



March 4, 2008

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the supporting documentation into the record, conclude the hearing and grant a One-Year Short-Term Permit with conditions, or deny the Permit on the application of Save the Queen, LLC, DBA The Queen Mary, 1126 Queens Highway South, for a Permit for Entertainment With Dancing by Patrons. (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 a license or 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; if not, it shall be denied.

Attached for your review is the application from Save the Queen, LLC, DBA The Queen Mary. This application is for entertainment on-ship and entertainment for the Sea Walk area and parking lots. This application does not include entertainment in the Dome or the publicly owned Events Park, which requires a Special Events Permit from the Office of Special Events and Filming. 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 as a One-Year Short-Term permit with separate sets of tiered conditions for on-ship entertainment and off-ship entertainment.

- The Fire Department recommends that the permit for entertainment with dancing by patrons be approved with conditions.
- 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 Planning and Building 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 entertainment since 1993.

TIMING CONSIDERATIONS

The hearing date of March 4, 2008, has been posted on the business location, with the applicant and property owners within 300 feet notified by mail.

This matter was reviewed by Principal Deputy City Attorney J. Charles Parkin on February 6, 2008.

FISCAL IMPACT

The following fees were collected with the application: Building Inspection \$300 and Zoning Review \$14 (Long Beach 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 \$299.88 and Regulatory \$825 (Financial Management Department).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



LORI ANN FARRELL
DIRECTOR OF FINANCIAL MANAGEMENT/CFO

LAF: RIB: JEM
K:\Exec\Council Letters\Commercial Services\Hearing Letters\03-04-08 ccl - The Queen Mary.doc

APPROVED:



PATRICK H. WEST
CITY MANAGER

ATTACHMENTS



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 Save the Queen LLC, DBA The Queen Mary. Also attached are reports from various departments stating their recommended disposition of the subject application. These are summarized as follows:

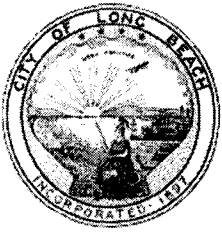
SUBMITTED FOR CITY COUNCIL ACTION

	<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	
Planning and Building Department	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
Planning and Building Department, Director of Planning and Building	570-6623

Compiled by: Department of Financial Management
Commercial Services Bureau



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT
COMMERCIAL SERVICES BUREAU

333 West Ocean Boulevard • Long Beach, CA 90802

FIVE YEAR HISTORY OF BUSINESS ESTABLISHMENT

Address: 1126 QUEENS HWY S.

Save the Queen, LLC
DBA: The Queen Mary
Lic# BU20747940
11/07 – Pending City Council approval
Entertainment with Dancing

Save the Queen, LLC
DBA: The Queen Mary
Lic# BU20746920
11/07 – Pending Departmental approvals
Hotel

Queens Seaport Development Inc
DBA: Queen Mary
Lic# BU20730900
10/07 – 10/08
Entertainment with Dancing
(One year short-term)

Queens Seaport Development Inc
DBA: Queen Mary
Lic# BU20438340
10/06 – 10/07
Entertainment with Dancing
(One year short-term)

