



CITY OF LONG BEACH
POLICE DEPARTMENT

R-11

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

UB-13

Jim McDonnell
Chief of Police

May 8, 2012

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive and file the application of Jeffery Michael Hill, dba Eagle Market, for an original Alcoholic Beverage Control license, at 2336 Pacific Avenue. (District 6)

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 May 10, 2012. Accordingly, City Council action is required at the May 8, 2012 City Council meeting.

FISCAL IMPACT

None.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

[Signature of Jim McDonnell]
JIM McDONNELL
CHIEF OF POLICE

APPROVED:

[Signature of Patrick H. West]
PATRICK H. WEST
CITY MANAGER

JM:CNA:cna

HONORABLE MAYOR AND CITY COUNCIL  
May 8, 2012

Council District: 6

Applicant: Jeffery Michael Hill  
DBA: Eagle Market  
Address: 2336 Pacific Avenue

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

Bases for possible protest: High crime.  
Residences within 100 feet.  
Church within immediate vicinity.

**PUBLIC CONVENIENCE DETERMINATION:** A determination by the City of public convenience and necessity **is not** required for this application.

Census Tract: 5731.00

Boundaries: Willow Street to the North  
Hill Street to the South  
Long Beach Boulevard to the East  
Los Angeles River to the West

Number of licenses allowed: 5  
Number of licenses existing: 4

Police Reporting District: 203

Boundaries: Burnett Street to the North  
Hill Street to the South  
Long Beach Boulevard to the East  
Pacific Avenue to the West

Reported crimes in this district for ABC purposes are 176. Crime in a reporting district must be at least 171 to qualify for a high crime protest.

Type of business: A neighborhood market.

Last day to request  
conditions and protest: May 10, 2012





**Date:** May 8, 2012  
**To:** File  
**From:** Chris Anderson, Detective, Vice Investigations Section  
**Subject:** **EAGLE MARKET, 2336 PACIFIC AVENUE**

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**CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (04/10/11-04/10/12)**

3	R594	Vandalism	Will File Later
1	R484	Theft	Will File Later
1	Unwelc	Unwelcome Subject	Unfounded
1	211S	Robbery Alarm	Bad Order Alarm

**ABC INSPECTIONS (past three years)**

None

**RESIDENCE WITHIN 100 FEET**

2341 Pacific Avenue	Single Family Residence
2343 Pacific Avenue	Single Family Residence
2343 Pacific Avenue #A	Single Family Residence
2343 Pacific Avenue #B	Single Family Residence
2341 Pacific Avenue	Single Family Residence
128 W. Eagle Street	Single Family Residence
116 W. Eagle Street	Multi-Unit Complex
2341 Pine Avenue	Single Family Residence
2345 Pine Avenue	Single Family Residence
2335 Pine Avenue	Single Family Residence
2333 Pine Avenue	Single Family Residence
2327 Pine Avenue	Single Family Residence
119 Gunther Way	Single Family Residence
119 1/2 Gunther Way	Single Family Residence

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

Iglesia De Jesucristo Palabra Miel Church      2400 Pacific Avenue

Agenda Item 11

Alan Burks  
to:  
district6  
05/08/2012 12:22 AM

Show Details

Honorable Councilman Andrews,

I reside at 2327 Pine Av. just behind Eagle Market. Firstly, I did not receive any formal notice of this ABC application. We opposed the original ABC application 10 years ago and continue to consider this business to be a blight in our community. The customers constantly leave trash and graffiti in the immediate area. The business itself is a visual blight. Poorly maintained and painted in garish colors. I suggest that this application be denied. Allow the applicant to show his commitment to our community by improving the property and providing healthy foods for the school age children that pass by the store several times a day. Please note that there are two elementary schools nearby and a special needs school 1/2 block away at 23rd & Pacific. Also note that this is immediately adjacent to a bar that has been notorious for drugs and prostitution.

Dee please help us to make this portion of Wrigley better. This establishment has been a blighting influence for a long time. I feel that it would be better empty than selling liquor.

Your constituent,

Alan Burks, AIA LEED® AP

President :: Director of Architecture :: Direct 562-264-0429 :: Mobile 562-682-3152

alan@environarch.com

ENVIRON Architecture, Inc.  
100 Oceangate, Suite P-200 :: Long Beach, CA 90802 :: 562-495-7110

From: Qooky VQ <qooky@msn.com>  
To: <tonya.martin@longbeach.gov>, <john.edmond@longbeach.gov>  
Cc: "Lillian Villa-Quintero, work" <lvilla-quintero@pbcenters.com>, Qooky VQ <qooky@msn.com>  
Date: 05/08/2012 11:14 AM  
Subject: 2336 Pacific Ave ABC Application

Good Morning Ms. Martin and Mr. Edmond,

I am writing in opposition of the application for ABC at 2336 Pacific Avenue. Attached is my scanned letter and supporting documents. I have also attached a petition that was put together by our neighbors to show our opposition to this ABC application. Originals will be brought to today's meeting. Please contact me with any questions you may have at 562-212-3449.

