



December 2, 2008

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the supporting documentation into the record, conclude the hearing and approve one of the following actions be taken: 1) grant the Permit, with or without conditions; or 2) grant a One-Year Short-Term Permit, with or without conditions; or, 3) deny the Permit on the application of Hush on Pine, Inc., DBA JC Mayazteca, 217 Pine Avenue, for Entertainment With Dancing by Patrons at an existing Restaurant. (District 2)

DISCUSSION

The Long Beach Municipal Code (LBMC) requires an application be filed and a hearing be held before the City Council whenever this type of activity is requested and before an entertainment permit is granted or denied.

The LBMC also requires that the City Council make a determination that the application is complete and truthful; the applicant, the person interested in the ownership and operation of the entity, and the officers and trustees of the entity are law-abiding persons who will operate and conduct the business activity in a lawful manner; and, that the public peace, welfare, and safety will not be impaired. If this is so, the application shall be approved, a short-term permit shall be approved, or the application shall be denied.

Attached for your review is the application from Hush on Pine, Inc., DBA JC Mayazteca. Also attached are reports from various departments and a summary of those reports, as well as the license history of the establishment.

City departments have conducted their investigation in accordance with the LBMC. The following summarizes their findings:

- The Police Department recommends that the permit for entertainment with dancing by patrons be approved subject to conditions.
- The Fire Department recommends that the permit for entertainment with dancing by patrons be approved.

- The Health and Human Services Department finds that the building/location meets department requirements for the proposed use with the condition that the establishment remain in compliance with the Long Beach Noise Ordinance (LBMC Chapter 8.80).
- The Development Services Department recommends that the permit for entertainment with dancing by patrons be approved.

In the event that any of the recommended conditions attached to any permit or licenses are in conflict, the permittee shall adhere to the strictest of the applicable conditions. This location has been licensed as a restaurant with alcohol since May 2002.

This matter was reviewed by Deputy City Attorney Cristyl Meyers on November 3, 2008.

TIMING CONSIDERATIONS

The hearing date of December 2, 2008, has been posted on the business location, with the applicant and property owners within 300 feet notified by mail.

FISCAL IMPACT


The following fees were collected with the application: Building Review \$20 and Zoning Review \$14 (Development Services Department), Police Investigation \$1,000 (Police Department), Temporary Permit \$300, Labels \$90 (Financial Management Department), and Health/Noise Control \$94 (Health and Human Services Department).

The following fees will be collected if the application is approved: Business License \$325.85 and Regulatory \$875 (Financial Management Department).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,


LORI ANN FARRELL
DIRECTOR OF FINANCIAL MANAGEMENT/CFO

LAF: RIB: JEM

ATTACHMENTS

APPROVED:


PATRICK H. WEST
CITY MANAGER



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

SUMMARY OF APPLICATION FOR BUSINESS PERMIT

Attached for your review and action is an application for Hush on Pine, Inc., DBA JC Mayazteca. Also attached are reports from various departments stating their recommended disposition of the subject application. These are summarized as follows:

SUBMITTED FOR CITY COUNCIL ACTION

	<u>Without Concern</u>	<u>With Conditions</u>	<u>With Concerns</u>
Police Department		X	
Fire Prevention Bureau	X		
Health and Human Services Department/Noise Control		X	
Long Beach Development Services	X		

Questions concerning the above may be directed to the following:

Police Department, Chief of Police	570-7301
Fire Department, Fire Prevention Bureau	570-2500
Health and Human Services Department, Noise Control	570-4130
Long Beach Development Services.....	570-6623

Compiled by: Department of Financial Management
Commercial Services Bureau



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Boulevard • Long Beach, CA 90802 • (562) 570-5700 • Fax (562) 570-6867

COMMERCIAL SERVICES DIVISION

FIVE YEAR HISTORY OF BUSINESS ESTABLISHMENT 217 Pine Avenue

Hush On Pine, Inc.
DBA: JC Mayazteca
Lic#20811870
03/08 – Pending

Entertainment With Dancing

Hush On Pine, Inc.
DBA: Hush
Lic#20626220
03/07 – 03/08

Entertainment With Dancing
(1-yr Short-Term permit)

Hush On Pine, Inc.
DBA: Hush
Lic#20621710
04/06 – Active

Restaurant With Alcohol

Perlman Inc.
DBA: Hush Restaurant & Banquet Facility
Lic#20528760
06/05 – 04/06

Restaurant With Alcohol

Perlman Inc.
DBA: Hush Restaurant & Banquet Facility
Lic#20529020
06/05 – 04/06

Entertainment With Dancing

Setab Inc.
DBA: Cousin Jack's
Lic#20224710
05/02 – 06/05

Restaurant With Alcohol

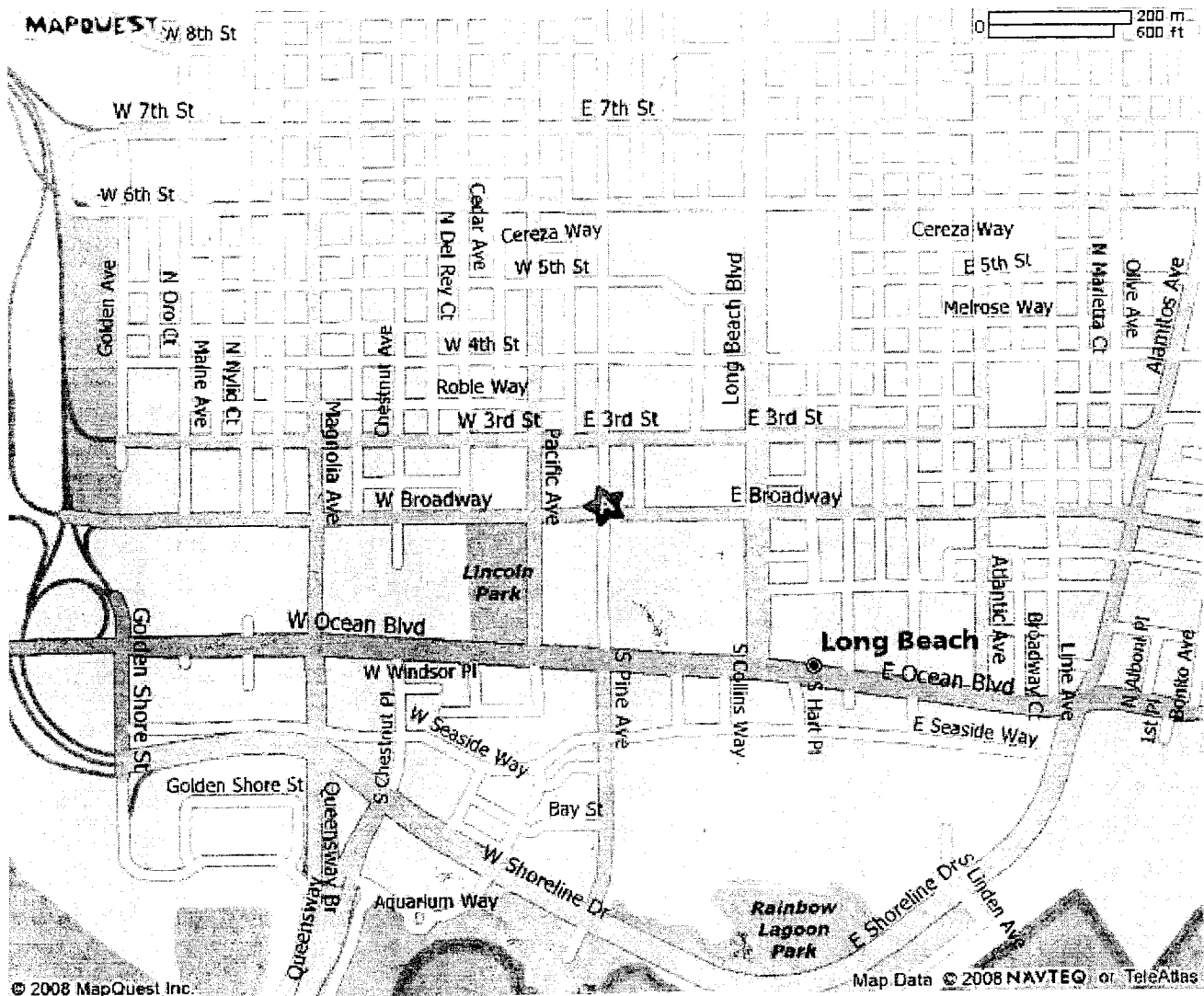
Setab Inc.
DBA: Cousin Jack's
Lic#20251140
02/03 – 06/05