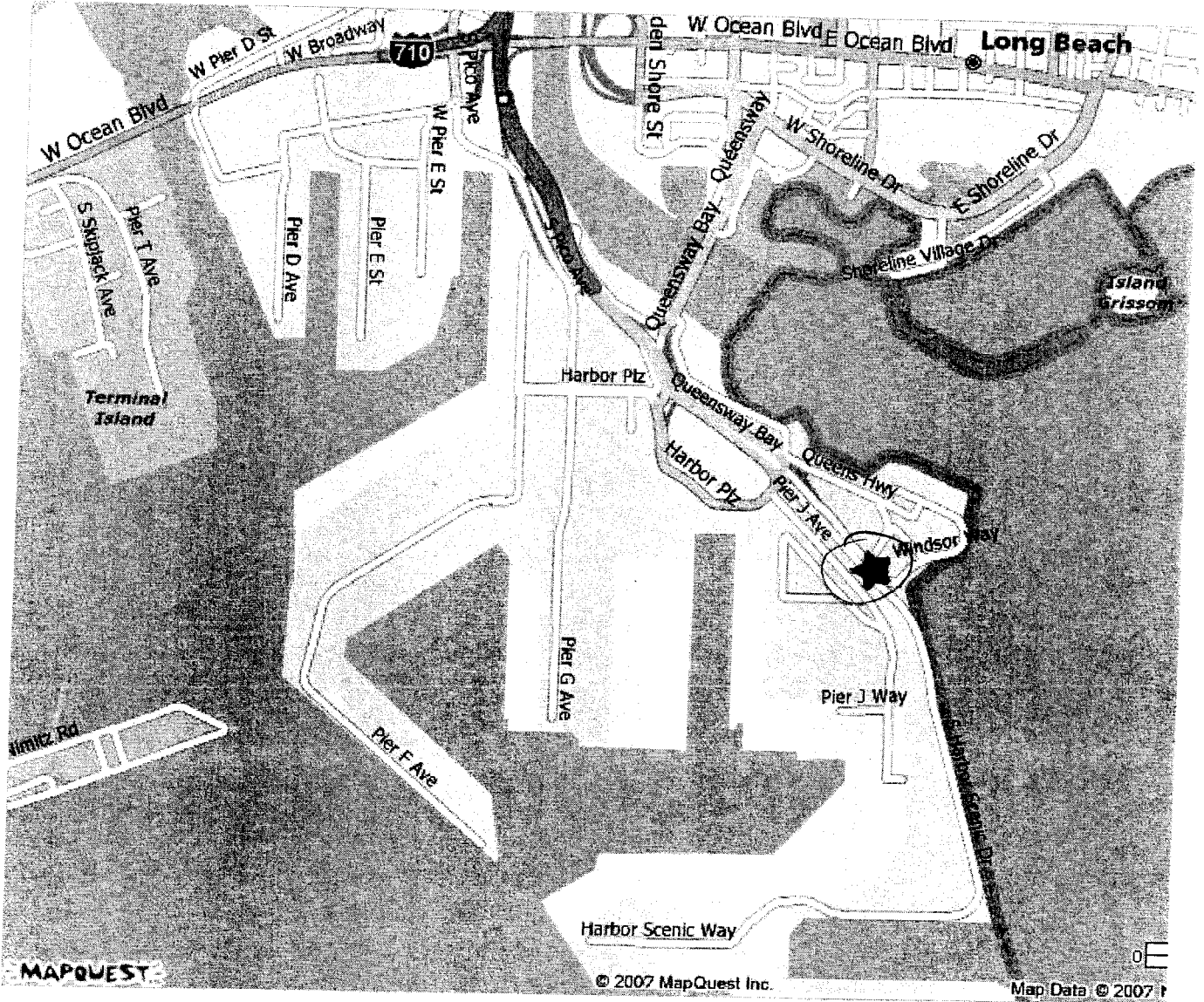
RMS Foundation Inc
DBA: Queen Mary
Lic# BU93010540
02/93 – 11/07
Hotel

RMS Foundation Inc
DBA: Queen Mary
Lic# BU93009440
02/93 – 11/07
Entertainment with Dancing

RMS Foundation Inc
DBA: Queen Mary
Lic# BU93010570
02/93 – 11/07
Bar/Tavern/Lounge

RMS Foundation Inc
DBA: Queen Mary
Lic# BU93010640
02/93 – 11/07
Restaurant w/Alcohol

Save the Queen 1126 Queens Highway





OFFICE USE ONLY

Accepted By: _____	Date: _____
Zoning Approval By: _____	Date: _____

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): Save the Queen, LLC

Business Name (DBA): Save the Queen, LLC/The Queen Mary Business Phone: () 562 435-3511

Business Site Address: 1126 Queens Highway, Long Beach CA 90802

Date Business Proposes To Open: Currently operating

Days & Time Premises Are Open For Inspection: Normal business hours

Proposed Use(s):

Entertainment/Restaurant With Dancing Without Dancing

Entertainment/Tavern With Dancing Without Dancing

Social Club Pool or Billiard Hall Other (explain) Queen Mary, Seawalk & Parking Area

Explain briefly the proposed use of the rooms within the building:
To be used for various events but not limited to Concerts, Festivals & Trade Shows

Contact Person(s) Name (authorized agent, manager, etc.): ~~John Adamson~~ Michael Forry, Jay Primavera

Contact Person(s) Phone Number: (562) ~~499-4648~~ 208 4778

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: _____ Title: _____ Date: _____

GENERAL INFORMATION (All Applicants)

