



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

H-1

333 West Ocean Blvd • Long Beach, California 90802

October 21, 2008

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the supporting documentation into the record, conclude the hearing and grant the permit, with or without conditions, grant a one year short-term permit, with or without conditions, or deny the permit on the application of Warne Lo LLC, DBA Hamburger Mary's, 740 E. Broadway, for Entertainment With Dancing by Patrons at an existing Restaurant. (District 2)

DISCUSSION

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

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

Attached for your review is the application from Warne Lo LLC, DBA Hamburger Mary's. Also attached are reports from various departments and a summary of those reports, as well as the license history of the establishment.

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

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

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

In the event that any of the recommended conditions attached to any permit or licenses are in conflict, the permittee shall adhere to the strictest of the applicable conditions. This location has been licensed as a restaurant with alcohol since October 2000.

This matter was reviewed by Deputy City Attorney Cristyl Meyers on September 24, 2008.

TIMING CONSIDERATIONS

The hearing date of October 21, 2008, has been posted on the business location, with the applicant and property owners within 300 feet notified by mail.

FISCAL IMPACT

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

The following fees will be collected if the application is approved: Business License \$325.85 and Regulatory \$825 (Financial Management Department).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



LORI ANN FARRELL
DIRECTOR OF FINANCIAL MANAGEMENT/CFO

APPROVED:



PATRICK H. WEST
CITY MANAGER



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

SUMMARY OF APPLICATION FOR BUSINESS PERMIT

Attached for your review and action is an application for Warne Lo LLC, DBA Hamburger Mary's. Also attached are reports from various departments stating their recommended disposition of the subject application. These are summarized as follows:

SUBMITTED FOR CITY COUNCIL ACTION

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

Questions concerning the above may be directed to the following:

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

Compiled by: Department of Financial Management
Commercial Services Bureau



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

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

COMMERCIAL SERVICES DIVISION

FIVE YEAR HISTORY OF BUSINESS ESTABLISHMENT 740 E Broadway

Warne Lo LLC
DBA: Hamburger Mary's
Lic#20828020
06/08 – Active

Restaurant With Alcohol

Warne Lo LLC
DBA: Hamburger Mary's
Lic#20828640
06/08 – Pending City Council approval

