: File
From: Laurie Barajas, Detective, Vice Investigations Section
Subject: UNITED OIL #140 – 2440 EAST ANAHEIM STREET

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (2/3/15 to 2/3/16)

1	484	Petty Theft	Will File Later
1	470	Forgery	Unfounded

ABC INSPECTIONS (past three years)

Not Applicable

RESIDENCES WITHIN 100 FEET

1148 Stanley Avenue	Multi-Unit Complex
1207 Stanley Avenue	Single Family Dwelling
1209 Stanley Avenue	Duplex
1210 Stanley Avenue	Duplex
1210½ Stanley Avenue	Duplex
1211 Stanley Avenue	Duplex
1212 Stanley Avenue	Triplex
1214 Stanley Avenue	Triplex
1214½ Stanley Avenue	Triplex

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

None

LBB:lbb
CFSmemoUnitedOil

AN EXCERPT FROM THE MINUTES OF
THE LONG BEACH CITY COUNCIL MEETING
HELD TUESDAY, MARCH 22, 2016

REGULAR AGENDA: (08:21 PM)

28. (16-0270) Recommendation to receive the application of Apro, LLC, dba United Oil #140, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control (ABC) License, at 2440 East Anaheim Street, determine 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 4) (08:44 PM)

Suggested Action: Approve recommendation.

Motion: Approve recommendation.

Moved by Councilmember Supernaw, seconded by Vice Mayor Lowenthal.

Vote: Approve recommendation. (Carried 8-0)

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

Absent: Councilman Andrews.

CERTIFIED AS A TRUE AND CORRECT COPY


CITY CLERK OF THE CITY OF LONG BEACH *P. Rubio*

DATE: 3/24/16