Principal place of business (if other than the address listed on page 1): _____

Same

Fictitious business names(s) or dba(s) used: _____

Queen Mary

Place and date of filing fictitious business name statement: _____

County(ies) in which fictitious name statement is (are) filed: _____

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:

Jeff Klein, Tom Hix, Tom Bernard, Neal Aronson: 480 San Antonio Road Suite #205, Mountain View, CA 94040

Michael Forry, P.O. Box 3600, Long Beach, CA 90803

Name and address of person (agent) authorized to accept service of process in California:

Paul Konapelsky, 13 Corporate Plaza Drive, Suite 150, Newport Beach, CA 92660

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:

Save the Queen, LLC

Is this applicant a subsidiary of a present corporation or business? YES NO

If yes, explain:

N/A

How long has the corporation or business been in operation? July, 2007

Is the location: Owned? Rented/Leased?

If Rented/Leased, state the name and address of property owners:

Name: The City of Long Beach

Address: 333 West Ocean Blvd, Long Beach Ca 90802

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 <input type="checkbox"/>	_____	_____
On sale beer and wine <input type="checkbox"/>	_____	_____
On sale distilled spirits <input checked="" type="checkbox"/>	License 58-281944 Transferred to STQ	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: Various Restaurant Cuisine

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

3. Are non-alcoholic beverages sold? YES NO

4. How many tables for seating? roughly 100 in various locations

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

a. If yes, list type(s): Various events, Concerts, Trade Shows, Exhibits, etc.

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: N/A

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: 30-40
12. Is any other type of security provided? YES NO
a. If yes, describe type of security: Contract security on an as needed basis

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

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours of	24	24	24	24	24	24	24
Security	hours	hours	hours	hours	hours	hours	hours

13. Will a private security firm be used? YES NO
a. If yes, provide the following information of the contracted security firm:
Name: Regular security, Queen Mary Security Officers City Business License No.: 20415980
Address: 300 E. Ocean Blvd, LB Telephone No.: (562) 596-5949

ADMISSION and/or MEMBERSHIP FEES CHARGED

14. Will minors be allowed on the premises? YES NO
Depends on nature of event
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: Fees will depend on the type of event
-
17. Is there a private area for exclusive use of members and their guests only? YES NO
a. If yes, types of membership fees: N/A
-
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	7:00 AM	7:00 AM	7:00 AM	7:00 AM	7:00 AM	7:00 AM	7:00 AM
Close	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM

PROXIMITY OF BUSINESSES AND RESIDENCES

19. Are there surrounding businesses? YES NO

a. What type? N/A

20. Are there surrounding residences? YES NO

a. Approximately how close? N/A

PARKING FACILITIES AND ARRANGEMENTS

21. Is parking available? YES NO

a. If no, what is the street address of the off-premises parking facility? N/A

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)

Surface parking and shared structure parking with Carnival

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	day	day	day	day	day	day	day

d. How many individual parking spaces (approximately)? +/- 2500

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 LBMC Section 21.15.110? Y N
- Adult Entertainment as defined by LBMC Section 5.72.115 (B)? Y N
- Will the establishment serve as a family pool/billiard hall as provided in Section 5.69.090 of the LBMC? Y N
- Any other type of entertainment not listed above? Y N

If yes, briefly describe the entertainment activity. N/A

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 _____ = _____ sq ft.

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

Describe floor material and surface type: N/A

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	No entertainment scheduled at this time. As events arise, STQ will contact and coordinate with the Special Events office.						
Start Time	8am	8am	8am	8am	8am	8am	8am
End Time	2am	2am	2am	2am	2am	2am	2am



OFFICE USE ONLY

Accepted By: _____	Date: _____
Zoning Approval By: _____	Date: _____

APPLICATION FOR ENTERTAINMENT PERMIT

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Proposed Use(s):

Entertainment/Restaurant With Dancing Without Dancing

Entertainment/Tavern With Dancing Without Dancing

Social Club Pool or Billiard Hall Other (explain) Queen Mary

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

To be used for various events but not limited to Concerts, Festivals & Trade Shows

Contact Person(s) Name (authorized agent, manager, etc.): John Adamson

Contact Person(s) Phone Number: (562) 499-1648

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

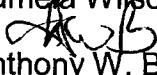
Police Department finds no for basis for denial Police Department finds basis for denial