Entertainment With Dancing

Warne Lo LLC
DBA: Hamburger Mary's
Lic#20828050
06/08 – Active

1 Pool Table

Mick & Mack's Inc.
DBA: Mick & Mack's
Lic#20630550
06/06 – 04/08

Restaurant With Alcohol

Mick & Mack's Inc.
DBA: Mick & Mack's
Lic#20630570
11/06 – 04/08

Entertainment With Dancing

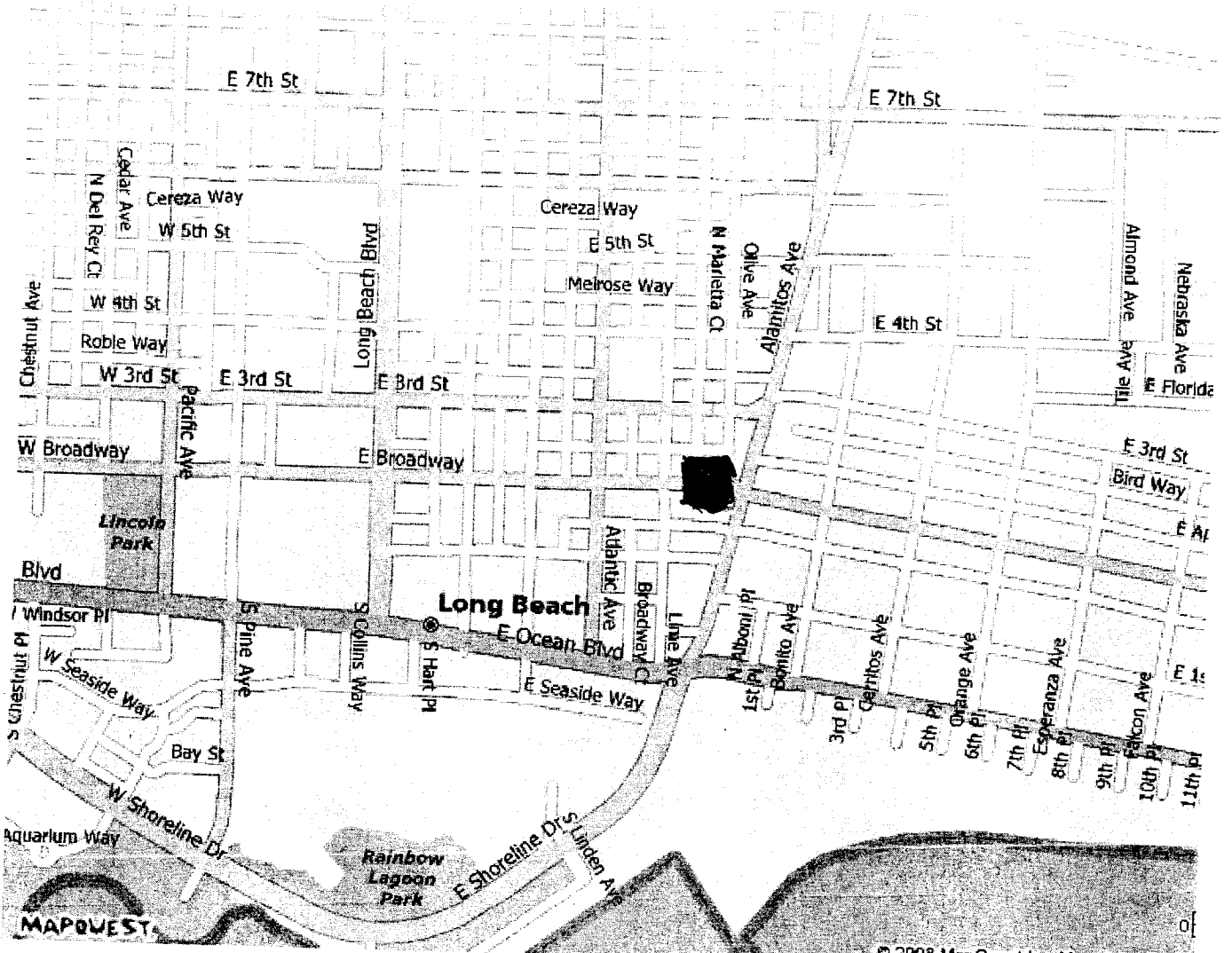
Libra Partners LLC
DBA: Choices
Lic#20042630
10/00 – 06/06

Restaurant With Alcohol

Libra Partners LLC
DBA: Choices
Lic#20147980
04/02 – 06/06

Entertainment With Dancing

HAMBURGER MARY'S 740 E. BROADWAY





CITY OF LONG BEACH BUSINESS LICENSE APPLICATION

4th Floor, City Hall

333 W. Ocean Boulevard, Long Beach, CA 90802

www.longbeach.gov

(562) 570-6211

TDD (562) 570-6793

GENERAL INFORMATION

OWNER'S NAME (If corporation, use corporate name. If partnership - principal) <u>Worne Jo 25c</u>	DRIVER'S LICENSE NUMBER [REDACTED]	STATE [REDACTED]	SOCIAL SECURITY NUMBER [REDACTED]
BUSINESS NAME (D.B.A.) <u>Hamburger Mary's</u>	TYPE OF BUSINESS (Be specific): <u>Restaurant</u> HOME OCCUPATION <input type="checkbox"/>		
BUSINESS ADDRESS <u>740 E Broadway</u>	STREET	CITY <u>Long Beach</u>	STATE <u>CA</u>
MAILING ADDRESS (if different)	STREET	CITY	STATE
RESIDENCE ADDRESS (if different)	STREET	CITY	STATE
LIST OF PRINCIPAL OFFICERS' OR PARTNERS' NAMES AND ADDRESSES		TITLE	PERCENT OWNERSHIP
<u>Dale Worne</u>		<u>Managing Member</u>	<u>75</u>
<u>Rubin Lopez</u>		<u>Member</u>	<u>25</u>
<input type="checkbox"/> New Business <input type="checkbox"/> Address Change <input checked="" type="checkbox"/> Ownership Change <input type="checkbox"/> Secondary License <input type="checkbox"/> Sole Owner <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> L.L.P. <input checked="" type="checkbox"/> L.L.C.			

