

CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Blvd • Long Beach, California 90802

~~H-3~~

CH-20

December 10, 2013

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the supporting documentation into the record, conclude the hearing and grant a permit with conditions on the application of Dara Kim, DBA Dara Restaurant, 1223 E. Anaheim Street, for Entertainment with Dancing by Patrons (District 6)

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 shall approve the issuance of the entertainment permit if they find that: the issuance of the permit at the proposed location is consistent with federal, state and local laws, rules, and regulations; it will not constitute an undue burden on the neighborhood; the applicant(s) or responsible persons have not been convicted of any misdemeanor involving moral turpitude or felony offense within the past five years; and, neither the applicant(s) or any responsible persons have a history of committing significant violations of the City code and have not provided false or misleading information on their application.

The City Council has the authority to approve the following options: 1) grant the Permit, with or without conditions; or 2) deny the Permit on the application. Once the Permit is granted, pursuant to LBMC 5.72.120.5, the Permit will be subject to an administrative review by the Department of Financial Management every two years. This review process will consist of a multi-department analysis to determine compliance and identify if issues exist. This provision does not affect the City's ability to modify, revoke or suspend a permit at any time.

City departments have conducted their investigations in accordance with the LBMC. Attached for your review are the departmental investigative reports, history, entertainment permit application and floor plan. To review all supportive documents, as well as the documents included in this report, you may visit www.longbeach.gov/finance/business_relations/entertainment.asp.

The following summarizes departmental findings:

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

- The Fire Department finds that the building/location meets department requirements for the proposed use.
- 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 finds that the building/location meets department requirements for the proposed use.

The Department of Financial Management, Business Relations Bureau, has reviewed all submitted department documents and correspondence and, after a thorough investigative process, recommends that the permit for entertainment with dancing by patrons be approved subject to conditions (attached).

In the event that any of the recommended conditions are in conflict with other permits or licenses, the permittee shall adhere to the strictest of the applicable conditions. This location has been licensed as a restaurant with alcohol since February 2003.

This matter was reviewed by Deputy City Attorney Amy R. Webber on November 19, 2013.

TIMING CONSIDERATIONS

The hearing date of December 10, 2013, 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 \$22 and Zoning Review \$16 (Development Services), Police Investigation \$1,240 (Police Department), and Mailing List \$90 (Financial Management Department).

The following fees will be collected if the application is approved: Business License \$337.30 and Regulatory \$1,025 (Financial Management Department).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

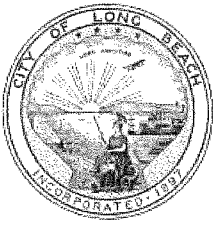


JOHN GROSS
DIRECTOR OF FINANCIAL MANAGEMENT

APPROVED:



PATRICK H. WEST
CITY MANAGER



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT
BUSINESS RELATIONS BUREAU

333 WEST OCEAN BOULEVARD 7TH FLOOR • LONG BEACH, CA 90802 • (562) 570-5596

Recommended Conditions of Operation

Dara Kim, DBA Dara Restaurant

1223 East Anaheim Street

Application for Entertainment With Dancing

The Department of Financial Management recommends **approval** of the Permit subject to the following conditions:

I. STANDARD CONDITIONS OF OPERATION

- 1) 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.
- 2) Unless separately applied for, reviewed, and approved, no adult entertainment, as defined by section 21.15.110 LBMC shall be conducted on the permitted premises.
- 3) The establishment shall remain in compliance with all applicable sections of the Long Beach Noise Ordinance (LMBC Chapter 8.80).
- 4) Due to the proximity of neighboring businesses and residences, all door(s) and windows shall be kept closed at all times during any entertainment, except in cases of emergency and to permit deliveries. Said door(s) is not to consist solely of a screen or ventilated security door. **Sound shall not be audible beyond fifty feet (50') from the exterior of the premises in any direction.** Outdoor amplified entertainment is prohibited.
- 5) The permittee shall not allow employees to discard trash or beer bottles into the outside dumpster between the hours of 10:00 P.M. and 7:00 A.M.
- 6) Deliveries to and from the premises shall be limited to the hours of 8:00 A.M. to 10:00 P.M.
- 7) The permittee shall provide a minimum of one (1) licensed security guard during all times that the entertainment activities are being conducted for crowds up to fifty (50) people. For crowds over fifty (50) people, the permittee shall provide a minimum of one (1) additional security guard per fifty (50) people. Patrons awaiting entry in a defined queue shall be counted toward the calculation of required security staffing levels

The attire of each security guard shall clearly indicate the guard's affiliation with the establishment by means of a pin, shirt, or other visible form of identification. Should the permittee's operations give rise to a substantial increase in complaint/calls for police service, or trash left in the parking lot, 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.

