

CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

H-3

333 West Ocean Blvd • Long Beach, California 90802

February 5, 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 S.C. Fish Grille Ltd., DBA Khoury's Restaurant, 110 N. Marina Drive, for Entertainment with Dancing by Patrons. (District 3)

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.

HONORABLE MAYOR AND CITY COUNCIL

February 5, 2013

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- 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 since March of 1997.

This matter was reviewed by Deputy City Attorney Amy R. Webber on January 14, 2013.

TIMING CONSIDERATIONS

The hearing date of February 5, 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 \$663 (Police Department), and Labels \$90 (Financial Management Department).

The following fees will be collected if the application is approved: Business License \$330.57 and Regulatory \$287 (Financial Management Department).

SUGGESTED ACTION:

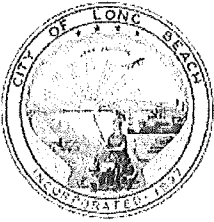
Approve recommendation.

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

S.C. Fish Grille Ltd., DBA Khoury's Restaurant

110 N. Marina Drive

Application for Entertainment With Dancing

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

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) Entertainment activities indicated on page #7 of your entertainment application shall be restricted to no later than **12:00 A.M.** Sunday through Thursday nights, and **1:00 A.M.** on Friday, Saturday, and holidays.
- 4) 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, or **10:00 P.M.**, whichever comes first. Private functions not open to the public are exempt from this condition.
- 5) 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.

- 6) The establishment shall remain in compliance with all applicable sections of the Long Beach Noise Ordinance (LMBC Chapter 8.80).
- 7) 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.
- 8) 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 8:00 A.M.
- 9) 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.

- 10) In addition to the above security requirements, the permittee shall staff one (1) "Security guard" on the boat dock anytime the banquet hall is used for entertainment purposes. Security guards assigned to the dock shall ensure that patrons do not loiter near the docks or the immediate area, and ensure that NO ALCOHOL is permitted on the boat dock. Security guards must be identifiable. The Chief of Police may increase or relax this condition, based upon calls for service related to problems on the boat dock.
- 11) 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.
- 12) 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.

- 13) 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.
- 14) 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.
- 15) An identification card scanner shall be used for all patrons entering the establishment after 10:00 PM for the sole purposes of verifying patron age and/or authenticity of a patron's driver's license or identification card.
- 16) 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).
- 17) 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.
- 18) 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.
- 19) 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.
- 20) 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.

- 21) 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.
- 22) 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.
- 23) 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.



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Boulevard • Long Beach, CA 90802 • (562) 570-56211 • Fax (562) 570-5099