BUSINESS OPERATIONS INFORMATION

START DATE <u>6/20/08</u>	NO. OF EMPLOYEES <u>10</u>	NO. OF VEHICLES <u>3</u>	FEDERAL TAX ID NUMBER [REDACTED]	SALES TAX (SELLER'S PERMIT) NUMBER <u>100-286693 00007</u>
Does your business have a Calif State Lic? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		STATE LICENSE NUMBER	CLASSIFICATION(S)	RENEWAL DATE

FOOD / ALCOHOL / ENTERTAINMENT

Do you plan to sell or serve food? (including pre-packaged) Y N

If selling food, are there more than 10 square feet of food products displayed? Y N

If serving food, how many seats?: 120

Do you plan to sell or serve alcoholic beverages? Y N

If yes, ABC License number: 47-440519

Does your business involve amusement machines, video games and/or pool tables? Y N

How many: 1 Type: Pool

Does your business have vending machines? Y N

How many: _____ Type: _____

Will you have: dancing, music (live or amplified)?

SERVICES / FUND RAISING

Will you provide a towing service? Y N

Will you offer massage, bodywrap, escort or other similar personal services? Y N

Will you engage in fund raising? Y N

Will you deal in coins, stamps, firearms, jewels, or second-hand property? Y N

HAZARDOUS MATERIALS / MEDICAL WASTE

Will you use, store, or transport chemicals (new or waste state)? Y N

Will you manage or produce biohazardous materials or waste? Y N

BUILDING AND FACILITY INFORMATION

Business sq. ft.: 400

Do you own or rent/lease your business property?

Does your business require construction and/or remodeling? Y N

ACKNOWLEDGMENT

I have received a copy of "OPERATING A BUSINESS IN LONG BEACH". I understand that before I can operate my business in Long Beach, my establishment must comply completely or I will be in violation of the L. B. M. C., Section 3.80.421.5. I declare, under penalty of perjury, that I am authorized to complete this application. To the best of my knowledge and belief, the provided information and statements are true and correct.

SIGN and return this statement with your remittance.

Make checks payable to City of Long Beach

Owner or Authorized Agent

[REDACTED] 6/16/08 Dale Worne Managing Member

DO NOT WRITE BELOW THIS LINE

Review Path: <input type="checkbox"/> Min <input type="checkbox"/> Mod <input type="checkbox"/> Com	Inspection(s): <input type="checkbox"/> Bldg <input type="checkbox"/> Fire <input type="checkbox"/> Hlth <input type="checkbox"/> PD <input type="checkbox"/> Oth	Date/time: <u>7/13/08</u>
Basic Tax	- \$	Prev User: <u>Restaurant w/ Alcohol</u>
Employees	# @ \$	Exp Date: <u>7/13/08</u>
Vehicles	# @ \$	Prev Lic:
Other	# @ \$	Exp date:
DPIA, BSPA, BKBA base	-	District: <u>15</u>
PIA Employees	# @ \$	<u>3050507</u>
Regulatory	-	SIC: <u>5813</u>
Investigation	- <u>1000.00</u>	Entered by: <u>[Signature]</u>
Misc. Fees <u>labels, probator</u>	- <u>78.40</u>	Date: <u>6/16/08</u>
Sub Total	- \$	BU
Zoning	- <u>14.00</u>	
Building Inspection	- <u>20.00</u>	
Total	- <u>1518.40</u>	<u>288 28640</u>

Zoning Review

Y N N/A

By: [Signature]

Date: 6/16/08

New construction Reuse

Zone:

Comments: Change ownership

NOTE: THIS IS NOT A BUSINESS LICENSE. DO NOT OPERATE UNTIL A VALID LICENSE HAS BEEN ISSUED. THIS INFORMATION IS AVAILABLE IN AN ALTERNATIVE FORMAT BY CONTACTING 562/570-6211



OFFICE USE ONLY

Accepted By: [Signature] Date: 6/10/08
 Zoning Approval By: _____ Date: 6/10/08

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): Warne Jo LLC

Business Name (DBA): Hamburger Mary's Business Phone: () 310 291 1368

Business Site Address: 740 E Broadway

Date Business Proposes To Open: 6/19/08

Days & Time Premises Are Open For Inspection: 11am - 2am

Proposed Use(s):

Entertainment/Restaurant With Dancing Without Dancing

Entertainment/Tavern With Dancing Without Dancing

Social Club Pool or Billiard Hall Other (explain)

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

Dining, Dancing, Live entertainment

Contact Person(s) Name (authorized agent, manager, etc.): Dak Warner

Contact Person(s) Phone Number: (310) 291 1368

Type of Organization:

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

OFFICE USE ONLY

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

Building/Location meets Department Requirements for the proposed use.