- 8) The permittee shall take reasonable measures to prohibit and prevent the loitering of persons immediately outside any of the entrance/exit doors and the parking lot, at all times while open for business. This should be done by use of security guards and signage indicating words to the effect of, "Please respect our neighbors" or something similar.
- 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.
- 10) The permittee agrees to reimburse the City for all costs associated with excessive police services, as determined by the Chief of Police, required as the result of any incident or nuisance arising out of or in connection with the permittee's operations.
- 11) The permittee shall install and maintain a video surveillance system that monitors no less than the front and rear of the business with full view of the public right-of-ways and any parking lot under the control of the permittee. The video system must be capable of delineating on playback the activity and physical features of persona and areas within the premises. Recordings shall be retained for a minimum of 30 days and be accessible via the Internet by the Long Beach Police Department. A Public Internet Protocol (IP) address and user name/password is also required to allow the Long Beach Police Department to view live and recorded video from these cameras over the internet. All video security cameras shall be installed to the satisfaction of the Chief of Police, Director of Technology Services, and Director of Development Services. At the discretion of the Chief of Police, the permittee may be required to add additional video cameras.
- 12) An identification card scanner shall be used for all patrons entering the establishment after 10:00 P.M. for the sole purposes of verifying patron age and/or authenticity of a patron's driver's license or identification card.
- 13) 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).
- 14) 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.
- 15) All promoters must have or 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.

- 16) The permittee must provide all promoters, independent contractors, and dancers, hired to conduct entertainment activities with a copy of the approved permit, which shall include a copy of the approved conditions of operation. The permittee shall not hire promoters with the intent to advertise/promote or hold any entertainment activities consistent with nightclub entertainment.
- 17) The business, its promoters, or agents, shall not distribute any advertising matter such as signs, posters, or promotional cards, in or upon any public property, or in or on any vehicle in any such place in the City. 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 agent and promoter's contracts, including names, addresses and phone numbers, on file at all times, and must be available for inspection at anytime.
- 18) If the permittee utilizes an independent third party event promoter to provide entertainment related services resulting in any public safety call for service, the City reserves the right to remove and/or restrict the use of independent third party promoters.
- 19) The permittee shall maintain full compliance with all applicable laws, ABC laws, ordinances and stated conditions. In the event of a conflict with the requirements of this permit, the more stringent regulation shall apply.
- 20) 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.

II. ADDITIONAL CONDITIONS OF OPERATION

- 1) Entertainment activities indicated on page #7 of your entertainment application **shall be restricted between the hours of 5:00 PM through 10:00 PM Sunday through Thursday nights, and 12:00 PM through 12:00 AM (Midnight) Friday and Saturday.**
- 2) Patrons under twenty-one (21) years of age shall not be permitted to enter, nor to remain on the premises, after the restaurant (food services) portion of the establishment has closed. Private functions not open to the public are exempt from this condition.
- 3) The permittee shall not hold any events or hire promoters with the intent to advertisement/promote or hold any entertainment activities consistent with nightclub entertainment.
- 4) This Entertainment Permit is accessory to the primary business, which is a restaurant. The authorization to provide entertainment on-site is subject to the use

remaining as a restaurant, meaning a bona fide eating place serving actual and substantial meals.

“Meals” means the usual assortment of foods commonly ordered at various hours of the day; the service of such food only as sandwiches or salads shall not be deemed compliant with this requirement. Meals must consist of food prepared on the premises. Hours of sales of alcohol shall be limited to the hours when meals are available.

The premises must be equipped and maintained in good faith. The premises must possess working refrigeration, cooking equipment, utensils, menus, and enough food to make substantial meals.

In the event the primary business ceases operations, fails to operate as a bona fide eating place, fails to serve actual and substantial meals or otherwise fails to comply with this condition, the Entertainment Permit becomes null and void.

- 5) The permittee shall not convert the restaurant, or any portion thereof, into a dance/night club. All entertainment activities shall be conducted in conjunction with regular dining or pre-planned banquet activities. A banquet is defined as a function held at a bonafide 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.