BUSINESS RELATIONS BUREAU

FIVE YEAR HISTORY OF BUSINESS ESTABLISHMENT

110 N Marina Drive

S C Fish Grille, LTD
DBA: Khoury's Restaurant
Lic#21138090
02/12 – Pending

Entertainment With Dancing

S C Fish Grille, LTD
DBA: Khoury's Restaurant
Lic#21032350
02/11 – 02/12

Entertainment With Dancing
One-Year Short-Term Permit

S C Fish Grille, LTD
DBA: Khoury's Restaurant
Lic#21103170
02/11 – Current

Restaurant With Alcohol

S C Fish Grill LLC
DBA: Khoury's Restaurant
Lic#20938210
01/10 – 01/11

Entertainment With Dancing
One-Year Short-Term Permit

S C Fish Grill LLC
DBA: Khoury's Restaurant
Lic#20841450
12/08 – 12/09

Entertainment With Dancing
One-Year Short-Term Permit

S C Fish Grill LLC
DBA: Khoury's Restaurant
Lic#20719170
10/07 – 10/08

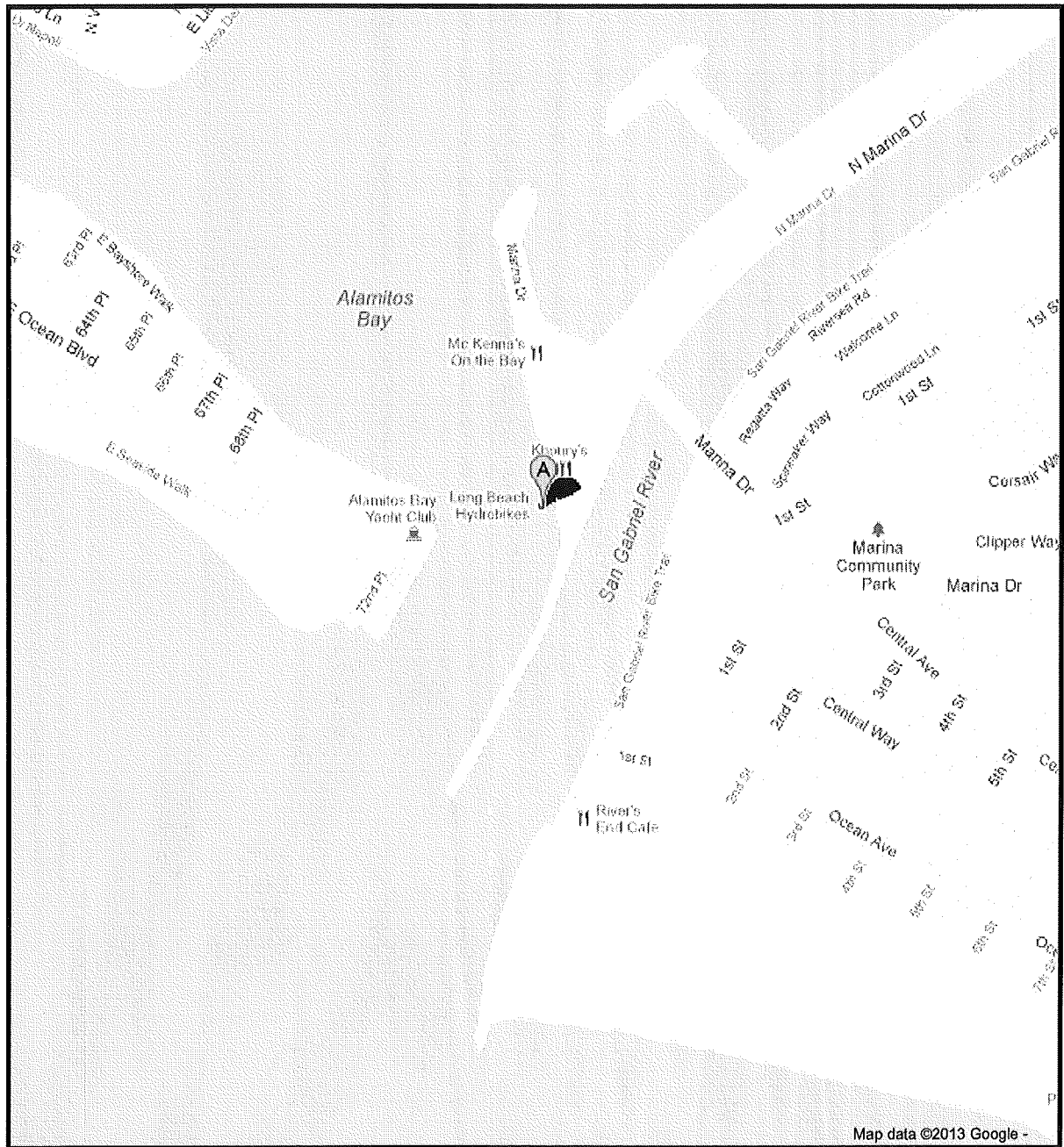
Entertainment With Dancing
One-Year Short-Term Permit

S C Fish Grill LLC
DBA: Khoury's Restaurant
Lic#20719150
02/07 – 02/11

Restaurant With Alcohol

Khoury's Restaurant

110 N. Marina Drive





Accepted By: 21138090 AK Date: 12/02/11
Zoning Approval By: QRE AK Date: _____

APPLICATION FOR ENTERTAINMENT PERMIT
(Please Print All Information - Incomplete Applications Will Not Be Accepted)

Applicant's Name (Legal Ownership Structure): S.C. Fish Grille, Ltd.