Entertainment With Dancing

Setab Inc.
DBA: Cousin Jack's
Lic#20224740
05/02 – 06/05

Pool Tables (2)

HUSH 217 PINE AVENUE





CITY OF LONG BEACH BUSINESS LICENSE APPLICATION
4th Floor, City Hall
333 W. Ocean Boulevard, Long Beach, CA 90802

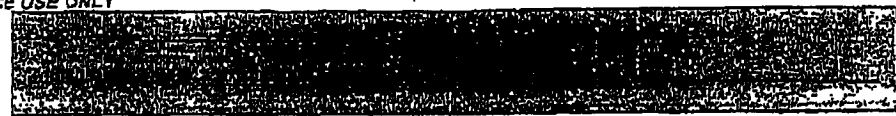
www.longbeach.gov
(562) 570-6211
TDD (562) 570-6793

GENERAL INFORMATION					
OWNER'S NAME (If corporation, use corporate name. If partnership - principal) HUSH ON PINE, INC.		DRIVER'S LICENSE NUMBER	STATE	SOCIAL SECURITY NUMBER	
BUSINESS NAME (D.B.A.) (JCS) MAFAZTECA		TYPE OF BUSINESS (Be specific) ENTERTAINMENT w/ DANCING		HOME OCCUPATION <input type="checkbox"/>	
BUSINESS ADDRESS 217 PINE, LONG BEACH, CA. 90802		STATE	ZIP	AREA CODE/TELEPHONE 562-495-3473	
MAILING ADDRESS (if different) 1009 N. MARTIN ST, ORANGE, CA. 92667		STATE	ZIP	AREA CODE/TELEPHONE 714-281-1331	
RESIDENCE ADDRESS (if different)		STATE	ZIP	AREA CODE/TELEPHONE	
LIST OF PRINCIPAL OFFICERS' OR PARTNERS' NAMES AND ADDRESSES		TITLE	PERCENT OWNERSHIP		
Ornela Castillanos		President	100%		
Marco Castillanos		vice-president			
<input type="checkbox"/> New Business <input type="checkbox"/> Address Change <input type="checkbox"/> Ownership Change <input checked="" type="checkbox"/> Secondary License <input type="checkbox"/> Sole Owner <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> L.L.P. <input type="checkbox"/> L.L.C.					
BUSINESS OPERATIONS INFORMATION					
START DATE	NO. OF EMPLOYEES 50	NO. OF VEHICLES	FEDERAL TAX ID. NUMBER	SALES TAX LICENSE NUMBER	
Does your business have a Calif State Lic? <input type="checkbox"/> Y <input type="checkbox"/> N		STATE LICENSE NUMBER	CLASSIFICATION	RENEWAL DATE	
FOOD / ALCOHOL / ENTERTAINMENT			SERVICES / FUND RAISING		
Do you plan to sell or serve food? (including pre-packaged) <input checked="" type="checkbox"/> Y <input type="checkbox"/> N			Will you provide a towing service? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		
If selling food, are there more than 10 square feet of food products displayed? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N			Will you offer massage, bodywrap, escort or other similar personal services? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		
If serving food, how many seats?: <u>120</u>			Will you engage in fund raising? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		
Do you plan to sell or serve alcoholic beverages? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N			Will you deal in coins, stamps, firearms, jewels, or second-hand property? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		
If yes, ABC License number: <u>47 438058</u>			HAZARDOUS MATERIALS / MEDICAL WASTE		
Does your business involve amusement machines, video games and/or pool tables? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N			Will you use, store, or transport chemicals (new or waste state)? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		
How many: _____ Type: _____			Will you manage or produce biohazardous materials or waste? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		
Does your business have vending machines? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N			BUILDING AND FACILITY INFORMATION		
How many: _____ Type: _____			Business sq. ft.: <u>6712</u>		
Will you have: <input checked="" type="checkbox"/> dancing, <input checked="" type="checkbox"/> music (live or amplified)?			Do you <input type="checkbox"/> own or <input checked="" type="checkbox"/> rent/lease your business property? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N		
Does your business require construction and/or remodeling? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N					
ACKNOWLEDGMENT					
I have received a copy of "OPERATING A BUSINESS IN LONG BEACH". I understand that before I can operate my business in Long Beach, my establishment must comply completely or I will be in violation of the L. B. M. C., Section 3.80.421.5. I declare, under penalty of perjury, that I am authorized to complete this application.					
To the best of my knowledge and belief, the provided information and statements are true and correct.					
SIGN and return this statement with your remittance.			Make checks payable to City of Long Beach		
 SIGNATURE		Owner or Authorized Agent 3/10/08 DATE		PENELOPE PANGANIYAN (manager) PRINT NAME/TITLE	
DO NOT WRITE BELOW THIS LINE					
Review Path: <input type="checkbox"/> Min <input type="checkbox"/> Mod <input type="checkbox"/> Com		Inspection(s): <input type="checkbox"/> Bldg <input type="checkbox"/> Fire <input type="checkbox"/> Hlth <input type="checkbox"/> PD <input type="checkbox"/> Oth		Date/time: <u>Restaurant w/ Alcohol</u> <input type="checkbox"/> Int: <u>5/1/08</u>	
Basic Tax		-		Prev Use: <u>Restaurant w/ Alcohol</u>	
Employees # _____ @ \$ _____		-		Prev Lic: _____	
Vehicles # _____ @ \$ _____		-		Exp date: _____	
Other # _____ @ \$ _____		-		District: <u>05</u>	
DPIA, BSPA, BKBA base		-		SIC: <u>5813</u>	
PIA Employees # _____ @ \$ _____		-		Entered by: <u>gcy</u>	
Regulatory		-		Date: <u>5/13/08</u>	
Investigation		-		BU: <u>2081870</u>	
Misc. Fees <u>NOISE, Labels, Temp permit</u>		-			
Sub Total		-			
Zoning		-			
Building Inspection		-			
Total		-			
		1000.00			
		570.00			
		145.00			
		200.00			
		7798.00			
NOTE: THIS IS NOT A BUSINESS LICENSE: DO NOT OPERATE UNTIL A VALID LICENSE HAS BEEN ISSUED. THIS INFORMATION IS AVAILABLE IN AN ALTERNATIVE FORMAT BY CONTACTING 562/570-6211					

Revised 10-6-08
Jew



OFFICE USE ONLY



APPLICATION FOR ENTERTAINMENT PERMIT

(Please Print All Information - Incomplete Applications Will Not Be Accepted)

Applicant's Name (Legal Ownership Structure): HUSH ON PINE INC

Business Name (DBA): (HUSH)C Manatka CA 10/14/08 Business Phone: (562) 495-3473

Business Site Address: 217 N. PINE AVE, LONG BEACH CA 90802

Date Business Proposes To Open: CURRENTLY OPEN

Days & Time Premises Are Open For Inspection: PLEASE CONTACT PENNY PANGANIBAN
(562) 682-7994

Proposed Use(s):

Entertainment/Restaurant With Dancing Without Dancing

Entertainment/Tavern With Dancing Without Dancing

Social Club Pool or Billiard Hall Other (explain)

Explain briefly the proposed use of the rooms within the building:

Contact Person(s) Name (authorized agent, manager, etc.): PENNY PANGANIBAN

Contact Person(s) Phone Number: (562) 682-7994

Type of Organization:

Corporation Partnership Individual Unincorporated Association or Club

Trust- LLC Other, explain: _____

Building Fire Health (Check Inspecting Department) Date Received: _____

Building/Location meets Department Requirements for the proposed use.