Please help us in continuing to make our neighborhood safer and cleaner.

Sincerely,

Lillian Villa-Quintero

5/8/12

Honorable Dee Andrews,

We are writing to express our opposition of the proposed liquor license for Eagle Market at 2336 Pacific Avenue.

Our neighborhood does not need another outlet for alcohol consumption. We are already experiencing urban decay in our streets, such as, increased crime, litter, and graffiti.

As I am sure you know, research has shown a direct correlation between liquor stores and high rate of violence. For example, in a study of 74 cities in Los Angeles County, California, a higher density of alcohol outlets was associated with more violence (Scribner 1995). Also, a study published in the March 2010 issue of *Alcoholism: Clinical & Experimental Research* found that alcohol sale leads to additional problems with young adults (*ScienceDaily* 2009).

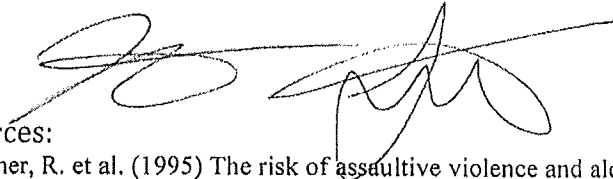
As residents near the market, we have seen our share of increased graffiti and litter. Eagle market patrons consistently drop litter on the way back from the market onto the sidewalk, street, and property. When Eagle market sold alcohol, empty beer bottles were commonly thrown onto the parkway. The unsightly mess of broken glass poses a safety concern to residents. Also, unruly patrons often times yell profanity and use obscene language while walking to Eagle Market, disrupting the peaceful play of neighborhood children.

Since the market's license has expired, we have noticed a pleasant decrease of such negative activity. We support the new management's desire to make positive changes, but don't see how selling alcohol will do that. There are already thirteen establishments within a ¼ mile radius that sell alcohol. An elementary school and two Head Start centers are also within that same radius. We do not need or want another corner store selling alcohol.

Please help us in continuing to make our streets safer and cleaner.

Sincerely,

Jorge Quintero and Lillian Villa-Quintero



Sources:

Scribner, R. et al. (1995) The risk of assaultive violence and alcohol availability in LA County, *American Journal of Public Health*, 85:335-340.

*Alcoholism: Clinical & Experimental Research* (2009, December 19). Alcohol outlets lead to specific problems among youth and young adults. *ScienceDaily*. Retrieved April 30, 2012, from <http://www.sciencedaily.com/releases/2009/12/091219073003.htm>





## Petition Calling for Non-Renewal Of Liquor License for Eagle Market

We, the undersigned, call for the non-renewal of Eagle Market's liquor license. We urge the Long Beach City Council not to issue a liquor license to said business. We feel that having alcohol readily available leads to negative impacts in our neighborhood. Crime, litter, and graffiti are some of the issues we are experiencing. **Please help protect our health, preserve safety, and character of our neighborhood.**

**Name**

**Address**

Teresa Perez	2333 Pine Ave. LB
Jorge Quintan	2341 Pine Ave. LB
Alexa Busby	2300 Pine Ave. LB
ALAN BURLS	2327 PINE AV. LB.
GEORGINA EVANS	2327 PINE AV. LB.
Susan Bedham	108 W. GUNTHER WAY LB
Donne Davis	100 E. Eagle St. LB
Bussanore Darr	100 E Eagle St LB
Letti Isaac	100 E. Eagle St. L.B.
Carol Weston	2350 Pine Ave, LB.
Corey Berman	2918 Chestnut Ave, LB
Lisa Wilcox	465 W. 25 <sup>th</sup> St. LB 90806
Cynthia Wong	2950 Eucalyptus Ave 90806
Vanira Zambrano	219 Pepper Dr. L.B. 90807.
Jose M. Hernandez	2048 Parkview Trl LB
Francisco + Samuel Portillo	2034 Cedar Ave LB 90804