Business Name (DBA): KHOURYS RESTAURANT Business Phone: (562) 598-6800

Business Site Address: 110 N. MARINA DR LONG BEACH, CA 90803

Date Business Proposes To Open: _____

Days & Time Premises Are Open For Inspection: Tues - Fri 11 AM - 5 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: RESTAURANT / BANQUETS

Contact Person(s) Name (authorized agent, manager, etc.): JAMES KIM / OWNER

Contact Person(s) Phone Number: (310) 283-5025

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: Police Chief Date: 1-27-12

GENERAL INFORMATION (All Applicants)

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

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

KHOURYS RESTAURANT

Place and date of filing fictitious business name statement:

LA COUNTY 11-22-06

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

LA 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:

JAMES KIM 110 N. MARINA DR Long Beach CA 90803

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

JAMES KIM 110 N. MARINA DR Long Beach CA 90803

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:

NO

Is this applicant a subsidiary of a present corporation or business?
If yes, explain:

☐ YES

☒ NO

How long has the corporation or business been in operation?

~~11 years~~

2006

Is the location: Owned? ☐

Rented/Leased? ☒

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

Name:

BANCAP

Address:

192 N. MARINA DR

LONG BEACH CA 90803

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: S.C. Fish Grille, Ltd

Corporation Number: 3288191

Date and Place of Incorporation: CA 4-2-10

Location Headquarters: Long Beach

Federal Tax ID Number: [REDACTED]

Seller's Permit Number: [REDACTED]

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):

Name	Title	Address	Telephone
<u>JAMES KIM</u>	<u>President</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>
<u>JAMES KIM</u>	<u>Secretary</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:

[REDACTED]

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

JAMES KIM 110N. Marina Dr. Long Beach CA 90803

IF APPLYING AS A CORPORATION

INFORMATION IS REQUESTED FOR POLICE DEPARTMENT IDENTIFICATION AND INVESTIGATION

CORPORATE OFFICER I

Name: JAMES KIM Title: President

Residence Address: [REDACTED] Phone: [REDACTED]

Business Address: 110 N. Marina Dr Long Beach 90740 Phone: 562-598-6800

Ra [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: [REDACTED]

CORPORATE OFFICER II

Name: JAMES KIM Title: Secretary

Residence Address: [REDACTED] Phone: [REDACTED]

Business Address: 110 N Marina Dr Long Beach CA Phone: 562-598-6800

Race [REDACTED] Sex: [REDACTED] Hair: [REDACTED] Eyes: [REDACTED] Height: 90803 Weight: [REDACTED]

Date of Birth (mm/dd/yyyy): [REDACTED] Place of Birth: [REDACTED]

Driver's License Number: [REDACTED] Issuing State: [REDACTED]

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 ☒ 47-505 756

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: General American cuisine / seafood

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

3. Are non-alcoholic beverages sold?

☒ YES ☐ NO

4. How many tables for seating? 75

5. Are other types of businesses conducted on the premises?

☒ YES ☐ NO

a. If yes, list type(s): Banquets

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: 2
12. Is any other type of security provided? ☒ YES ☐ NO
- a. If yes, describe type of security: parking lot attendant

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

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours of	10pm-2am	10pm-2am	10pm-2am	10pm-2am	10pm-2am	10pm-2am	10pm-2am
Security	2	2	2	2	2	2	2

13. Will a private security firm be used? ☐ YES ☐ NO
- a. If yes, provide the following information of the contracted security firm:
- Name: Paragon Protection City Business License No.: 20707640
- Address: 3733 Delta Ave Telephone No.: (562) 427-0217
Long Beach

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	8am	8am	8am	8am	8am	8am	8am
Close	2am	2am	2am	2am	2am	2am	2am

PROXIMITY OF BUSINESSES AND RESIDENCES

19. Are there surrounding businesses?

☒ YES

☐ NO

a. What type?

Restaurants / retail

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)

c. Days and hours parking facility will be available:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
From	6am	6am	6am	6am	6am	6am	6am
To	2am	2am	2am	2am	2am	2am	2am

d. How many individual parking spaces (approximately)?

297

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: LIVE MUSICIANS

Dance Floor? ☒ Y ☐ N

Stage? ☒ Y ☐ N

If yes, provide dimensions and type of material of dance floor. L 17' X W 18' = 306 sq ft.