Building/Location meets Department Requirements for the proposed use subject to the following conditions:

Building/Location does not meet Department requirements for the proposed use.

Inspection Completed On (date): _____ By: _____

POLICE DEPARTMENT

Police Department finds no for basis for denial Police Department finds basis for denial

Police Department finds no for basis for denial with conditions

Conditions or Basis for Denial: _____

By: _____ Title: _____ Date: _____

GENERAL INFORMATION (All Applicants)

Principal place of business (if other than the address listed on page 1): SAVE AS PG. 1

Fictitious business names(s) or dba(s) used: (FUDFH) JC # MAYATECA ^{10/6/08}

Place and date of filing fictitious business name statement: April 27, 2006

County(ies) in which fictitious name statement is (are) filed: LOS ANGELES COUNTY

Names and address of all agents and employees authorized to negotiate or otherwise represent individual in connection with any transaction with the City of Long Beach:
JOSE MARCO CASTELLANOS - [REDACTED]
Penny Panganiban - [REDACTED]

Name and address of person (agent) authorized to accept service of process in California:
JOSE MARCO CASTELLANOS - [REDACTED]

State whether you are licensed by any governmental agency to engage in any business. If so, list each such license held, the city in which held, and expiration date thereof:
n/a

Is this applicant a subsidiary of a present corporation or business? YES NO
If yes, explain:

How long has the corporation or business been in operation? 1 YEAR 6 MONTHS

Is the location: Owned? Rented/Leased?

If Rented/Leased, state the name and address of property owners:
Name: BEACH ENTERPRISES
Address: 203 PINE AVE
LONG BEACH CA 90802

IF APPLYING AS A CORPORATION

Check One Box: For-Profit Corporation Non-Profit Corporation

(If a Non-Profit Corporation, please attach copies of both State and federal Tax Exemption Certificates)

Name of Corporation: HUSH ON PINE INC

Corporation Number: 2870286

Date and Place of Incorporation: MARCH 23, 2006, CA

Location Headquarters: 1009 N. TUSTIN ST. ORANGE CA 92667

Please attach certified copies of Articles of Incorporation and By-Laws, and all amendments thereto this application.

Name and Residence Address of Corporation Officers (members of the executive board):

<u>Name</u>	<u>Title</u>	<u>Address</u>	<u>Telephone</u>
<u>DFELIA CASTELLANOS</u>	<u>PRESIDENT</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>
<u>JOSE MARCO CASTELLANOS</u>	<u>VICE PRESIDENT</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>
<u> </u>	<u> </u>	<u> </u>	<u>()</u>
<u> </u>	<u> </u>	<u> </u>	<u>()</u>

Numbers of shares issued by Corporation: 10,000

Number of share retained by Corporation:

Name and addresses of shareholders, if ten (10) or less state also the number and type of shares:

DFELIA CASTELLANOS 1009 N. SHAFER ORANGE 92667 - 10,000 SHARES

Name and address of agent for service of process designated by Corporation with the Secretary of State of California:

Thomas J. Borchard, Esq.
Borchard and BAUK, APC
25 909 PALA, Ste. 300
Mission Viejo, CA 92691

IF APPLYING AS A CORPORATION

INFORMATION IS REQUESTED FOR POLICE DEPARTMENT IDENTIFICATION AND INVESTIGATION

CORPORATE OFFICER I

Name: DFELIA CASTELLANDS Title: PRESIDENT
Residence Address: [REDACTED] Phone: [REDACTED]
Business Address: 1009 N. JUSTIN ST. ORANGE 92867 Phone: [REDACTED]
Race: [REDACTED] Sex: F Hair: [REDACTED] Eyes: BROWN Height: [REDACTED] Weight: [REDACTED]
Date of Birth (mm/dd/yyyy): [REDACTED] Place of Birth: [REDACTED]
Driver's License Number: [REDACTED] Issuing State: CA

CORPORATE OFFICER II

Name: JOSE MARCO CASTELLANDS Title: VICE PRESIDENT
Residence Address: [REDACTED] Phone: [REDACTED]
Business Address: 1009 N. JUSTIN ST. ORANGE 92867 Phone: [REDACTED]
Race: [REDACTED] Sex: [REDACTED] Hair: [REDACTED] Eyes: [REDACTED] Height: [REDACTED] Weight: [REDACTED]
Date of Birth (mm/dd/yyyy): [REDACTED] Place of Birth: [REDACTED]
Driver's License Number: [REDACTED] Issuing State: CA

CORPORATE OFFICER III

Name: _____ Title: _____
Residence Address: _____ Phone: _____
Business Address: _____ Phone: _____
Race: _____ Sex: _____ Hair: _____ Eyes: _____ Height: _____ Weight: _____
Date of Birth (mm/dd/yyyy): _____ Place of Birth: _____
Driver's License Number: _____ Issuing State: _____

CORPORATE OFFICER IV

Name: _____ Title: _____
Residence Address: _____ Phone: _____
Business Address: _____ Phone: _____
Race: _____ Sex: _____ Hair: _____ Eyes: _____ Height: _____ Weight: _____
Date of Birth (mm/dd/yyyy): _____ Place of Birth: _____
Driver's License Number: _____ Issuing State: _____

GENERAL OPERATING CONDITIONS

Complete Each Question

ALCOHOL/FOOD/ADDITIONAL BUSINESSES

1. Will liquor be sold or consumed on the premises? YES NO

a. If Yes, complete the following box:

Check one box to indicate License Type

Alcohol Beverage Control License No.

Premises Type: (Club (restaurant) or Commercial (store))

On sale beer

On sale beer and wine

On sale distilled spirits

47-438058

CLUB/RESTAURANT

2. Is a bonafide-eating place provided on the premises? (Bonafide eating place means a place which is regularly used for serving meals for compensation, which has suitable kitchen facilities containing conveniences for cooking an assortment of foods for ordinary meals other than fast foods, sandwiches or salads. The kitchen must contain proper refrigeration for food and must comply with all applicable regulations of the Health and Human Services Department.

YES NO

a. If yes, list types of food sold: MEXICAN

b. If no, list any products (such as snacks sold):

3. Are non-alcoholic beverages sold? YES NO

4. How many tables for seating? 24

5. Are other types of businesses conducted on the premises? YES NO

a. If yes, list type(s):

6. Are pool tables provided? YES NO

a. If yes, indicate number: n/a

7. Is there a license for the pool table? YES NO

a. If yes, license number: n/a

8. Are amusement machine(s) and/or jukebox(es) provided? YES NO

a. If yes, indicate number and type: n/a Amusement Machines n/a Jukebox(es)

9. Is there a license for the amusement machine(s) and/or jukebox(es)? YES NO

a. If yes, decal number(s): n/a

10. Owner of machine(s) and/or jukebox(es):

Name: n/a

Address:

Telephone No. ()

GENERAL OPERATING CONDITIONS (continued)

Complete Each Question

SECURITY

- 11. Will security officers be provided? YES NO
 - a. If yes, number of security officers: 6-10
- 12. Is any other type of security provided? YES NO
 - a. If yes, describe type of security: _____

Days and hours security officers or other security will be provided (fill out completely):

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours of	7:10am - close	10 am close	10am - close	10 am close	10am close	10am close	10 am close
Security	inhouse personnel	inhouse personnel	inhouse personnel	inhouse personnel	inhouse personnel	inhouse personnel	inhouse personnel

- 13. Will a private security firm be used? YES NO
 - a. If yes, provide the following information of the contracted security firm:
 - Name: _____ City Business License No.: _____
 - Address: _____ Telephone No.: () _____

ADMISSION and/or MEMBERSHIP FEES CHARGED

- 14. Will minors be allowed on the premises? YES NO
- 15. Will the premises be open to the general public? YES NO
- 16. Will an admission fee be charged? YES NO
 - a. If yes, fee schedule: ADMISSION CHARGED IS ON A CASE-BY-CASE BASIS DEPENDING ON THE EVENT SCHEDULED. THE RANGE OF THE ADMISSION FEE IS FROM \$5-\$15-
- 17. Is there a private area for exclusive use of members and their guests only? YES NO
 - a. If yes, types of membership fees: _____
- 18. Will guests of members pay an admission fee or other charges? YES NO
 - a. If yes, describe the fee schedule and other charges: n/a

GENERAL OPERATING CONDITIONS (continued)

Complete Each Question

HOURS OF OPERATION

Establishment hours of operation by day (fill out completely):

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	10am	10am	10am	10am	10am	10am	10am
Close	2am	2am	2am	2am	2am	2am	2am

PROXIMITY OF BUSINESSES AND RESIDENCES

19. Are there surrounding businesses? YES NO

a. What type? restaurants, movie theatres, clothing store, furniture store, etc.