# Petition Calling for Non-Renewal Of Liquor License for Eagle Market

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**Name**

**Address**

<u>Judy Way</u>	<u>2032 Cedar Ave LB 9080</u>
<u>Tom Stout</u>	<u>3160 Chestnut Ave</u>
<u>Ann R. (Mrs) J. Ridgway</u>	<u>1874 MAINE AVE LONG BEACH 90806</u>
<u>Patricia Maynard</u>	<u>1435 Daisy Ave Long Beach, CA 90806</u>
<u>Robert L. Amiguelski</u>	<u>1866 Maine Ave Long Beach 90806</u>
<u>[Signature]</u>	<u>2341 Pine Ave Long Beach 908</u>
<u>Charles [Signature]</u>	<u>2925 Eucalyptus - LB - 90806</u>
<u>Shermayne Shepherd</u>	<u>2914 COOK AVE LB 90806</u>
<u>Candace Mead</u>	<u>2925 Eucalyptus Ave 90806</u>
<u>David Gonzalez</u>	<u>2322 Pine av Long Beach CA 90806</u>
<u>Norma A. Crisp</u>	<u>2345 Pine ave. Long Beach 90806</u>
<u>Alan W Crisp</u>	<u>2345 PINE AVE L.B 90806</u>
<u>RODOLFO DE LUCIO</u>	<u>110 W. EAGLE ST APT. B</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

Wrigley Association  
P.O. Box 16192  
Long Beach, Ca. 90806  
May 8, 2012

Honorable Dee Andrews  
Councilman Sixth District  
City of Long Beach  
333 W. Ocean Blvd., 14<sup>th</sup> Floor  
Long Beach, Ca. 90802

Dear Councilman Andrews:

I am writing to you in regards to Agenda Item #11 on tonight's calendar (May 8, 2012).

Recommendation to receive and file the application of Jeffery Michael Hill, dba Eagle Market, for an original Alcoholic Beverage Control License, at 2336 Pacific Avenue. (District 6)

Last evening, the members attending the monthly Wrigley Association meeting heard from both community members opposed to the issuance and from the applicant, Jeff Hill.

After discussing the issue, the following motion was moved and carried:

“To oppose the liquor license for Eagle Market at 2336 Pacific Ave.”

We hope that you will support us in recommending against the issuance of this license at this time.

Sincerely,

Colleen McDonald  
President, Wrigley Association

cc: Robert Garcia, Councilman First District

cc: Suja Lowenthal, Councilwoman Second District

cc: Gary DeLong, Councilman Third District

cc: Patrick O'Donnel, Councilman Fourth District

cc: Gerrie Schipske, Councilwoman Fifth District

cc: James Johnson, Councilman Seventh District

cc: Rae Gabelich, Councilwoman Eighth District

cc: Steven Neal, Councilman Ninth District



Councilmember  
**DEE**  
**ANDREWS**  
SIXTH DISTRICT

**THE CITY OF LONG BEACH**

May 11, 2012

**CONDITIONS OF OPERATION  
SALE BEER AND WINE LICENSE  
Eagle Market  
2336 PACIFIC AVENUE**

1. In the event of transfer of ownership of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by these special conditions together with all conditions that are a part thereof. These specific requirements must be recorded with all title conveyance documents at time of closing escrow.
2. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, fences and the perimeter of the site (including all public parkways). Any graffiti painted or marked upon the premises or on any adjacent area under the control of the licensee(s) shall be removed or painted over within 24 hours of being applied.
3. Sales of alcoholic beverages shall be permitted only between the hours of 7:00 a.m. and 9:00 p.m. each day of the week.
4. The petitioner(s) shall be responsible for maintaining the area adjacent to the premises over which they have control free of litter.
5. No wine shall be sold with an alcoholic content of greater than 15 percent by volume.
6. No beer or malt beverage products smaller than 10 oz. shall be sold in quantities of fewer than six per sale.
7. No wine shall be sold in bottles or containers smaller than 750ml, other than dessert wines in 375ml bottles, and wine coolers shall not be sold in quantities of less than four per sale.
8. No alcoholic beverages shall be consumed on any property adjacent to the premises under the control of the licensee.



City Councilmember  
**DEE**  
**ANDREWS**  
SIXTH DISTRICT

## THE CITY OF LONG BEACH

9. There shall be no exterior advertising or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs, which are clearly visible to the exterior, shall constitute a violation of this condition.
10. The possession of alcoholic beverages in open containers and the consumption of alcoholic beverages is prohibited on or around these premises.
11. There shall be no cups, glasses, or similar receptacles, commonly used for the drinking of beverages given away at the petitioner's premises in quantities of less than twenty-four or in their original multi-container package. Licensee(s) may sell such receptacles at fair market value.
12. No sales to any person appearing to be or actually intoxicated shall be allowed.
13. All sales of alcohol shall be directly supervised by an authorized employee of the licensee, aged at least 21 years, including inspection of identification to verify age of purchaser, and observation of purchaser to ensure no sales to intoxicated persons.
14. The sale of beer or malt beverages in quantities of quarts, 32 oz., or 40 oz. is prohibited.
15. The operator shall maintain full compliance with all applicable laws, ABC laws, ordinances and stated conditions. In the event of a conflict between the requirements of this permit, Conditional Use Permit, or Alcoholic Beverage Control license, the more stringent regulation shall apply.
16. The Petitioner(s) shall post and maintain a professional quality sign facing the premises parking lot(s) that reads as follows:

**NO LOITERING, NO LITTERING  
NO DRINKING OF ALCOHOLIC BEVERAGES**

**VIOLATORS ARE SUBJECT TO ARREST**

17. Not more than one cooler can be used to identify sale of alcohol and one shelf for non-chilled alcoholic beverages shall be used for display. Prior to



Councilmember  
**DEE**  
**ANDREWS**  
Sixth District

**THE CITY OF LONG BEACH**

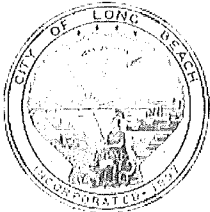
issuance of business license the operator shall submit floor plans for the review and approval by the Director of Development Services.