If yes, provide dimensions and type of material of stage. L 17' W 8' H 10"

Describe floor material and surface type: WOOD FLOORING

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	DJ LIVE	DJ LIVE	DJ LIVE	DJ LIVE	DJ LIVE	DJ LIVE	DJ LIVE
Start Time	5pm	5pm	5pm	5pm	5pm	5pm	5pm
End Time	2AM	2AM	2AM	2AM	2AM	2AM	2AM

RELEASE FORM

The undersigned, on behalf of (owner('s)) S. C. FISH GRILLE, LTD, 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) KHOURYS RESTAURANT

to obtain the (entertainment type) ENTERTAINMENT W/ DANCING 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 OR AUTHORIZED AGENT)

owner

(TITLE)

11-22-11

(DATE)


DRIVER'S LICENSE OR ID CARD NUMBER


STATE

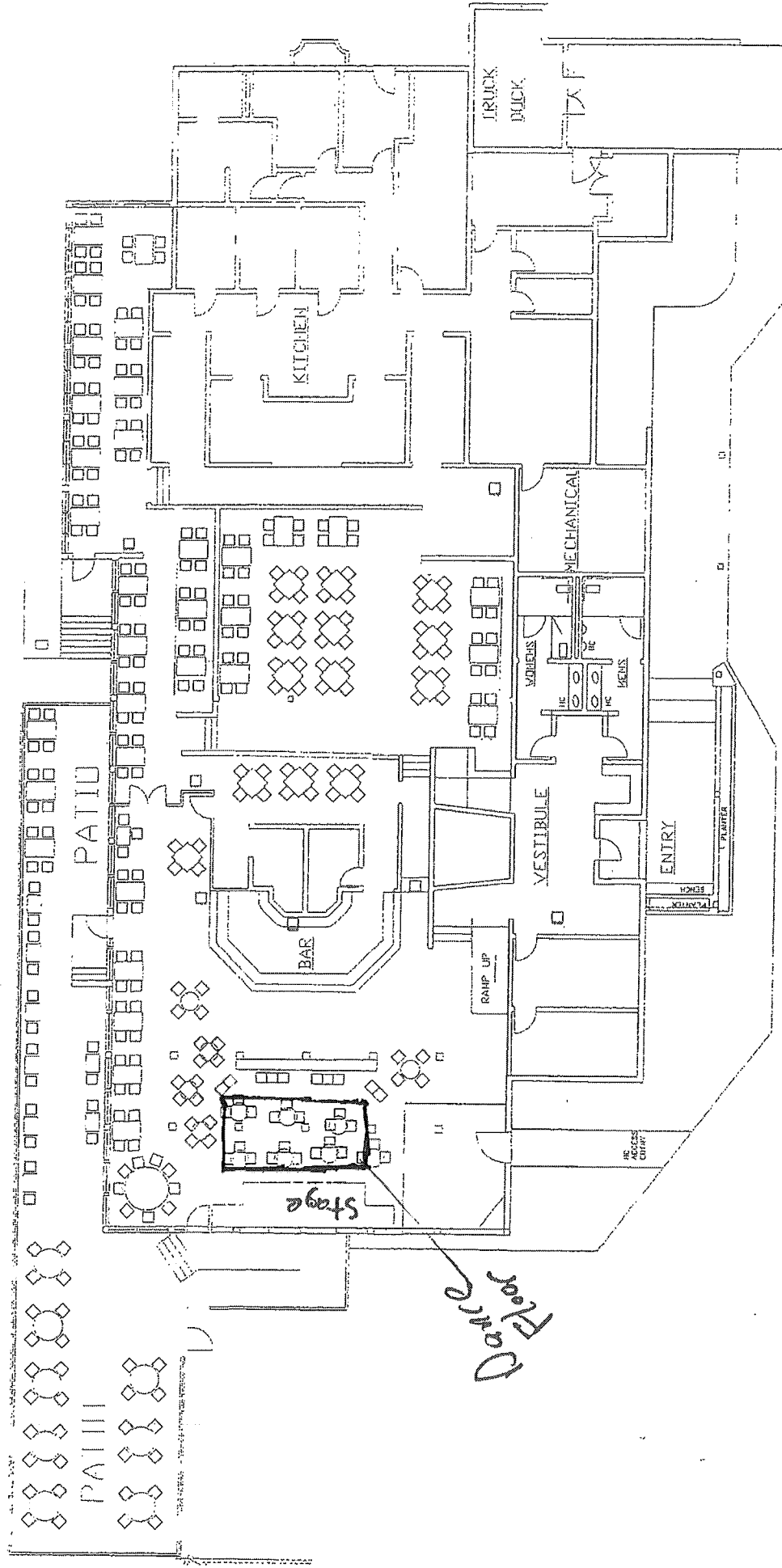

ACCEPTED BY (CITY STAFF)