20. Are there surrounding residences? YES NO

a. Approximately how close? _____

PARKING FACILITIES AND ARRANGEMENTS

21. Is parking available? YES NO

a. If no, what is the street address of the off-premises parking facility? 250 Pacific Ave, Long Beach, CA. 90802

b. Describe the business arrangement made with owner of the parking facility if not part of business premises: (Please attach a copy of parking contract or deed restriction) month to month lease for a period of one year for 3 parking spaces.

c. Days and hours parking facility will be available:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
From	24 hrs	24 hrs	24 hrs	24 hrs	24 hrs	24 hrs	24 hrs
To							

d. How many individual parking spaces (approximately)? 3

END OF GENERAL OPERATING CONDITIONS SECTION - PLEASE CONTINUE TO NEXT SECTION

ENTERTAINMENT FACILITY AND ACTIVITY

Entertainment - Restaurant Entertainment - Tavern (bar) Entertainment - Other

Does the Proposed Activity have:

Outdoor Entertainment? Y N

Dancing by patrons, guests, customers, participants, attendees? Y N

Dancing by performers? Y N

Live music by more than two (2) performers? Y N

Amplified music (live)? Y N

Amplified music (recorded)? Y N

Disc Jockey? Y N

Karaoke? Y N

Adult Entertainment as defined by LPMC Section 21.15.110? Y N

Adult Entertainment as defined by LPMC Section 5.72.115 (B)? Y N

Will the establishment serve as a family pool/billiard hall as provided in Section 5.89.090 of the LPMC? Y N

Any other type of entertainment not listed above? Y N

If yes, briefly describe the entertainment activity. _____

Describe entertainment by performers: _____

Dance Floor? Y N

Stage? Y N

If yes, provide dimensions and type of material of dance floor. L _____ x W _____ = 830 sq. ft.

If yes, provide dimensions and type of material of stage. L _____ W _____ H _____

Describe floor material and surface type: DANCE FLOOR - WOOD & FLOORING - CEMENT -

* Dance Floor on the Main Level (street level) only.

Schedule of entertainment. Please provide days of the week and time of day. If entertainment is not provided the same days and times every week, please provide a detailed schedule of specific dates and times of entertainment. Attach an additional sheet if necessary: (Fill Out Completely)

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Entertainment Type	Dancing / Live performance	Dancing / Live performance	Dancing / Live performance	Dancing / Live performance	Dancing / Live performance	Dancing / Live performance	Dancing / Live performance
Start Time	10 am	10 am	10 am	10 am	10 am	10 am	10 am
End Time	2 am	2 am	2 am	2 am	2 am	2 am	2 am

*THERE ARE CURRENTLY NO WEEKLY EVENTS SCHEDULED

RELEASE FORM

The undersigned, on behalf of (owner(s)) HUSH ON PINE, INC. hereby authorizes the City of Long Beach, by and through its appropriate officers, agents and employees to verify and confirm the information contained in this application, and to conduct such other investigations as may be reasonably required by the City of Long Beach, its officers, agents and employees for the purpose of determining the capability, fitness and capacity of:

(DBA) (HUSH) JC MANATECA 3/10/08

to obtain the (entertainment type) Entertainment w/Dance permit/license.

The applicant by signing this application consents service of any notice required or provided for by the laws, rules, regulations, or ordinances of the City of Long Beach upon the person at the address designated in this application as the business address, will constitute sufficient and legal notice. Any change in the person or the address listed in the application may be made only in writing to the Director of Financial Management.

The applicant consents and agrees full compliance will be made with all applicable State laws and City ordinances governing the conduct of the particular type of business activity for which a business license or permit is requested. **The applicant by signing this application understands any incomplete or false information may constitute grounds for denial.**

I swear under penalty of perjury I have read the forgoing application and all information and statements made by the undersigned/applicant regarding this applicant are true and correct.

[Signature] manager 3/10/08
(SIGNATURE OR AUTHORIZED AGENT) (TITLE) (DATE)

[Redacted] [Redacted]
DRIVER'S LICENSE OR ID CARD NUMBER STATE

[Signature] CSR III 3/10/08
ACCEPTED BY (CITY STAFF) TITLE DATE

2075136

State of California
Secretary of State

I, BRUCE McPHERSON, Secretary of State of the State of California, hereby certify:

That the attached transcript of _____ page(s) has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.



IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of

Secretary of State

20060206

ARTICLES OF INCORPORATION

OF

HUSH ON PINE, INC.

(a California Corporation)

ENDORSED - FILED
In the office of the Secretary of State
of the State of California

MAR 23 2006

I. Name The name of this Corporation is HUSH ON PINE, INC.

II. Purpose The purpose of this Corporation is to engage in any lawful act or activity for which a corporation may be organized under the General Corporation Law of California, other than the banking business, the trust company business, or the practice of a profession permitted to be incorporated by the California Corporations Code.

III. Initial Agent for Service of Process The name and address in this State of the Corporation's initial agent for service of process in accordance with Corporation Code Section 1502(b) is:

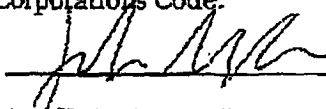
Thomas J. Borchard, Esq.
BORCHARD & BAUR, APC
25909 Pala, Suite 300
Mission Viejo, CA 92691

IV. Authorized Number of Shares The Corporation is authorized to issue only one (1) class of stock, and the total number of shares which the Corporation is authorized to issue is ONE HUNDRED THOUSAND (100,000).

V. Liability of the Directors The liabilities of the directors of the corporation for monetary damages shall be eliminated to the fullest extent permissible under California law.

VI. Indemnification of Agents The corporation is authorized to provide indemnification of agents (as defined in Section 317 of the Corporations Code) for breach of duty to the corporation and its stockholders through bylaw provisions or through agreements with the agents, or both, in excess of the indemnification otherwise permitted by Section 317 of the Corporations Code, subject to the limits on such excess indemnification set forth in Section 204 of the Corporations Code.

Dated: March 22, 2006


Jaelle M. Dease, Incorporator

This page is part of your document - DO NOT DISCARD

06 0929772

RECORDED/FILED IN OFFICIAL RECORDS
RECORDER'S OFFICE
LOS ANGELES COUNTY
CALIFORNIA
11:01 AM APR 27 2006

TITLE(S) : Fictitious Name Statement



FEE

D.T.T.

\$23.00

CODE

20

CODE

19

CODE

9

Assessor's Identification Number (AIN)

To be completed by Examiner OR Title Company in black ink.

Number of AIN's Shown

THIS FORM IS NOT TO BE DUPLICATED

Name: HUSH ON PINE INC.

Address: 1009 N. JUSTIN ST.