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 Dara Kim, DBA Dara Restaurant. 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	
Development Services 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
Development Services Department.....	570-6623

Compiled by: Department of Financial Management
Business Relations Bureau



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

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

BUSINESS RELATIONS BUREAU

FIVE YEAR HISTORY OF BUSINESS ESTABLISHMENT 1223 E. Anaheim St.

Dara Kim
DBA: Dara Restaurant
Lic#21322580
07/13 – Pending

Entertainment With Dancing

Dara Kim
DBA: Dara Restaurant
Lic#21127740
09/11 - Current

Restaurant With Alcohol

Dara Kim
DBA: Dara Restaurant
Lic#21128450
09/11 – 03/14

Entertainment With Dancing
One-Year Short Term

Lic# Sam Sengchan
DBA: Dragon Sea
Lic#20904010
06/09 – 09/11

Entertainment With Dancing

Sam Sengchan
DBA: Dragon Sea
Lic#20900820
01/09 – 09/11

Restaurant With Alcohol

Patxamath Viengxay
DBA: Thai Rosmanee Restaurant
Lic#20554330
01/06 – 01/09

Entertainment With Dancing

Patxamath Viengxay
DBA: Thai Rosmanee Restaurant
Lic#20554320
10/05 – 01/09

Restaurant With Alcohol

Naran Nou
DBA: Thai Rosmanee Restaurant
Lic#20527940
05/05 – 10/05

Restaurant with Alcohol

Sara & Sonear Phev
DBA: Rosmanee Restaurant
Lic#20333430
07/03 – 05/05

Restaurant With Alcohol

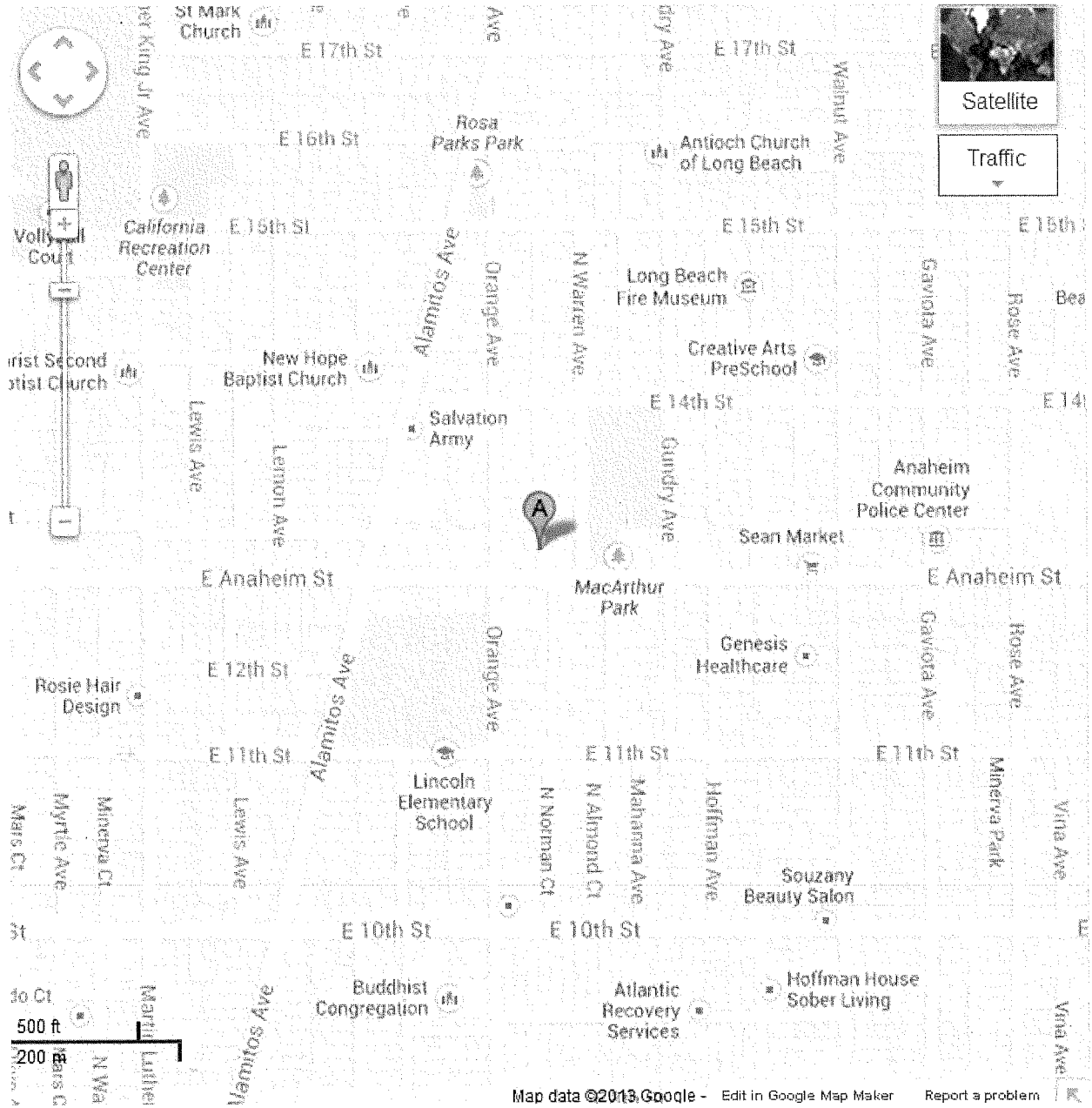
Sara & Sonear Phev
DBA: Rosmanee Restaurant
Lic#20332390
10/03 – 09/04