Police Department finds no for basis for denial with conditions

Conditions or Basis for Denial: _____

By: [Signature] Title: Chief Date: 1-13-08



Date: January 11, 2008
To: Pamela Wilson-Horgan, Manager, Commercial Services Bureau
From:  Anthony W. Batts, Chief of Police
Subject: **APPLICATION FOR ENTERTAINMENT WITH DANCING AT THE QUEEN MARY
1126 QUEEN'S HIGHWAY**

In response to your request for a recommendation regarding the above named permit application for Entertainment With Dancing, the Police Department recommends **approval** of a **One-Year Short-Term** permit, subject to the following conditions of operation:

The previous operators of the Queen Mary had separate entertainment permits for on and off-ship events. The new owners have applied for one entertainment permit to cover the entire property. Because of the impact that off-ship events have on the City of Long Beach, the Police Department is recommending approval of the entertainment permit, but with **two separate sets of conditions**. The first set of conditions will be for on-ship events only. These conditions are similar to any businesses within the Downtown Dining District. The second set of conditions will be for off-ship events only. Because of documented violent incidents and alcohol related issues over the past several years, the Police Department is recommending the approval of a one-year short-term permit.

CONDITIONS OF OPERATION FOR ON-SHIP ENTERTAINMENT

- 1) The following conditions are for any on-ship entertainment activities, not in conjunction with an off-ship event. If any off-ship event includes the use of on-ship facilities, the Permittee shall include this information on the application to The Office of Special Events and filming, and shall be subject to the same approval as off-ship events.
- 2) The operation of the establishment shall be limited to those activities and elements expressly indicated on the permit application and approved by the City Council. Any change in the operation, which exceeds the conditions of the approved permit, will require that a new permit application be submitted to the City Council for their review and approval.
- 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) Unless separately applied for, reviewed, and approved, no adult entertainment, as defined by section 5.72.115(B) LBMC shall be conducted on the permitted premises.
- 5) The Permittee shall not advertise, procure, nor allow any person, performance, show, wet t-shirt contest, promotion, or any other event or entertainment that exposes or promotes, encourages, or allows the exposure of the 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.
- 6) The permittee shall be responsible for maintaining an adequate security necessary to prevent violations of law and any other disturbances arising out of or in connection with business operations. 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. 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.
- 7) For any public or private event, where alcohol is permitted, the permittee shall ensure there is adequate security necessary to prevent underage drinking. All bartenders shall be reminded that the service of alcohol is solely their responsibility and is to verify the age of any suspected under age customer.
- 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)
- 9) At the conclusion of each event, the permittee shall take reasonable measures to ensure that exiting patrons walk directly to their vehicles, and not loiter in the parking lot or the immediate area. This shall include all other facilities used to support the event, including off-site parking.
- 10) 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. Distribution of any advertising matter upon private property shall adhere to the following guidelines: By placing the same matter in a receptacle, clip, or other device designed or intended to receive advertising matter. The permittee shall keep all promoter contracts, including names, addresses and phone numbers, on file at all times, and must be available for inspection at anytime.

- 11) All independent contractors and promoters must have, or must obtain a City of Long Beach Business License prior to conducting entertainment activities governed by this permit. The permittee shall be responsible for all entertainment activities at the location, including those conducted by promoters or independent contractors.
- 12) The permittee must provide all promoters, or independent contractors hired to conduct entertainment activities with a copy of the approved permit, which shall include a copy of the approved conditions of operation.
- 13) The permittee agrees to reimburse the City whenever extraordinary City services, as determined by the Chief of Police, in consultation with the Fire Marshal and the Office of Special Events and Filming, are required as the result of any incident or nuisance arising out of or in connection with the permittee's operations.
- 14) The permittee, shall, within ninety (90) days of an approved entertainment permit, submit proof of attending the LEAD program offered by the Department of Alcoholic Beverage Control. In the event that the LEAD program class is not offered within this ninety day period, the permittee shall attend the next available class. Proof of completion shall be submitted to the Long Beach Police Department Vice Investigations Section.

CONDITIONS OF OPERATION FOR OFF-SHIP ENTERTAINMENT

- 1) 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 City services 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.
- 2) The operation of the establishment shall be limited to those activities and elements expressly indicated on the permit application, the required special event application and activities approved by the City Council. Any change in the operation, which exceeds the conditions of the approved permit, will require that a new permit application be submitted to the City Council for their review and approval.
- 3) Entertainment activities indicated on page #7 of your entertainment application shall be restricted to 10 p.m. Sunday thru Thursday nights, and 11 p.m. Friday and Saturday nights. The Office of Special Events and Filming must approve any deviation from these hours.