City: ORANGE State: CA Zip Code: 92667

06 0929772

1 First Filing - Renewal Filing
Check one only

FICTITIOUS BUSINESS NAME STATEMENT

THE FOLLOWING PERSON(S) IS (ARE) DOING BUSINESS AS: (Attach additional pages if required)

2 Fictitious Business Name(s) 3. Articles of Incorporation or Organization Number (if applicable)
AI #/ON 2870286

1. HUSH
2.

3 Street Address, City & State of Principal Place of Business in California (P.O. Box alone not acceptable)
307 N. PINE AVE. LONG BEACH, CA 90802

4 Full name of Registrant / Corporation / Limited Liability Company (if corporation - incorporated in what state)
HUSH ON PINE INC. ORANGE CALIFORNIA 92667

Residence Street Address (P.O. Box not accepted) City State Zip Code
[REDACTED] [REDACTED] [REDACTED]

4A Full name of Registrant / Corporation / Limited Liability Company (if corporation - incorporated in what state)
[REDACTED]

Residence Street Address (P.O. Box not accepted) City State Zip Code
[REDACTED] [REDACTED] [REDACTED]

4B Full name of Registrant / Corporation / Limited Liability Company (if corporation - incorporated in what state)
[REDACTED]

Residence Street Address (P.O. Box not accepted) City State Zip Code
[REDACTED] [REDACTED] [REDACTED]

5 This Business is conducted by: () an individual () a general partnership () joint venture () a business trust () co-partners () husband and wife (X) a corporation () a limited partnership () an unincorporated association other than a partnership () a limited liability company () other

6 () The registrant commenced to transact business under the fictitious business name or names listed on (Date):
(X) Registrant has not yet begun to transact business under the fictitious business name or names listed herein.

7 I declare that all information in this statement is true and correct. (A registrant who declares as true information which he or she knows to be false is guilty of a crime.)

8 Signature of Registrant(s)

Signature	Type/print name	8A If Registrant is a CORPORATION or LLC, sign below
Signature	Type/print name	HUSH ON PINE INC Corporation Name / Limited Liability Company
Signature	Type/print name	[Signature] Signature
Signature	Type/print name	VICE - PRESIDENT Title
Signature	Type/print name	JOSE MARCO CASTELLANOS Type or Print Name

This statement was filed with the County Clerk of LOS ANGELES County on date indicated by file stamp above.

NOTICE - THIS FICTITIOUS NAME STATEMENT EXPIRES FIVE YEARS FROM DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED PRIOR TO THAT DATE. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (See Section 14411 et seq., Business and Professions Code)

REGISTRAR - RECORDER/COUNTY CLERK
BUSINESS FILING AND REGISTRATION
P.O. BOX 53682, LOS ANGELES, CA 90053-0582
PH: (562) 452-2177

FILING FEE: \$23.00 for 1 FBN and 2 registrants
plus \$4.00 for each additional FBN/registrant
RENEWAL FILING FEE: \$18.00
REFER TO THE BACK OF FORM FOR INSTRUCTIONS

FORM # 78F285D-F028 (Rev. 5/02)

P

**QUALITY PARKING
SERVICE, INC.**

March 10, 2008

To Whom It May Concern:

This letter is to inform that Hush On Pine, Inc., located at 217 Pine Ave, Long Beach, Ca 90802, has acquired 3 parking spaces on a month-to-month basis for a period of one year. This parking structure is located at 250 Pacific Ave, Long Beach, Ca. 90802.

For any questions or concerns, please do not hesitate to call me at 562-432-6082. (office)

Thank you.



Tony Chavarria

Parking Manager
Location 240
PINE SQUARE- LONG BEACH



QUALITY PARKING SERVICE, INC.
1-800-286-PARK

47227

Received of HUSH @ Pine Slicker No. _____ To _____
 Car 3 space for 1 year License No. _____ Cash Check
 From 3-1-08 To 4-1-09 Amount 2340

BREAKDOWN - MONTHLIES & VALIDATIONS					
MONTHLY SALES	VALIDATION BOOK SALES	FROM	TO	RATE	TOTAL
3 space	for 1 year	3-1	4-1	65	2340
TOTAL VALIDATIONS SALES					
TOTAL MONTHLY SALES					
GRAND TOTAL					2340

THIS CONTRACT LIMITS OUR LIABILITY- READ IT. Customer and Company agree: All claimed damage or loss must be reported and itemized by customer to attendant in writing before car is taken from park, after loss occurs and if not so made is waived. Company has option to make repairs at its expense of any claim damage within 48 hours after filing of claim. In all court actions burden of proof to establish claim remains with customer. Court actions by customer for any claims must be filed within 90 days from date of parking, in court of jurisdiction where claimed loss occurred. Company not responsible for damage by fire, or defective brakes, or parts. Not responsible for articles left in car, unless checked with the management. Total liability of Company limited to \$250 for all damages or loss to customer; Company not responsible for loss of use. Company not responsible for cars after closing time. Customer must set emergency brake before leaving car. This is the entire contract and no employee can modify it. It is not assignable. Customer waives all laws in conflict with the foregoing.

WHEN YOU PARK CAR IN UNOCCUPIED STALL, YOU AGREE THAT IT IS AT YOUR SOLE RISK, THAT YOU WILL LOCK SAME AND THAT POSSESSION AND CONTROL OF CAR AND CONTENTS ARE YOURS.

O.K. Rich Date 3-11-08 By Tony Chavarria 240
 Cashier sign here on receipt of the above amount Location Manager Location No.

STATE OF CALIFORNIA
 DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
ALCOHOLIC BEVERAGE LICENSE
 ON-SALE GENERAL EATING PLACE

VALID FROM

MAY 01, 2007

HUSH ON PINE INC
1009 N TUSTIN ST
ORANGE, CA 92867

EXPIRES

APR 30, 2008

TYPE NUMBER DUP

47-438058 -

1932-03

AREA CODE

RENEWAL

BUSINESS ADDRESS
(IF DIFFERENT)

DBA: HUSH
217-21 PINE AVE
LONG BEACH, CA 90802



OWNERS:

HUSH ON PINE INC

CONDITIONS

7

IMPORTANT INFORMATION

EFFECTIVE PERIOD This license is effective only for the operating period shown above. A new license will be sent to you within 30 days of the expiration date on your license if payment is timely.

POSTING Cover this license with glass or other transparent material and post it on premises in a conspicuous place.

RENEWAL NOTICES Renewal notices are sent to premises address unless a specific mailing address is requested. If a notice is not received 30 days before expiration date shown above, contact the nearest ABC office. To assure receipt of notices, advise your local ABC office of any change in address.

RENEWAL DATES It is the licensee's responsibility to pay the required renewal fee by the expiration date shown above. A penalty is charged for late renewal and the license can be automatically revoked for failure to pay.

SEASONAL LICENSES It is the licensee's responsibility to pay the required renewal fee prior to the next operating period.

CONDITIONS A copy of all applicable conditions must be kept on premises.

LICENSEE NAME Only 10 names will be printed on each license. If there are more names associated with the license, they will be indicated by "ET AL". All names are on file and available upon request from your local ABC office.

DBA If you change your business name please notify your local ABC office.

If you have any questions regarding this license, contact your local ABC office.

NOTE: CONTACT YOUR LOCAL ABC OFFICE IF YOUR LICENSED PREMISES WILL BE TEMPORARILY CLOSED FOR MORE THAN 15 DAYS OR WILL BE PERMANENTLY CLOSED.

DISPLAY CONSPICUOUSLY AT PLACE OF BUSINESS FOR WHICH ISSUED

CALIFORNIA STATE BOARD OF EQUALIZATION

SELLER'S PERMIT



ACCOUNT NUMBER

5/1/2006

HUSH RESTAURANT AND CLUB
 HUSH ON PINE INC.
 207 PINE AVE
 LONG BEACH, CA 90802-3043

NOTICE TO PERMITTEE:
 You are required to obey all Federal and State laws that regulate or control your business. This permit does not allow you to do otherwise.

IS HEREBY AUTHORIZED PURSUANT TO SALES AND USE TAX LAW TO ENGAGE IN THE BUSINESS OF SELLING TANGIBLE PERSONAL PROPERTY AT THE ABOVE LOCATION. THIS PERMIT IS VALID ONLY AT THE ABOVE ADDRESS.