Entertainment With Dancing

Sara Phev
DBA: Rosmanee Restaurant
Lic#20308890
02/03 – 07/03

Restaurant With Alcohol

Dara Kim
Db: Dara Restaurant
1223 East Anaheim Street





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): DARA KIM

Business Name (DBA): DARA RESTAURANT Business Phone: [REDACTED]

Business Site Address: 1223 E. Anaheim St. Long Beach, CA 90813

Date Business Proposes To Open: 09-06-2011

Days & Time Premises Are Open For Inspection: 9:00 AM to 5:00 PM

Proposed Use(s):

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

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

Contact Person(s) Name (authorized agent, manager, etc.): Gary Ung, Agent

Contact Person(s) Phone Number: [REDACTED]

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 basis for denial Police Department finds basis for denial

Police Department finds no 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): N/A

Fictitious business names(s) or dba(s) used: DARA RESTAURANT

Place and date of filing fictitious business name statement: Los Angeles 9-15-2011

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

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:

N/A

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

N/A

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:

ABC LICENSE EXPIRES Oct. 31, 2013

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? _____

Is the location: Owned? Rented/Leased?

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

Name: Thai Binh

Address: 818 E. Anaheim St. #230 Long Beach, CA 90813

IF APPLYING AS AN INDIVIDUAL

INFORMATION IS REQUESTED FOR POLICE DEPARTMENT IDENTIFICATION AND INVESTIGATION

Name:

Last: KIM

First: DARA

Middle: _____

Title(s) or AKA(s): OWNER

Residence address:

Residence telephone number(s) (including area code):

Business address:

1223 E. Anaheim St Long Beach, CA 90813

Business telephone number(s) (including area code):

(562) 218-7119

Race: _____ Sex: _____ Hair: _____ Eyes: _____ Height: _____ Weight: _____

Date of Birth (mm/dd/yyyy): _____ Place of Birth: _____

Driver's License or Identification Card Number: _____

State of Issue: _____

Federal Tax ID Number: _____

Seller's Permit Number: _____

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

41-513184

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: ASIAN FOODS

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

3. Are non-alcoholic beverages sold? YES NO

4. How many tables for seating? 18

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: _____

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

a. If yes, license number: _____

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

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

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

a. If yes, decal number(s): _____

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

Name: _____

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: 1

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	<u>0</u>	<u>0</u>	<u>0</u>	<u>4 HRS</u>	<u>4 HRS</u>	<u>4 HRS</u>	<u>4 HRS</u>
Security	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>

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: _____

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: _____

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 AM	7 AM	7 AM	7 AM	7 AM	7 AM	7 AM
Close	12 PM	12 PM	12 PM	12 PM	12 PM	12 PM	12 PM

PROXIMITY OF BUSINESSES AND RESIDENCES

19. Are there surrounding businesses? YES NO

a. What type? BARRER SALON, Super Market, Pharmacy
Jewelry shop, Coffee shop, Chinese Herb

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? _____

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) _____

N/A

c. Days and hours parking facility will be available:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
From	6 AM	6 AM	6 AM	6 AM	6 AM	6 AM	6 AM
To	1 AM	1 AM	1 AM	1 AM	1 AM	1 AM	1 AM

d. How many individual parking spaces (approximately)? 65

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. _____

Describe entertainment by performers: KARAOKE

Dance Floor? Y N Stage? Y N

If yes, provide dimensions and type of material of dance floor. L 22 X W 22 = 484 sq ft.