FAILURE TO COMPLY WITH THESE CONDITIONS MAY RESULT IN A BUSINESS LICENSE REVOCATION OR SUSPENSION, PURSUANT TO LONG BEACH MUNICIPAL CODE (LBMC) SECTION 3.80.429.1.

I understand and agree to these conditions:

BUSINESS OWNER SIGNATURE \_\_\_\_\_

Date: MAY 14, 2012



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT  
BUSINESS RELATIONS BUREAU

333 WEST OCEAN BOULEVARD 7<sup>TH</sup> FLOOR • LONG BEACH, CA 90802 • (562) 570-6211

## Conditions of Operation

Eagle Market

2336 Pacific Avenue

Business License Acct # 21210000

Business Owner: Jeffrey Hill

The Department of Financial Management requires the following conditions:

### CONDITIONS OF OPERATION

- 1) Compliance with these conditions is required for the business operation at 2336 Pacific Avenue. As such, the site shall allow periodic re-inspections, at the discretion of city officials, to verify compliance. Licensee or the property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by City Council (Sec. 21.25.412, 21.25.212).
- 2) There shall be no coin operated games or video machines maintained upon the premises at any time.
- 3) The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot. Additionally, the position of such lighting shall not disturb the privacy and use of any neighboring residences.
- 4) No pay phone will be maintained on the interior or exterior of the premises.
- 5) Loitering is prohibited on the premises or the area under the control of the licensee.
- 6) The licensee shall keep the property, adjacent to the licensed premises and under the control of the licensee clear of newspaper racks, benches, pay telephones, bicycle racks, and any other objects, which may encourage loitering.
- 7) The licensee shall comply with the requirements of LBMC Sec. 8.80 (Noise) at all times. In addition, in response to a complaint, the Long Beach Police Department will enforce Penal Code Section 415 (disturbing the peace) and all other state and local provisions related to the "public peace." The licensee shall conduct all aspects of his or her operation, including before and after-hours deliveries and maintenance, in consideration of residences located nearby. Licensee agrees that the following standard is reasonable: Noise emanating from licensee's premises shall not be audible from the middle of the street adjoining the premises.
- 8) Licensee shall install exterior video security cameras at the front and rear of the business with full view of the public right-of-way and shall install exterior security video cameras that provide full view of any areas where operator provides parking for its patrons. The cameras shall record video for a minimum of 30 days and be accessible via the Internet by the Long Beach Police Department. A Public Internet Protocol (IP) address and user name/password to allow Long Beach Police Department to view live and recorded video from the cameras over the Internet are also required. All video security cameras shall be



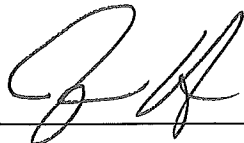
installed to the satisfaction of the Police Chief, Director of Technology Services, and Director of Development Services.

- 9) The business shall provide a minimum of 25 percent of the operating square footage for the product display area for the sale of fresh fruits, vegetables, flowers, canned goods, and the like.
- 10) Windows shall not be obscured by placement of signs, dark window tinting, shelving, racks or similar obstructions.
- 11) Licensee shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action, or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the operator of any such claim, action, or proceeding or fails to cooperate fully in the defense, the operator shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach.
- 12) No exterior bars or security grillwork shall be allowed. Existing bars or grillwork shall be removed to the satisfaction of the Director of Development Services.
- 13) Any sidewalk signs shall be removed.
- 14) Licensee shall engage the City within 30 days of receipt of this letter with the submittal of floor building plans for review for accessibility of the premises to the satisfaction of the Director of Development Services. ???
- 15) Licensee may submit plans for a comprehensive sign program to be reviewed by the Site Plan Committee.
- 16) All cigarettes must be sold in original packaging.

FAILURE TO COMPLY WITH THESE CONDITIONS MAY RESULT IN A BUSINESS LICENSE REVOCATION OR SUSPENSION, PURSUANT TO LONG BEACH MUNICIPAL CODE (LBMC) SECTION 3.80.429.1.

I understand and agree to these conditions:

BUSINESS OWNER SIGNATURE



Date: May 14, 2012