THIS PERMIT IS VALID UNTIL REVOKED OR CANCELED AND IS NOT TRANSFERABLE. IF YOU SELL YOUR BUSINESS OR DROP OUT OF A PARTNERSHIP, NOTIFY US OR YOU COULD BE RESPONSIBLE FOR SALES AND USE TAXES OWED BY THE NEW OPERATOR OF THE BUSINESS.

Not valid at any other address

For general tax questions, please call our Information Center at 800-400-7115.

For information on your rights, contact the Taxpayers' Rights Advocate Office at 888-324-2798 or 916-324-2788.

BOE-142-1117-V, 15 (2-05)

A MESSAGE TO OUR NEW PERMIT HOLDER

As a seller, you have rights and responsibilities under the Sales and Use Tax Law. In order to assist you in your endeavor and to better understand the law, we offer the following sources of help:

- Visiting our website at www.boe.ca.gov
- Visiting a district office
- Attending a Basic Sales and Use Tax Law class offered at one of our district offices
- Sending your questions in writing to any one of our offices
- Calling our toll-free Information Center at 800-400-7115

As a seller, you have the right to issue resale certificates for merchandise that you intend to resell. Conversely, you have the responsibility of not misusing resale certificates. While the sales tax is imposed upon the retailer,

- You have the right to seek reimbursement of the tax from your customer
- You are responsible for filing and paying your sales and use tax returns timely
- You have the right to be treated in a fair and equitable manner by the employees of the Board
- You are responsible for following the regulations set forth by the Board

As a seller, you are expected to maintain the normal books and records of a prudent businessperson. You are required to maintain these books and records for no less than four years, and make them available for inspection by a Board representative when requested. You are also expected to notify us if you are buying, selling, adding a location, or discontinuing your business, adding or dropping a partner, officer, or member, or when you are moving any or all of your business locations. If it becomes necessary to surrender this permit, you should only do so by mailing it to a Board office, or giving it to a Board representative.

If you would like to know more about your rights as a taxpayer, or if you are unable to resolve an issue with the Board, please contact the Taxpayers' Rights Advocate Office for help by calling toll-free, 888-324-2798 or 916-324-2798. Their fax number is 916-323-3319.

Please post this permit at the address for which it was issued and at a location visible to your customers.

STATE BOARD OF EQUALIZATION

Sales and Use Tax Department



OFFICE USE ONLY



APPLICATION FOR ENTERTAINMENT PERMIT

(Please Print All Information - Incomplete Applications Will Not Be Accepted)

Applicant's Name (Legal Ownership Structure): HUSH ON PINE INC

Business Name (DBA): HUSH Business Phone: (562) 495-3473

Business Site Address: 217 N. PINE AVE, LONG BEACH CA 90802

Date Business Proposes To Open: CURRENTLY OPEN

Days & Time Premises Are Open For Inspection: PLEASE CONTACT PENNY PANGANIBAN (562) 682-7994

Proposed Use(s):

- Entertainment/Restaurant With Dancing Without Dancing
- Entertainment/Tavern With Dancing Without Dancing
- Social Club Pool or Billiard Hall Other (explain)

Explain briefly the proposed use of the rooms within the building:

Contact Person(s) Name (authorized agent, manager, etc.): PENNY PANGANIBAN

Contact Person(s) Phone Number: (562) 682-7994

Type of Organization:

- Corporation Partnership Individual Unincorporated Association or Club
- Trust LLC Other, explain: _____

OFFICE USE ONLY

Building Fire Health (Check Inspecting Department) Date Received: _____

Building/Location meets Department Requirements for the proposed use.

Building/Location meets Department Requirements for the proposed use subject to the following conditions:

Building/Location does not meet Department requirements for the proposed use.

Inspection Completed On (date): _____ By: _____

POLICE DEPARTMENT

Police Department finds no for basis for denial Police Department finds basis for denial

Police Department finds no for basis for denial with conditions

Conditions or Basis for Denial: _____

By: [Signature] Title: CHIEF OF POLICE Date: 5/13/08



Date: May 13, 2008
To: Pamela Wilson-Horgan, Manager, Commercial Services Bureau
From: Anthony W. Batts, Chief of Police *AWB*
Subject: **APPLICATION FOR ENTERTAINMENT WITH DANCING AT HUSH
217 PINE AVENUE**

In response to your request for a recommendation regarding the above named permit application for Entertainment with Dancing, the Police Department recommends **approval**, subject to the following seventeen (17) standard conditions of the Downtown Dining and Entertainment District:

On March 20, 2007, the City Council approved a one-year short-term Entertainment with Dancing permit. During this period, there were only a few incidents related to the operation of the business. The Patrol Commander is in support of a new entertainment permit, as long as the owner continues to be responsible with the operation of the business. The business is currently open for private parties only because the owners have recently submitted plans to renovate and remodel the business. The plans include moving the elevator from the center of the business, constructing new staircases, moving the bar, and remodeling the restaurant area in the basement.

CONDITIONS OF OPERATION

- 1) Indoor entertainment and outdoor non-amplified entertainment that otherwise conforms with the requirements of state and local laws and regulations may be offered pursuant to permit until 2 a.m., seven days a week.

Outdoor amplified entertainment is prohibited during the period of the pilot program, except for rooftop entertainment that was permitted at the time of the creation of this pilot program, or except in conjunction with a special events permit.

- 2) Each holder of an existing entertainment permit within the entertainment district and each new applicant for a downtown area entertainment permit, including an applicant who acquires an existing business through a change of ownership, shall, within ninety (90) days of application, attend a permit orientation session conducted by or at the direction of the City. Each new applicant for a downtown area entertainment permit, including an applicant who acquires an existing business through a change of ownership, shall, within ninety (90) days of application, submit proof of attending the LEAD program offered by the Department of Alcoholic Beverage Control.

APPLICATION FOR ENTERTAINMENT WITH DANCING AT HUSH

217 PINE AVENUE

Page 2

- 3) The permittee shall comply with all applicable laws, regulations, ordinances and stated conditions. It is the intent of the City that each permittee make his or her own business decisions as to how to implement compliance; however, if the permittee fails to comply with the conditions of this permit, or if his or her operations result in excessive police service as defined below, the permittee will be required to operate under the more restrictive conditions described in Attachment "B" and made a permanent part of this permit without further hearing.
- 4) The permittee shall be responsible for all entertainment activities at the location, including those conducted by promoters. Each permittee and promoter conducting business within the City of Long Beach must have or obtain a City of Long Beach Business License prior to conducting entertainment activities governed by this permit. The permittee shall provide all promoters and agents hired to conduct entertainment activities with a copy of the approved permit, which shall include a copy of the approved conditions of operation
- 5) The operation of the establishment shall be limited to those activities expressly indicated on the entertainment permit application and approved by the City Council. Any change in the operation that exceeds the conditions of the approved permit will require approval by City Council.
- 6) The permittee shall comply with the requirements of LBMC Sec. 8.80 (Noise) at all times. In addition, in response to a complaint, the Police Department will enforce Penal Code Section 415 (disturbing the peace) and all other state and local provisions related to the "public peace." Permittee shall conduct all aspects of his or her operation, including before and after hours deliveries and maintenance, in consideration of residences located nearby. Permittee agrees that the following standard is reasonable: Noise emanating from Permittee's premises shall not be audible from the middle of the street adjoining the premises.
- 7) No adult entertainment, as defined by section 5.72.115(B) LBMC shall be conducted on the permitted premises. The permittee shall not allow, permit, procure, or encourage, anyone to expose male or female genitals, cleft of the buttocks, the areola or any portion of the female breast below the areola, while at or inside the business.
- 8) Current occupancy loads shall be posted at all times, and the permittee shall have an effective system to keep count of the number of occupants present at any given time and provide that information to public safety personnel upon request. (LBMC section 18.48.320)

APPLICATION FOR ENTERTAINMENT WITH DANCING AT HUSH

217 PINE AVENUE

Page 3

- 9) Should the permittee's operations give rise to a substantial increase in complaint/calls for police service, the permittee shall increase security staff, implement the use of electronic metal detection equipment, increase outside lighting, or make other changes to the premises or operation as the Chief of Police determines are necessary to protect the safety of the public. In the event of a conflict on this issue between the requirements of this permit and any permit issued by the Alcoholic Beverage Commission, the more stringent regulation shall control.

