

Agenda Item #33 - June 1, 2004

Application of A Side Incorporated, dba Cohiba Night Club
for a person-to-person and premise-to-premise transfer
of on-sale general for public premises alcoholic beverage license
at 110 East Broadway.

- Action:**
- 1- Determine that application would serve public convenience and necessity; and**
 - 2- Request City Clerk to transmit conditions to California State Department of Alcoholic Beverage Control as requested by Councilmember. The conditions are the standard conditions and are attached.**

This is a for a person-to-person and premise-to-premise transfer of on-sale general for public premises alcoholic beverage license. A determination by the city of public convenience and necessity is required of this application.

The location is in an area with an over concentration of ABC licenses, and high crime as defined by ABC. This location is in the downtown area and is part of the dining and entertainment sector. The location is currently operated as a bar/club and that operation will continue. Due to the change in ownership the existing license will no longer cover the location and necessitated this application. This location fills an important niche in our downtown and should be a benefit for the area.

We are requesting the following conditions be attached to this license to address crime and over concentration issues.

1. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee.
2. All sales of alcoholic beverages shall be made within the premises.
3. All beverages offered for sale at the premises shall be displayed and available for convenient inspection and purchase within the premises by the general public.
4. The petitioner(s) shall be responsible for maintaining free of litter the premises and the area adjacent to the licensed premise over which they have control.
5. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the licensee shall be removed or painted over within 24 hours of being applied.
6. Exterior payphones are prohibited.
7. The sale of beer and wine for consumption off the premises is strictly prohibited.
8. There shall be no exterior advertising promoting or indicating the availability of alcoholic beverages.
9. The permittee shall maintain full compliance with all applicable laws, ABC laws, ordinances and stated conditions.

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10. There shall be no amusement machines or video games devices in the premise at any times.
11. Petitioner(s) shall regularly police the area under their control in an effort to prevent loitering of persons about the premises.
12. A single jukebox or stereo may be maintained on the premises; however, the music shall not be audible outside the premises.
13. Licensee shall not offer or permit or provide any type of live entertainment except as allowed by a valid Entertainment Permit issued by the city of Long Beach.
14. Licensee shall not exceed the occupancy allowed by the AUP for the location, nor the occupancy permitted under the city's Planning and Building or the Fire Code.
15. It shall be left to the permittee's discretion to determine the level of security necessary to prevent violations of law and any other disturbances arising out of or in connection with its business operations. Should the permittee's operations give rise to a substantial increase in complaints/calls for service, the permittee shall increase security as directed by the Chief of Police.