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

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

Inspection Completed On (date): _____ By: _____

POLICE DEPARTMENT

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

Police Department finds no for basis for denial with conditions

Conditions or Basis for Denial: _____

By: _____ Title: _____ Date: _____

GENERAL INFORMATION (All Applicants)

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

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

Hamburger Mary's

Place and date of filing fictitious business name statement: _____

Sacramento 10/09

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:

Dale Warner _____

Ruben Lopez _____

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

Dale Warner _____

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:

State of CA ABC 47-440519 Sellers _____ (Ca Board of Equalization)

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? _____

5 years

Is the location: Owned? Rented/Leased?

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

Name: Surt + Sand

Address: 333 W Redondo

Long Beach CA

IF APPLYING AS A CORPORATION

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

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

Name of Corporation: Warner 2025C


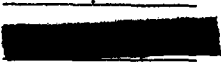


Corporation Number: 200325910240

Date and Place of Incorporation: Sacramento 10/03

Location Headquarters: 4044 W 7th 2A, CA 90005

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>Dale Warner</u>	<u>Managing Membr</u>		
<u>Rebecca Spitz</u>	<u>Membr</u>		
			()
			()

Numbers of shares issued by Corporation: 0

Number of share retained by Corporation: All

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

None None

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

4044 W 7th 2A CA 90005

Dale Warner

IF APPLYING AS A CORPORATION

INFORMATION IS REQUESTED FOR POLICE DEPARTMENT IDENTIFICATION AND INVESTIGATION

CORPORATE OFFICER I

Name: Dale Warner Title: Managing Member
Residence Address: [REDACTED] Phone: [REDACTED]
Business Address: 740 E Broadway Phone: 562 436 7900
Race: [REDACTED] Sex: [REDACTED] Hair: [REDACTED] Eyes: [REDACTED] Height: [REDACTED] Weight: [REDACTED]
Date of Birth (mm/dd/yyyy): [REDACTED] Place of Birth: [REDACTED]
Driver's License Number: [REDACTED] Issuing State: [REDACTED]

CORPORATE OFFICER II

Name: Ruben Lopez Title: Member
Residence Address: [REDACTED] Phone: [REDACTED]
Business Address: 740 E Broadway Phone: 562 436 7900
Race: [REDACTED] Sex: [REDACTED] Hair: [REDACTED] Eyes: [REDACTED] Height: [REDACTED] Weight: [REDACTED]
Date of Birth (mm/dd/yyyy): [REDACTED] Place of Birth: [REDACTED]
Driver's License Number: [REDACTED] Issuing State: [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

463334

restaurant 47

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: Hamburgers Sandwiches Full meals

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

3. Are non-alcoholic beverages sold? YES NO

4. How many tables for seating? 30

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: 1

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

a. If yes, license number: 20828050

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	7 ⁰⁰ -2	11-2	11-2	11-2	11-2	11-2	11-2
Security	S-2	S-2	S-2	S-2	S-2	S-2	S-2

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: \$ 5 over 21 18-21 - \$7

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	11	11	11	11	11	11	11
Close	2	2	2	2	2	2	2

PROXIMITY OF BUSINESSES AND RESIDENCES

19. Are there surrounding businesses?

YES NO

a. What type?

Restaurants / Bars

20. Are there surrounding residences?

YES NO

a. Approximately how close?

2000 feet

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	11	11	11	11	11	11	11
To	2	2	2	2	2	2	2

d. How many individual parking spaces (approximately)?

~~30~~ 33

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: Dry Shows, Dancing, Karaoke, DJ

Dance Floor? Y N

If yes, provide dimensions and type of material of dance floor 14' x 17' = 238 sq ft

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

Describe floor material and surface type: Wood

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	Dry Show Dancing	Karaoke Dancing	DJ Dancing	DJ Dancing	DJ Dancing	DJ Dancing	DJ Dancing
Start Time	6 pm	6 pm	6 pm	6 pm	5 pm	11 am	11 am
End Time	2 am	2 am	2 am	2 am	2 am	2 am	2 am

RELEASE FORM

The undersigned, on behalf of (owner('s)) Wanda's LLC, 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) Homburg Mary's

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)

Managing Member

(TITLE)