AAA

TITLE

12/02/11

DATE



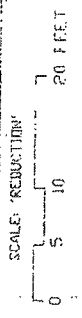
KHOURY'S RESTAURANT

116 MARINA DR.
SEAPORT VILLAGE/LONG BEACH MARINA L.B., CA 90803

COLLABORATIVE GROUP
COLLABORATIVE DESIGN
ARCHITECTURAL AND PLANNING DIVISION
P.O. BOX 9340 - MARINA DEL REY, CA 90275
562 946 9441 FAX 562 946 9364



FIRST FLOOR PLAN





Accepted By: 21138090 [Signature] Date: 12/02/11
Zoning Approval By: [Signature] Date: _____

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): S.C. Fish Grille, Ltd.

Business Name (DBA): KHOURYS RESTAURANT Business Phone: (562) 598-6800

Business Site Address: 110 N. MARINA DR LONG BEACH, CA 90803

Date Business Proposes To Open: _____

Days & Time Premises Are Open For Inspection: Tues - Fri 11 AM - 5 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: RESTAURANT / BANQUETS

Contact Person(s) Name (authorized agent, manager, etc.): JAMES KIM / OWNER

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: Police Chief Date: 1-27-12



Date: January 17, 2013

To: Erik Sund, Bureau Manager, Business Relations Bureau

From: Jim McDonnell, Chief of Police 

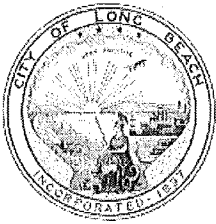
Subject: **APPLICATION FOR ENTERTAINMENT WITH DANCING PERMIT
KHOURY'S RESTAURANT – 110 NORTH MARINA DRIVE**

The Police Department recommends **approval** of this application for an Entertainment with Dancing Permit, by S.C. Fish Grill, LTD, dba Khoury's Restaurant, located at 110 Marina Drive, subject to the previously submitted conditions.

Khoury's Restaurant is located at 110 Marina Drive at the south end of the Alamitos Bay Marina and serves seafood cuisine for lunch and dinner. The corporation is owned by James Kim and currently holds a Type 47 (On-Sale General Eating Place) Alcoholic Beverage Control license. Khoury's has been operating on One-Year Short-Term Entertainment Permits for the last four years because of previous compliance related issues and increased calls-for-service. Although calls-for-service have decreased over the previous year, there were two incidents that included a shooting, and an assault with a deadly weapon arrest that occurred in October of 2011. Both incidents occurred during private events at the establishment. On December 2, 2011, Khoury's applied for a new Entertainment with Dancing Permit requesting live amplified music and a disc jockey.

Based upon the Vice Section's investigation and the East Division Patrol Commander's recommendation, the Long Beach Police Department has determined the public 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 the requested permit, subject to the conditions provided in the attached memorandum.

JM:CNA:cna
AppvlKhoury's



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT
BUSINESS RELATIONS BUREAU

333 WEST OCEAN BOULEVARD 7TH FLOOR • LONG BEACH, CA 90802 • (562) 570-6211

Recommended Conditions of Operation **S.C. Fish Grille, LTD., DBA Khoury's Restaurant** **110 N. Marina Drive, Long Beach, CA 90803**

The above named permit applicant has applied for Entertainment with dancing for a restaurant. Based upon your review of this location, please indicate which recommendations the Police Department's feels are appropriate:

RECOMMENDATION

✓ Approve

— One-Year Short Term

— Deny

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. Entertainment activities indicated on page #7 of your entertainment application shall be restricted to no later than 12 Midnight, Sunday through Thursday nights, and until 1:00 AM, Friday and Saturday nights, and holidays.
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.

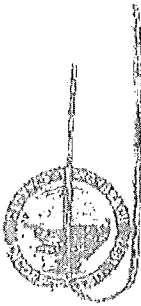
In the event the primary business ceases operations, fails to operate as a bona fide eating place, fails to serve actual and substantial meals or otherwise fails to comply with this condition, the Entertainment Permit becomes null and void.