- 10) The permittee shall be responsible for maintaining an adequate security staff to supervise patrons and those waiting to enter. Potential patrons awaiting entry in a defined "queue" shall be counted toward the calculation of required security staffing levels. For up to fifty (50) people inside (or in a defined queue waiting to enter) an establishment, the permittee shall provide a minimum of one (1) uniformed licensed security guard per floor. There shall be one additional guard for each subsequent increment or each partial increment of 50, plus one guard per each additional floor. (Example: a one-story establishment with 75 patrons present must have two guards. A two-story establishment with 75 patrons present must have three guards.) Potential patrons awaiting entry in a defined "queue" shall be counted toward the calculation of required security staffing levels. The Chief of Police may relax these staffing levels during daylight hours, or during hours in which the primary activity in the establishment is dining, if he determines that a lower level of security staffing is consistent with the protection of public health and safety.

The attire of each security guard shall clearly indicate the guard's affiliation with the establishment by means of a pin, shirt, or other clearly-visible form of identification.

- 11) If an establishment is licensed as a restaurant, all entertainment activities shall be conducted in conjunction with regular dining or pre-planned banquet activities. A banquet is defined as a private function held at a bona fide eating-place wherein complete and substantial meals are provided to the persons in attendance by the management of the restaurant where the function is being held. Fast food, snacks and hors d'oeuvres shall not constitute a complete and substantial meal. Taverns are not subject to this requirement.

- 12) Persons under eighteen (18) years of age shall not be permitted to enter nor permitted to remain on the premises after 10 p.m., unless accompanied by a parent or legal guardian.

APPLICATION FOR ENTERTAINMENT WITH DANCING AT HUSH

217 PINE AVENUE

Page 4

- 13) The permittee shall establish a program to discourage loitering and littering outside any of the entrance/exit doors at all times open for business. This should be done by use of security guards and/or signs near all exits that encourage patrons to "respect our neighbors" and the provision of trash receptacles.
- 14) At the conclusion of each event and at closing time, the permittee's staff shall remind patrons to refrain from loitering in the immediate area, littering or making excessive noise. Patrons should be reminded to use trash receptacles and to walk directly and quietly to their cars or other transportation.
- 15) The permittee shall not distribute, post or attach, and shall be responsible for ensuring that its promoters and or agents do not distribute, post or attach, advertising matter on public property or on any vehicle on public property.
- 16) Any graffiti painted or marked upon the premises or on any adjacent area under the control of the permittee shall be removed or painted over within 24 hours of being applied.
- 17) When the Chief of Police determines that excessive police services are required as the result of any incident or nuisance arising out of or in connection with the permittee's operations, the cost of such services shall be billed to the permittee as an expense of an emergency response. "Expense of an emergency response" means those costs incurred by the City of Long Beach in making any appropriate emergency response to the incident, and shall be comprised of all costs directly arising because of the response to the particular incident, including, but not limited to, the costs of providing police, firefighting, rescue, and emergency medical services at the scene of the incident, as well as the salaries of the personnel responding to the incident."

AWB:CNA:cna
AppvlCondHush

Attachment

Attachment "B"

Tiered Conditions

This page contains progressively more stringent regulations on entertainment and related activities in the Dining and Entertainment District. By applying for a permit, the applicant agrees to the conditions contained here and understands that he or she is not entitled to a public hearing if these conditions are applied. The City Council may add further conditions not listed here, or revoke the permit, if the permittee does not comply with the conditions imposed in this permit.

The conditions on this attachment do not modify or limit in any way the authority of the Chief of Police to enforce Penal Code Section 415 (disturbing the peace) against any person, or of the Chief of Police or the Fire Marshal to immediately take action in the event of an imminent threat to public health or safety.

Tier 1 Conditions:

Permittee may have entertainment on the premises during the maximum hours permitted in the district, consistent with ABC requirements and conditions imposed under a Conditional Use Permit. As long as the primary requirements for safety and noise are met (Conditions 1-17), Permittee may choose the methods of meeting those requirements.

Noncompliance with Tier 1 conditions: when the Chief of Police determines that Permittee has violated the terms of the permit, including the Permittee's obligation to comply with all other laws and regulations, but believes those violations can be remedied through education and/or minor modifications to Permittee's operation, Permittee will be asked to attend a meeting with the involved departments, pilot program area residents and businesses, and other interested persons to address community concerns and discuss how the implementation of Tier 2 Conditions can be avoided.

Tier 2 Conditions:

Noise:

Following the receipt of 3 or more noise complaints that require a response by the Police Department within a 30-day period and which are found to violate the "middle of the street" standard for noise, Permittee will be notified that his or her premises must comply with those Tier 2 Noise Conditions which the Chief of Police determines are necessary to protect the public peace and to comply with the City's noise ordinance, from among the following list:

---Permittee must keep all doors and windows closed except while patrons are entering or exiting.

---Meet with Health Department staff to discuss best practices to be implemented to mitigate noise.

- No outdoor entertainment of any kind will be permitted after 10 p.m.
- No queue after midnight. Any persons gathering outside the establishment shall be considered to be loitering.

Security/Public Safety:

For the purposes of this section, an "incident" means a complaint or occurrence that requires a police or Fire Marshal response to Permittee's premises due to Permittee's noncompliance with the terms and conditions of the Entertainment Permit. Following 3 or more incidents within a 30-day period, the Chief of Police or Fire Marshal will notify Permittee of additional measures and conditions to be implemented. These additional measures will be some or all of the following:

- Additional security personnel at hours determined necessary by the Chief of Police to prevent Permittee's operations from creating a public nuisance.
- Additional security checks on incoming patrons.
- No queue after midnight. Any persons gathering outside the establishment shall be considered to be loitering.
- Any additional measures deemed necessary by the Chief of Police or the Fire Marshal to protect health and safety.

NOTE: upon the request of a permittee who has been required to implement Tier 2 conditions, the Chief of Police, in consultation with the Fire Marshal and the Health Department, shall review the permittee's recent compliance history and determine whether some or all conditions can be returned to Tier 1 levels consistent with the protection of public health and safety.

Tier 3 Conditions:

The failure of a permittee to resolve noise and/or security/public safety issues as directed by the Chief of Police or the Fire Marshal within a reasonable period, not to exceed 30 days in any case, shall result in the implementation of Tier 3 conditions:

Noise:

- No outdoor entertainment of any kind will be permitted at any time.
- Only non-amplified entertainment will be permitted at any time OR amplified entertainment will only be permitted until 10 p.m. any night.
- Contain all noise within the premises. No noise audible outside the establishment.
- Implement Health Department recommendations to mitigate noise. Provide pre- and post-implementation monitoring data collected by a certified noise expert approved by the Health Department.

Security/Public Safety:

- The establishment must cease entertainment not later than 10 p.m. on Sunday through Wednesday nights and no later than midnight on Thursday through Saturday nights. The Chief of Police is authorized to make adjustments of up to one hour in these times to protect the public peace.

---Permittee shall limit the queue outside the establishment to no more than 20 people. There shall be no queue within 2 hours of the lawful closing time. Any persons gathering outside the establishment shall be considered to be loitering.

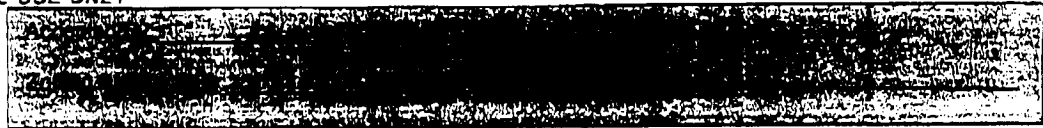
---Any additional measures determined necessary by the Chief of Police or the Fire Marshal to protect health and safety.