- 4) No adult entertainment, as defined by section 5.72.115(B) LBMC shall be conducted on the permitted premises.
- 5) For any event held on the Queen Mary property, other than onboard the ship, the Permittee must submit an application for event approval, to the Office of Special Events and Filming. The application must be submitted not less than 60 days prior to the scheduled event, and must include, but is not limited to, parking, security, community outreach and alcohol service plans.
- 6) Any event held on the ship, or the Dome coinciding with planned outside events, shall be disclosed upon submission of the permit application.
- 7) The permittee must obtain a catering permit or daily alcohol license from the Department of Alcoholic Beverage Control prior to any sales of alcohol. The application must be submitted to ABC 10 days prior to the scheduled event and must be approved by the Police Department.
- 8) There shall be a staff member and/or security guard positioned by the sound equipment, prepared to cut off the amplified sound in the event of any obscenities from performers or announcers. This staff member shall be fluent in the particular language of said performer.
- 9) 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 or businesses located nearby.
- 10) All security plans must be approved by the City 30 days prior to the scheduled event. Should the permittee's operations give rise to a substantial increase in calls for service, noise, disturbance complaints, or trash left in the parking lot, and surrounding area of the business can be attributed to the operation of said business, the permittee shall increase security as directed by the Chief of Police.
- 11) 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. The Office of Special Events and Filming must approve any advertising or promotional material prior to any scheduled event. The Permittee shall adhere to and require their promoters to adhere to all state and local laws. Copies of all contracts between the permittee and any promoter shall be included in the event application and provided to the Office of Special Events and Filming.

- 12) All promoters and any vendor booths must have, or obtain a City of Long Beach Business License prior to the scheduled event. The permittee shall be responsible for all entertainment activities at the location, including those conducted by promoters and vendors.
- 13) The permittee must provide all promoters hired to conduct entertainment activities with a copy of the approved permit, which shall include a copy of the approved conditions of operation.
- 14) At the conclusion of each event, the permittee shall take reasonable measures to ensure that exiting patrons walk directly to their vehicles, and not loiter in the parking lot or the immediate area. This shall include all other facilities used to support the event, including off-site parking. The Permittee shall address security measures at remote facilities through their security plan as required in condition #10.
- 15) The permittee must provide adequate signage to direct vehicular and pedestrian traffic to the event location and back to any remote parking facilities.
- 16) The permittee agrees to reimburse the City whenever extraordinary City services, as determined by the Chief of Police, in consultation with the Fire Marshal and the Office of Special Events and Filming, are required as the result of any incident or nuisance arising out of or in connection with the permittee's operations.
- 17) The permittee 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, your permit from the Office of Special Events and Filming, your conditional use permit, or your Alcoholic Beverage Control license, the more stringent regulation shall apply.
- 18) The permittee shall, within ninety (90) days of an approved entertainment permit, submit proof of attending the LEAD program offered by the Department of Alcoholic Beverage Control. In the event that the LEAD program class is not offered within this ninety day period, the permittee shall attend the next available class. Proof of completion shall be submitted to the Long Beach Police Department Vice Investigations Section.

If you have further questions, please contact, Detective Chris Anderson, at extension 85706.

Attachment "B"

Tiered Conditions

This page contains progressively more stringent regulations on entertainment and related activities. 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, 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 1-18), 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, and other interested persons to address concerns and discuss how the implementation of Tier 2 Conditions can be avoided.

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. 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:

Tier 2 Conditions:

Hours:

1. All entertainment activities must cease not later than 9 p.m. Sunday thru Thursday nights, and 10 p.m. Friday and Saturday nights. The Chief of Police or Fire Marshal is authorized to make adjustments of up to one hour in these times to protect the public peace.

Alcohol:

1. All alcohol sales and service shall be restricted to a beer garden that shall be approved by the Office of Special Events and Filming and the Chief of Police.
2. Alcohol sales and service must end 2 hours prior to the end of the event.