If yes, provide dimensions and type of material of stage. L 12 W 12 H 144

Describe floor material and surface type: plywood & Carpet

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							
Start Time	7 AM	7 AM	7 AM	7 AM	7 AM	7 AM	7 AM
End Time	12 AM	12 AM	12 AM	12 AM	12 AM	12 AM	12 AM

RELEASE FORM

The undersigned, on behalf of (applicant) DARA KIM, 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) DARA RESTAURANT to obtain the entertainment permit.

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 OR AUTHORIZED AGENT)

OWNER

(TITLE)

07-19-2013

(DATE)



DRIVER'S LICENSE OR ID CARD NUMBER



STATE

ACCEPTED BY (CITY STAFF)

TITLE

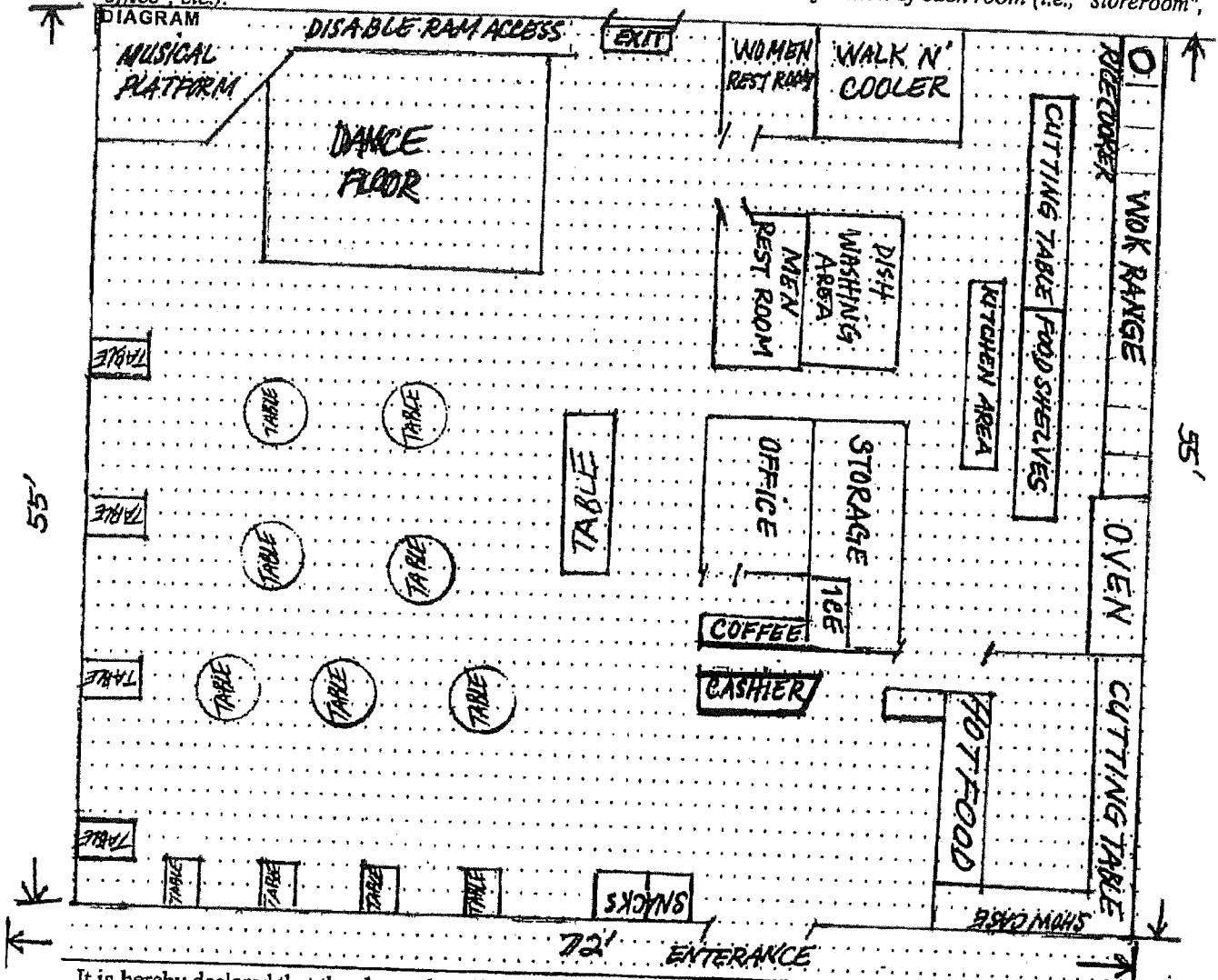
DATE

Department of Alcoholic Beverage Control
LICENSED PREMISES DIAGRAM (RETAIL)