6/16/08


(DATE)



DRIVER'S LICENSE OR ID CARD NUMBER

NY

STATE



ACCEPTED BY (CITY STAFF)

CSR III

TITLE

6/16/08

DATE

STATE OF CALIFORNIA
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
ALCOHOLIC BEVERAGE LICENSE

ON-SALE GENERAL EATING PLACE

VALID FROM

JUN 09, 2008

EXPIRES

MAY 31, 2009

WARNE LO LLC
4044 W 7TH ST
LOS ANGELES, CA 90005-8503

TYPE NUMBER DUP

47 468334

TRANSFER
TFR - 47-440519

AREA CODE

1932 03

BUSINESS ADDRESS
(IF DIFFERENT)

DBA: HAMBURGER MARYS
740 E BROADWAY
LONG BEACH, CA 90802-5134

OWNERS

WARNE LO LLC

Conditions



IMPORTANT INFORMATION

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

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

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

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

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

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

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

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

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

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

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License Serial # 2029945854

BEFORE THE
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
OF THE STATE OF CALIFORNIA

In the Matter of the Application of:

WARNE LO LLC
Dbas: Hamburger Marys
740 E Broadway
Long Beach, CA 90802

File: 47-463334

Reg:

PETITION FOR
CONDITIONAL
LICENSE

For issuance of an On-Sale General Eating Place

Under the Alcoholic Beverage Control Act

WHEREAS, petitioner(s) has/have filed an application for the issuance of the above-referred-to license(s) for the above-mentioned premises; and,

WHEREAS, pursuant to Section 23958 of the Business and Professions Code, the Department may deny an application for a license where issuance would result in or add to an undue concentration of licenses; and,

WHEREAS, the proposed premises are located in Census Tract 5761 where there presently exists an undue concentration of licenses as defined by Section 23958.4 of the Business and Professions Code; and,

WHEREAS, the proposed premises are located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivisions(c) of Section 23958.4, than the average number of reported crimes as determined from all crime reporting districts with the jurisdiction of the local law enforcement agency; and,

WHEREAS, the petitioner(s) stipulate(s) that by reason of the aforementioned high crime and over concentration of licenses, grounds exist for denial of the applied-for license(s); and,


WHEREAS, the proposed premises is within 600 feet from Unity Church; and,

WHEREAS, issuance of an unrestricted license without the below-described conditions may interfere with the public use of the above-mentioned consideration point; and,

NOW THEREFORE, the undersigned petitioner(s) do/does hereby petition for a conditional license as follows, to-wit:

1. Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 9:00 a.m. and 2:00 a.m. each day of the week.
2. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the licensee(s) shall be removed or painted over within 24 hours of being applied.
3. There shall be no more than three (3) amusement machines or video machines maintained upon the premises at any time.

ABC-172 (2/00)

Initials 

4. Entertainment provided shall not be audible beyond the area under the control of the licensee(s) as defined on the ABC-257 dated 1-22-08 and ABC-253 dated 1-22-08
5. Between the hours of 10:00 p.m. and 2:00 a.m. or at any time the premises are providing live entertainment, the petitioner(s) shall provide one (1) security personnel in the parking lot and shall maintain order therein and prevent any activity which would interfere with the quiet enjoyment of their property by nearby residents. Said personnel shall be clothed in such a manner as to be readily identifiable as security.
6. The sale of alcoholic beverages for consumption off the premises is strictly prohibited.
7. The subject alcoholic beverage license shall not be exchanged for a public premises type license nor operated as a public premises.
8. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, as depicted on the ABC-257 dated 1-22-08 and ABC-253 dated 1-22-08.
9. The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot. Additionally, the position of such lighting shall not disturb the normal privacy and use of any neighboring residences.
10. No pay phone will be maintained on the exterior of the premises.

This petition for conditional license is made pursuant to the provisions of Sections 23800 through 23805 of the Business and Professions Code and will be carried forward in any transfer at the applicant-premises.

Petitioner(s) agree(s) to retain a copy of this petition on the premises at all times and will be prepared to produce it immediately upon the request of any peace officer.

The petitioner(s) understand(s) that any violation of the foregoing condition(s) shall be grounds for the suspension or revocation of the license(s).