Security:

1. Additional security personnel at hours determined necessary by the Chief of Police to prevent Permittee's operations from creating a public nuisance.
2. Additional security checks on incoming patrons.
3. There shall be no queue within 1 hour of the lawful closing time. Any persons gathering outside the establishment shall be considered to be loitering.
4. 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 Office of Special Events and Filming, 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 nuisance and/or security/public safety issues as directed by the Chief of Police or the Fire Marshal within a reasonable period, shall result in the implementation of Tier 3 conditions:

Hours:

1. All entertainment activities must cease not later than 8 p.m. Sunday thru Thursday nights, and 9 p.m. Friday and Saturday nights. The Chief of Police or Fire Marshal is authorized to make adjustments of up to one hour in these times to protect the public peace.

Alcohol:

1. No alcohol will be allowed.

Parking:

1. No off-site parking will be allowed.

Security:

1. 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.

2. 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.

AWB:CNA:cna
AppvlcondQueenMary



OFFICE USE ONLY

Accepted By: _____	Date: _____
Zoning Approval By: _____	Date: _____

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): Save the Queen, LLC

Business Name (DBA): Save the Queen, LLC/The Queen Mary Business Phone: () 562 435-3511

Business Site Address: 1126 Queens Highway, Long Beach CA 90802

Date Business Proposes To Open: Currently operating

Days & Time Premises Are Open For Inspection: Normal business hours

Proposed Use(s):

Entertainment/Restaurant With Dancing Without Dancing

Entertainment/Tavern With Dancing Without Dancing

Social Club Pool or Billiard Hall Other (explain) Queen Mary

Explain briefly the proposed use of the rooms within the building:
To be used for various events but not limited to Concerts, Festivals & Trade Shows

Contact Person(s) Name (authorized agent, manager, etc.): John Adamson

Contact Person(s) Phone Number: (562) 499-1648

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: 1/24/08

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): 2/7/08 By: WENDY GOETZ

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: _____



OFFICE USE ONLY

Accepted By: _____	Date: _____
Zoning Approval By: _____	Date: _____

APPLICATION FOR ENTERTAINMENT PERMIT

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

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Contact Person(s) Name (authorized agent, manager, etc.): John Adamson

Contact Person(s) Phone Number: (562) 499-1648

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: 11/1/07

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 CHAPTER 8.90)

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: HAZARDOUS MATERIALS SPECIALIST Date: 11/8/07



OFFICE USE ONLY

Accepted By: _____ Date: _____
 Zoning Approval By: _____ Date: _____

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): Save the Queen, LLC

Business Name (DBA): Save the Queen, LLC/The Queen Mary Business Phone: () 562 435-3511

Business Site Address: 1126 Queens Highway, Long Beach CA 90802

Date Business Proposes To Open: Currently operating

Days & Time Premises Are Open For Inspection: Normal business hours

Proposed Use(s):

Entertainment/Restaurant With Dancing Without Dancing

Entertainment/Tavern With Dancing Without Dancing

Social Club Pool or Billiard Hall Other (explain) Queen Mary

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

To be used for various events but not limited to Concerts, Festivals & Trade Shows

Contact Person(s) Name (authorized agent, manager, etc.): John Adamson

Contact Person(s) Phone Number: (562) 499-1648

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.

DEPARTMENT
Inspection Completed On (date): 12-17-07 By: [Signature]

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: November 15, 2007
To: Richard I. Bartlett, Business Services Officer, Commercial Services Bureau
From: Carolyne Bihn, Zoning Officer *CB*
Subject: REVIEW OF ENTERTAINMENT LICENSE REQUEST

Site Address: 1126 Queens Highway
Long Beach, CA 90802

Applicant: Save the Queen, LLC, DBA The Queen Mary

Zoning District: PD-21 (Queensway Bay Planned Development District)

Proposed Use: Entertainment with Dancing

The Community Design and Development Division of the Department of Planning and Building has the following comments:

A review of the permit history for *The Queen Mary* reveals that a number of special events have occurred at the site, but no CUPs or AUPs were found for the subject property.

The subject property is located within the Queensway Bay Planned Development District (PD-21). Within PD-21, retail, eating establishments, and entertainment uses, including dancing facilities, are permitted uses in PD-21

The Queen Mary has an existing license for entertainment with dancing. The present request for a review of an entertainment license application is a result of a recent change of ownership. No other changes to the current license have been requested.

Planning Bureau recommends that the entertainment permit with dancing for "The Queen Mary" be approved.

If you have any questions regarding this response, please call Angie Zetterquist, Planner, at (562) 570-6553.