State of California

1. APPLICANT NAME (Last, first, middle) Kim, Dara	2. LICENSE TYPE 41-513148
3. PREMISES ADDRESS (Street number and name, city, zip code) 1923 E Anaheim St Long Beach CA 90815	4. NEAREST CROSS STREET ORANGE and Anaheim St.

The diagram below is a true and correct description of the entrances, exits, interior walls and exterior boundaries of the premises to be licensed, including dimensions and identification of each room (i.e., "storeroom", "office", etc.).



It is hereby declared that the above-described boundaries, entrances and planned operation as indicated on the reverse side, will not be changed without first notifying and securing prior written approval of the Department of Alcoholic Beverage Control. I declare under penalty of perjury that the foregoing is true and correct.

APPLICANT SIGNATURE (Only one signature required) <i>[Signature]</i>	DATE SIGNED 9/6/2011
FOR ABC USE ONLY	
CERTIFIED CORRECT (Signature)	PRINTED NAME
	INSPECTION DATE



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): DARA KIM
 Business Name (DBA): DARA RESTAURANT Business Phone: [REDACTED]
 Business Site Address: 1223 E. Anaheim St. Long Beach, CA 90813
 Date Business Proposes To Open: 09-06-2011
 Days & Time Premises Are Open For Inspection: 9:00 AM to 5:00 PM

Proposed Use(s):

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

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

Contact Person(s) Name (authorized agent, manager, etc.): Gary Ung, Agent
 Contact Person(s) Phone Number: [REDACTED]

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 basis for denial Police Department finds basis for denial
 Police Department finds no basis for denial with conditions

Conditions or Basis for Denial: _____

By: [Signature] Title: CHIEF OF POLICE Date: 9-18-13



Date: September 25, 2013
To: Erik Sund, Bureau Manager, Business Relations Bureau
From: Jim McDonnell, Chief of Police 
Subject: **APPLICATION FOR ENTERTAINMENT WITH DANCING AT
DARA RESTAURANT – 1223 EAST ANAHEIM STREET**

In response to your request for a recommendation regarding the above named permit application for Entertainment With Dancing, the Police Department recommends **approval** of an entertainment permit with dancing, subject to the following twenty-two (22) conditions:

Dara Restaurant is a restaurant/bar located in the Thai Binh Plaza on the northeast corner of Anaheim Street and Orange Avenue. The establishment serves Cambodian cuisine for breakfast, lunch, and dinner. Dara Kim is the sole owner of the restaurant and has owned the establishment since 2011. The business currently holds a Type 41 (On-Sale Beer and Wine Eating Place) Alcoholic Beverage Control license. Mr. Kim was approved for a One-Year Short-Term Entertainment with Dancing Permit in March 2012. On July 19, 2013, Dara Restaurant applied for an Entertainment with Dancing Permit, requesting dancing by patrons and performers, live and recorded amplified music, a disc jockey, and karaoke.

Based upon the Vice Section's investigation, West Division Patrol Commander's recommendation, resident contacts, and the crime analysis, the Long Beach Police Department has determined the public's peace, safety, and welfare would not be adversely impacted by the issuance of this permit, provided the appropriate conditions are imposed and observed by the applicant. The Police Department recommends approval of an Entertainment with Dancing Permit.

CONDITIONS OF OPERATION

- 1) The operation of the establishment shall be limited to those activities and elements expressly indicated on the permit application and approved by City Council. Any change in the operation, which exceeds the conditions of the approved permit, will require a new permit application be submitted to the City Council for their review and approval.
- 2) 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.
- 3) Entertainment activities indicated on page #7 of your entertainment application **shall be restricted between the hours of 5:00 PM through 10:00 PM Sunday through Thursday nights, and 12:00 PM through 12:00 AM (Midnight) Friday and Saturday.**