5. The use of speakers to provide amplified sound on the patio shall be prohibited at all times. This restriction shall not apply to a self contained unit, such as a portable radio, so long as the speaker size does not exceed six (6) inches, and the sound cannot be heard more than 50 feet from the patio.
6. Noise emanating from the permittee's premises shall not be audible beyond fifty feet (50') from the property line of the premises. The permittee shall be responsible for determining how to best meet this requirement, either by keeping doors and windows closed, limiting hours of entertainment, or by offering non-amplified entertainment.
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. In addition to the above security requirements, the permittee shall staff one (1) "Security guard" on the boat dock anytime the banquet hall is used for entertainment purposes. Security guards assigned to the dock shall ensure that patrons do not loiter near the docks or the immediate area, and ensure that NO ALCOHOL is permitted on the boat dock. Security guards must be identifiable. The Chief of Police may increase or relax this condition, based upon calls for service related to problems on the boat dock.
9. 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.**
10. 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.
11. 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.
12. 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.

13. 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.
14. Khoury's Restaurant, 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.
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.
17. 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.
18. 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.
19. 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.
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.



Accepted By: 21138090 JK Date: 12/02/11
Zoning Approval By: Dee M. [Signature] Date: _____

APPLICATION FOR ENTERTAINMENT PERMIT
(Please Print All Information - Incomplete Applications Will Not Be Accepted)

Applicant's Name (Legal Ownership Structure): S.C. Fish Grille, Ltd.
Business Name (DBA): KHOURYS RESTAURANT Business Phone: (562) 598-6800
Business Site Address: 110 N. MARINA DR LONG BEACH, CA 90803
Date Business Proposes To Open: _____
Days & Time Premises Are Open For Inspection: Tues - Fri 11 AM - 5 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:

RESTAURANT / BANQUETS

Contact Person(s) Name (authorized agent, manager, etc.): JAMES KIM / OWNER

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: 9/20/12

☒ 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): 9/20/12 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: S Date: 12/2



CITY OF LONG BEACH

DEPARTMENT OF HEALTH AND HUMAN SERVICES

100 W BROADWAY STE 400 ! LONG BEACH, CA 90802 ! 562-570-6513 FAX 562-570-6930

ENVIRONMENTAL HEALTH
NOISE OFFICE

DEPARTMENT OF HEALTH AND HUMAN SERVICES ENTERTAINMENT PERMIT APPLICATION REQUIREMENTS

Date: 11-22-11

Name of Business (DBA): KHOURYS RESTAURANT

Name of Business Owner: S.C. FISH GRILLE, LTD.

Business Address: 110 N. MARINA DR.
LONG BEACH, CA 90803

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) _____

Title owner

Phone # 562-598-6800

FAX # _____



Accepted By: 21138090 JK Date: 12/02/11
Zoning Approval By: PRE JK Date: _____

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): S.C. Fish Grille, Ltd.

Business Name (DBA): KHOURYS RESTAURANT Business Phone: (562) 598-6800

Business Site Address: 110 N. MARINA DR LONG BEACH, CA 90803

Date Business Proposes To Open: _____

Days & Time Premises Are Open For Inspection: Tues - Fri 11 AM - 5 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: RESTAURANT / BANQUETS

Contact Person(s) Name (authorized agent, manager, etc.): JAMES KIM / OWNER

Contact Person(s) Phone Number: [REDACTED]

Type of Organization:

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

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Inspection Completed On (date): 1-20-12 By: DXW

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
Working Together to Serve

Memorandum

Date: December 16, 2011
To: Erik Sund, Manager of Business Relations Bureau
From: Derek Burnham, Planning Administrator *DB*
Subject: REVIEW OF ENTERTAINMENT LICENSE REQUEST

Site Address: 110 N. Marina Drive
Long Beach, CA 90803

Applicant: S.C. Fish Grill, Ltd
DBA Khoury's Restaurant

Zoning District: PD-4 (Long Beach Marina Planned Development District)

Proposed Use: Entertainment with Dancing

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

A review of the permit history for 110 N. Marina Drive, indicates that one Conditional Use Permit Exemption (Case No. 39-96) was approved for alcohol sales with meals only at an existing restaurant with a legal, non-conforming fixed bar.

The subject property was previously approved for an entertainment permit with dancing in October of 2010. Based on the floor plans submitted for the previous application and the current application there have been no significant changes to the floor plan. No additional parking is required.

Planning Bureau recommends that the entertainment permit with dancing for "Khoury's" be approved.

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