



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

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

February 3, 2010

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

Re: Application of Fresh & Easy Neighborhood Market Incorporated, dba Fresh & Easy Neighborhood Market No. 1417, to Determine the Application Serves the Public Convenience and Necessity for an original Alcoholic Beverage Control License at 450 The Promenade North

Dear Mr. Cravens:

Please be advised that the Long Beach City Council, at its meeting held Tuesday, February 2, 2010 received and filed the subject application with the attached conditions requested by Councilmember Robert Garcia, First District. Transmitted for your files is a copy of the conditions, and this request that the conditions be applied to the license, as applicable under ABC rules and regulations.

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 for your file.

Respectfully submitted,

LARRY G. HERRERA
CITY CLERK

Prepared by:
Nancy Muth

Attachment

Cc: Councilmember Robert Garcia, First District
City Prosecutor
Police Department (2) Chief & Vice
Referral File
FAX forwarded to ABC, (562) 982-1396



CITY OF LONG BEACH

POLICE DEPARTMENT

R-25

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

Billy B. Quach
Chief of Police

February 2, 2010

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 Fresh & Easy Neighborhood Market Incorporated, dba Fresh & Easy Neighborhood Market # 1417, for an original Alcoholic Beverage Control license, at 450 The Promenade North, with conditions. (District 1)

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 February 5, 2010. Accordingly, City Council action is required at the February 2, 2010 City Council meeting.

FISCAL IMPACT

None.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

BILLY B. QUACH
CHIEF OF POLICE

APPROVED:

PATRICK H. WEST
CITY MANAGER

ADMINISTRATION BUREAU
(562) 570-5830
FAX (562) 570-5883

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
February 2, 2010

Council District: 1

Applicant: Fresh & Easy Neighborhood Market Incorporated
DBA: Fresh & Easy Neighborhood Market # 1417
Address: 450 The Promenade North

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

Bases for possible protest: High crime.
Over concentration.
Residences within 100 feet.

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

Census Tract: 5762.00

Boundaries: 7th Street to the North
Broadway to the South
Alamitos Avenue/Martin Luther King Jr. to the East
Pine Avenue to the West

Number of licenses allowed: 4
Number of licenses existing: 10

Police Reporting District: 164

Boundaries: 7th Street to the North
4th Street to the South
Long Beach Boulevard to the East
Pacific Avenue to the West

Reported crimes in this district for ABC purposes are 552. Crime in a reporting district must be at least 191 to qualify for a high crime protest.

Type of business: A neighborhood market.

Last day to request conditions and protest: February 5, 2010



Date: February 2, 2010
To: File
From: Dana Smith, Detective, Vice Investigations Section
Subject: **FRESH & EASY NEIGHBORHOOD MARKET # 1417, 450 THE PROMENADE NORTH**

CALLS FOR SERVICE/ARRESTS AND INVESTIGATIONS (01/07/09-01/07/10)

1	459A	Audible Alarm Call	Bad Order Alarm
1	484	Petty Theft Call	Advised
1	Unwelcome	Unwelcome Call	Advised

- The above calls for service relate to the business that previously occupied this location.

ABC INSPECTIONS (past three years)

None

RESIDENCE WITHIN 100 FEET

155 East 4th Street Multi-Unit Complex

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

None

DBS:db
cfs.memo



City of Long Beach
Working Together to Serve

Office of Robert Garcia
Council Member, First District

R-25

Date: February 2, 2010
To: Honorable Mayor and Members of the City Council
From: Council Member Robert Garcia, First District
Subject: **Fresh & Easy, 450 Promenade, ABC License Conditions**

I am submitting the following conditions for an original application for Off-Sale Beer and Wine License:

- No exterior advertising promoting or indicating the availability of alcoholic beverages
- No alcoholic beverages shall be consumed on the property, or on adjacent properties under control of licensee.
- No sales to any person appearing to be or actually being intoxicated shall be allowed
- Licensee shall take all reasonable measures to prohibit and prevent any loitering on the premises
- Any graffiti on the premises shall be removed or painted over within 24 hours
- 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
- No beer or malt beverages shall be sold, regardless of container size, in quantities of less than three per sale
- The sale of beer or malt beverages in quantities of quarts, 22 oz, 32 oz, 40 oz or similar size is prohibited
- Wine shall not be sold in bottles or containers smaller than 750 ml. other than dessert wines in 375 ml. bottles.
- No pay phone will be maintained on the interior or exterior of the premises.

If any of these conditions are for any reason not accepted by the ABC Board, all other conditions shall still apply.