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- 4) The establishment shall remain in compliance with all applicable sections of the Long Beach Noise Ordinance (LBMC Chapter 8.80).
- 5) Noise emanating from the permittee's premises **shall not be audible beyond 50 feet (50') from the exterior of the premises in any direction**. The permittee shall be responsible for determining how to best meet this requirement, such as limiting hours of entertainment or offering non-amplified entertainment.
- 6) Due to the proximity of neighboring businesses and residences, all door(s) and window(s) shall be kept closed at all times during any musical entertainment, except in cases of emergency and to permit deliveries. Said door(s) and window(s) are not to consist solely of a screen or ventilated security door.
- 7) The permittee shall not convert the restaurant, or any portion thereof, into a dance/night club. All entertainment activities shall be conducted in conjunction with **regular dining** or **pre-planned banquet activities**. A banquet is defined as a function held at a bonafide 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.
- 8) The permittee shall not allow employees to discard trash or beer bottles into the outside dumpster between the hours of 10:00 PM and 7:00 AM.
- 9) This Entertainment Permit is accessory to the primary business, which is a restaurant. The premises must possess working refrigeration, cooking equipment, utensils, menus, and enough food to make substantial meals. The business must offer substantial sales of meals, during the normal meal hours that the business is open. Fast food, snacks, and hors d'oeuvres shall not constitute a substantial meal. Normal meal hours are: Breakfast 6:00 AM – 9:00 AM, Lunch 11:00 AM – 2:00 PM, and dinner 6:00 PM – 9:00 PM.

If the business does not open by 6:00 PM, complete and substantial meals shall be offered the entire time the business is open, or for a minimum of three hours. In the event the primary business ceases operations or fails to comply with this condition, the entertainment permit becomes null and void.

- 10) Patrons under twenty-one (21) years of age shall not be permitted to enter, nor to remain on the premises, after the restaurant (food services) portion of the establishment has closed. Private functions not open to the public are exempt from this condition.

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- 11) The permittee shall provide a minimum of one (1) uniformed security guard during all times that entertainment activities are being conducted for crowds up to fifty (50) people. For crowds over fifty (50) people, the permittee shall provide a minimum of one (1) additional uniformed security guard per fifty (50) people. Patrons awaiting entry in a defined queue shall be counted toward the calculation of required security staffing levels.

Security guards must be identifiable as Dara Restaurant employees. Should the permittee's operations give rise to a substantial increase in complaints/calls for police service, the permittee may be required to increase security staff, implement the use of electronic metal detection equipment, increase outside lighting, or make other changes to the premises or operations, as the Chief of Police determines are necessary.

- 12) The permittee shall take reasonable measures to prohibit and prevent the loitering of persons immediately outside any of the entrance/exit doors and the parking lot, at all times while open for business. This should be done by utilizing security guards and signage with verbiage such as, "Please respect our neighbors", or something similar.
- 13) 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.
- 14) 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. This information shall be provided to public safety personnel upon request.
- 15) The permittee agrees to reimburse the City of Long Beach whenever excessive police services, as determined by the Chief of Police, are required as the result of any incident or nuisance arising out of, or in connection with the permittee's operations.
- 16) The permittee shall not hire promoters with the intent to advertise/promote or hold any entertainment activities consistent with nightclub entertainment.
- 17) All independent contractors must have or 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.

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- 18) Dara Restaurant, or its agents, shall not distribute any advertising matter such as signs, posters, or promotional cards, in or upon any public property, any vehicle, or in any other such place in the City of Long Beach. 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 make them available for inspection at any time.
- 19) 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 conditional use permit, or your Alcoholic Beverage Control license, the more stringent regulation shall apply.
- 20) The permittee shall be responsible for installing and maintaining a video surveillance system that monitors no less than the front and rear of the business, with full view of the public right-of-ways, and any parking lot under the control of the permittee. These cameras shall record video for a minimum of 30 days and be accessible via the Internet by the Long Beach Police Department. The permittee shall also provide the Long Beach Police Department with a copy of the video surveillance from the previous thirty days, upon request. A Public Internet Protocol (IP) address and user name/password is also required to allow the Long Beach Police Department to view live and recorded video from these cameras over the internet. All video security cameras shall be installed to the satisfaction of the Chief of Police, Director of Technology Services, and Director of Development Services. At the discretion of the Chief of Police, the permittee may be required to add additional video cameras.
- 21) 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.
- 22) The permittee shall ensure that all employees attend an alcohol awareness class such as TIPS or LEAD, within the first ninety (90) days of employment. The permittee shall keep employee's proof of completion on file, and be available for inspection at any time.