If the City determines that Permittee has not modified his or her operations in compliance with Tier 3 conditions and Permittee continues to fail to comply with the terms and conditions of the Entertainment Permit, the City shall begin revocation or suspension proceedings. Permittee is entitled to a hearing to contest such revocation or suspension.

Revised 10-6-08
jen



OFFICE USE ONLY



APPLICATION FOR ENTERTAINMENT PERMIT

(Please Print All Information - Incomplete Applications Will Not Be Accepted)

Applicant's Name (Legal Ownership Structure): HUSH ON PINE INC

Business Name (DBA): (HUSH) C Manateca ^{10/6/08} Business Phone: (562) 495-3473

Business Site Address: 217 N. PINE AVE, LONG BEACH CA 90802

Date Business Proposes To Open: CURRENTLY OPEN

Days & Time Premises Are Open For Inspection: PLEASE CONTACT PENNY PANGANIBAN

Proposed Use(s): (562) 682-7994

Entertainment/Restaurant With Dancing Without Dancing

Entertainment/Tavern With Dancing Without Dancing

Social Club Pool or Billiard Hall Other (explain)

Explain briefly the proposed use of the rooms within the building:

Contact Person(s) Name (authorized agent, manager, etc.): PENNY PANGANIBAN

Contact Person(s) Phone Number: (562) 682-7994

Type of Organization:

Corporation Partnership Individual Unincorporated Association or Club

Trust LLC Other, explain: _____

OFFICE USE ONLY

Building Fire Health (Check Inspecting Department) Date Received: _____

Building/Location meets Department Requirements for the proposed use.

Building/Location meets Department Requirements for the proposed use subject to the following conditions:

Building/Location does not meet Department requirements for the proposed use.

Inspection Completed On (date): _____ By: _____

POLICE DEPARTMENT

Police Department finds no for basis for denial Police Department finds basis for denial

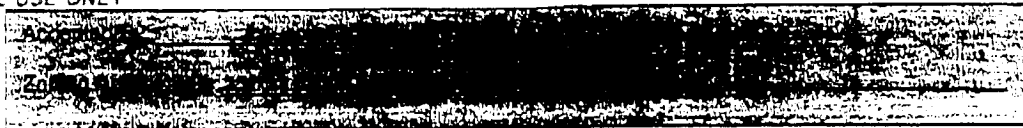
Police Department finds no for basis for denial with conditions

Conditions or Basis for Denial: _____

By: [Signature] Title: Plan Checker II Date: 10-21-08



OFFICE USE ONLY



APPLICATION FOR ENTERTAINMENT PERMIT

(Please Print All information - incomplete Applications Will Not Be Accepted)

Applicant's Name (Legal Ownership Structure): HUSH ON PINE INC

Business Name (DBA): HUSH Business Phone: (562) 495-3473

Business Site Address: 217 N. PINE AVE, LONG BEACH CA 90802

Date Business Proposes To Open: CURRENTLY OPEN

Days & Time Premises Are Open For Inspection: PLEASE CONTACT PENNY PANGANIBAN (562) 682-7994

Proposed Use(s):

Entertainment/Restaurant With Dancing Without Dancing

Entertainment/Tavern With Dancing Without Dancing

Social Club Pool or Billiard Hall Other (explain)

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Contact Person(s) Name (authorized agent, manager, etc.): PENNY PANGANIBAN

Contact Person(s) Phone Number: (562) 682-7994

Type of Organization:

- Corporation Partnership Individual Unincorporated Association or Club
- Trust LLC Other, explain: _____

OFFICE USE ONLY

Building Fire Health (Check inspecting Department) Date Received: _____

Building/Location meets Department Requirements for the proposed use.

Building/Location meets Department Requirements for the proposed use subject to the following conditions:
THIS ESTABLISHMENT MUST REMAIN IN COMPLIANCE WITH ALL APPLICABLE SECTIONS OF THE LONG BEACH CITY NOISE ORDINANCE (LBMC CHAP. 8.80)

Building/Location does not meet Department requirements for the proposed use.

Inspection Completed On (date): _____ By: _____

POLICE DEPARTMENT

Police Department finds no for basis for denial Police Department finds basis for denial

Police Department finds no for basis for denial with conditions.

Conditions or Basis for Denial: _____

By: [Signature] DIANA SANCHEZ Title: HAZARDOUS MATERIALS SPEC. Date: 3/20/05

531098 - CMA



OFFICE USE ONLY



APPLICATION FOR ENTERTAINMENT PERMIT

(Please Print All Information - Incomplete Applications Will Not Be Accepted)

Applicant's Name (Legal Ownership Structure): HUSH ON PINE INC

Business Name (DBA): HUSH Business Phone: (562) 495-3473

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Contact Person(s) Phone Number: (562) 682-7994

Type of Organization:

Corporation Partnership Individual Unincorporated Association or Club

Trust LLC Other, explain: _____

OFFICE USE ONLY

Building Fire Health (Check inspecting Department) Date Received: _____

Building/Location meets Department Requirements for the proposed use.

Building/Location meets Department Requirements for the proposed use subject to the following conditions:

Building/Location does not meet Department requirements for the proposed use. CMA

Inspection Completed On (date): 6-16-08 By: _____

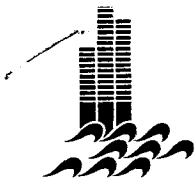
POLICE DEPARTMENT


Police Department finds no for basis for denial Police Department finds basis for denial

Police Department finds no for basis for denial with conditions

Conditions or Basis for Denial: _____

By: _____ Title: _____ Date: _____



Date: October 9, 2008
To: Richard I. Bartlett, Business Services Officer
From: Derek Burnham, Zoning Officer 
Subject: REVIEW OF ENTERTAINMENT LICENSE REQUEST

This is in response to your request regarding the following site:

Site Address: 217 Pine Avenue
Long Beach, CA 90802

Applicant: Mayazteca

Zoning District: PD-30 (Downtown Planned Development Ordinance)

Proposed Use: Entertainment with Dancing

The Zoning Division of the Department of Planning and Building has the following comments:

Regarding Club Hush located at 217 Pine Avenue, dancing is allowed as an accessory to a restaurant in the PD-30. Plans show that a 630 square foot dance floor will be used. The parking requirement for a dance floor is 25 spaces per 1,000 square feet of area. Previous owners of 217 Pine have had Entertainment Permits granted based on arrangements with the Redevelopment Agency Parking Management Program. However, this parking agreement has been voided with the current owners, Club Hush. Therefore, nonconforming parking requirements must be taken from the original construction of the building. The most recent request for an entertainment permit at this location was in November of 2006, in which a 444 square foot dance floor was proposed. Official building records indicate that the proposed 444 square foot dance floor was in a location that was originally bar area. The parking requirement for bar area is 20 spaces per 1,000 square feet. Therefore, the net increase in required parking for the proposed dance floor at that time was 3 additional spaces. The applicants have since then acquired a monthly agreement with Quality Parking Service, Inc. to allow them to use the required 3 spaces. Therefore, the subject site is currently grandfathered for 3 parking spaces. Now that the applicants are proposing a new entertainment permit with a dance floor of 883 square feet, the net increase in required parking is two additional space. The applicants have provided documentation showing that they have acquired the additional two spaces from Quality Parking Service, Inc. Therefore, the applicants are grandfathered for a total of 5 spaces for a dance floor with an area of 883 square feet. In order to keep these grandfathered rights, the applicants will need to renew their parking agreements on an annual basis, as they are entitled to the spaces for only one year. The next date in which 3 spaces will need to be

renewed shall be March 10, 2009. Staff recommends approval of an entertainment permit for a dance floor of 883 square feet, with 5 spaces being provided.

If you have any questions regarding this response, please call Cuentin Jackson, Planner, at (562) 570-6345.