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): DARA KIM

Business Name (DBA): DARA RESTAURANT Business Phone: [REDACTED]

Business Site Address: 1223 E. Anaheim St. Long Beach, CA 90813

Date Business Proposes To Open: 09-06-2011

Days & Time Premises Are Open For Inspection: 9:00 AM to 5:00 PM

Proposed Use(s):

Entertainment/Restaurant With Dancing Without Dancing Other (explain) _____

Entertainment/Tavern With Dancing Without Dancing

Entertainment/Retail Social Club Pool/Billiard Hall

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

Contact Person(s) Name (authorized agent, manager, etc.): Gary Ling, Agent

Contact Person(s) Phone Number: [REDACTED]

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: 7/30/13

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): 7-31-13 By: [Signature]

POLICE DEPARTMENT

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

Police Department finds no basis for denial with conditions

Conditions or Basis for Denial: _____

By: _____ Title: _____ Date: _____



CITY OF LONG BEACH

DEPARTMENT OF HEALTH AND HUMAN SERVICES

100 W BROADWAY STE 400 | LONG BEACH, CA 90802 | 562-570-8513 FAX 562-570-8930

ENVIRONMENTAL HEALTH
NOISE OFFICE

DEPARTMENT OF HEALTH AND HUMAN SERVICES ENTERTAINMENT PERMIT APPLICATION REQUIREMENTS

Date: 07-19-13

Name of Business (DBA): DARA RESTAURANT

Name of Business Owner: DARA KIM

Business Address: 1223 E. Anaheim St.
Long Beach, CA 90813

Dear New Business Owners:

The Entertainment establishment must abide by the Long Beach Municipal Code Noise Ordinance, Chapter 8.80.

You must make sure that the noise generating inside your business is not impacting adjacent residences.

If loud music is to be played as part of the entertainment permit, you must also post a sign in the customer area in a conspicuous location that states:

Warning: Sound Levels Within May Cause Permanent Hearing Impairment.

I understand that in order to provide Entertainment, my establishment must comply with the Long Beach Noise Ordinance (LBMC Chapter 8.80)

Owner or Authorized Agent Signature(s) *Gary Ung*
Gary Ung

Title Authorized Agent

Phone # [REDACTED]

FAX # [REDACTED]



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): DARA KIM

Business Name (DBA): DARA RESTAURANT Business Phone: [REDACTED]

Business Site Address: 1223 E. Anaheim St. Long Beach, CA 90813

Date Business Proposes To Open: 09-06-2011

Days & Time Premises Are Open For Inspection: 9:00 AM to 5:00 PM

Proposed Use(s):

Entertainment/Restaurant With Dancing Without Dancing Other (explain) _____

Entertainment/Tavern With Dancing Without Dancing

Entertainment/Retail Social Club Pool/Billiard Hall

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

Contact Person(s) Name (authorized agent, manager, etc.): Gary Ung, Agent

Contact Person(s) Phone Number: [REDACTED]

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: 7-30-13

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): 8-2-13 By: OXW

POLICE DEPARTMENT


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

Police Department finds no basis for denial with conditions

Conditions or Basis for Denial: _____

By: _____ Title: _____ Date: _____



Date: September 30, 2013
To: Erick Sund, Manager of Business Relations Bureau
From: Derek Burnham, Planning Administrator 
Subject: REVIEW OF ENTERTAINMENT LICENSE REQUEST

Site Address: 1223 E. Anaheim Street
Long Beach, CA 90813

Applicant: Dara Kim
DBA Dara Restaurant

Zoning District: Community Automobile-Oriented District (CCA)

Proposed Use: Entertainment with Dancing

The Planning Bureau of the Department of Development Services has the following comments:

No CUPs or AUPs were found for the subject site; however, four CUP Exemptions were approved for alcohol use (CUP-EX Case No. 85-00, 02-07, 03-56, and 05-37) for on-site alcohol with meal service (no fixed bar permitted) with alcohol sales not to exceed 30% of total gross sales. The CUPEX's were approved in 2000, 2002, 2003, and 2005. The most recent CUPEX, 05-37 was issued for beer and wine (Type 41 license on-sale beer & wine eating-place).

The subject site was previously approved for an entertainment permit with dancing in June of 2009. Based on the floor plans submitted for the previous application and the current application, there have been no significant changes made to the floor plan.

Planning Bureau recommends that the entertainment permit with dancing for "Dara Restaurant" be approved.

If you have any questions regarding this response, please call Jorge Ramirez, Planner, at (562) 570-6952.