DATED THIS 22nd DAY OF January, 2008


Applicant/Petitioner

Applicant/Petitioner



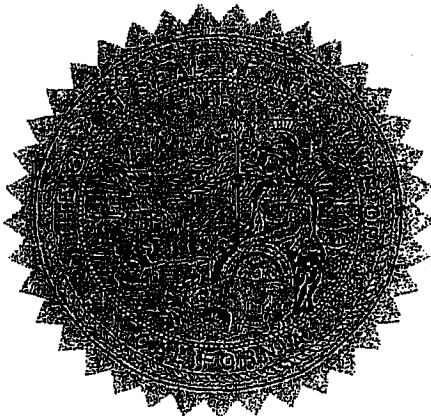
SECRETARY OF STATE

I, *Kevin Shelley*, Secretary of State of the State of California, hereby certify:

That the attached transcript of 1 page(s) was prepared by and in this office from the record on file, of which it purports to be a copy, and that it is full, true and correct.

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

SEP 22 2003



Kevin Shelley

Secretary of State



State of California
Secretary of State

L

STATEMENT OF INFORMATION
(Limited Liability Company)

Filing Fee \$20.00. If amendment, see instructions.

IMPORTANT — READ INSTRUCTIONS BEFORE COMPLETING THIS FORM

1. **LIMITED LIABILITY COMPANY NAME** (Please do not alter if name is preprinted.)

200325910240
WARNE LO, LLC
4044 W 7TH STREET
LOS ANGELES CA 90005

This Space For Filing Use Only

DUE DATE: 09/30/2005

FILE NUMBER AND STATE OR PLACE OF ORGANIZATION

2. **SECRETARY OF STATE FILE NUMBER**

200325910240

3. **STATE OR PLACE OF ORGANIZATION**

CA

NO CHANGE STATEMENT

If there has been no change in any of the information contained in the last Statement of Information filed with the Secretary of State, check the box and proceed to Item 13.
If there have been any changes to the information contained in the last Statement of Information filed, or no Statement of Information has been previously filed, this form must be completed in its entirety.

COMPLETE ADDRESSES FOR THE FOLLOWING (Do not abbreviate the name of the city. Items 4 and 5 cannot be P.O. Boxes.)

4. **STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE** CITY AND STATE ZIP CODE

5. **CALIFORNIA OFFICE WHERE RECORDS ARE MAINTAINED (DOMESTIC ONLY)** CITY STATE ZIP CODE
CA

NAME AND COMPLETE ADDRESS OF THE CHIEF EXECUTIVE OFFICER, IF ANY

6. **NAME ADDRESS CITY AND STATE ZIP CODE**

NAME AND COMPLETE ADDRESS OF ANY MANAGER OR MANAGERS, OR IF NONE HAVE BEEN APPOINTED OR ELECTED, PROVIDE THE NAME AND ADDRESS OF EACH MEMBER (Attach additional pages, if necessary.)

7. **NAME ADDRESS CITY AND STATE ZIP CODE**

8. **NAME ADDRESS CITY AND STATE ZIP CODE**

9. **NAME ADDRESS CITY AND STATE ZIP CODE**

AGENT FOR SERVICE OF PROCESS (If the agent is an individual, the agent must reside in California and Item 11 must be completed with a California address. If the agent is a corporation, the agent must have on file with the California Secretary of State a certificate pursuant to Corporations Code section 1505 and Item 11 must be left blank.)

10. **NAME OF AGENT FOR SERVICE OF PROCESS**

11. **ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL** CITY STATE ZIP CODE
CA

TYPE OF BUSINESS

12. **DESCRIBE THE TYPE OF BUSINESS OF THE LIMITED LIABILITY COMPANY**

13. **THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.**

Paul P. Warner III
TYPE OR PRINT NAME OF PERSON COMPLETING THE FORM



Managing Member 6/30/05
TITLE DATE

LLC-12R (REV 03/2005)

APPROVED BY SECRETARY OF STATE

DISPLAY CONSPICUOUSLY AT PLACE OF BUSINESS FOR WHICH ISSUED

CALIFORNIA STATE BOARD OF EQUALIZATION

SELLER'S PERMIT



ACCOUNT NUMBER

6/20/2008

HAMBURGER MARYS
WARNE LO LLC
740 E BROADWAY
LONG BEACH, CA 90802-5134

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

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

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

Not valid at any other address

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

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

BOE-442-R REV. 15 (2-06)

A MESSAGE TO OUR NEW PERMIT HOLDER

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

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

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

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

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

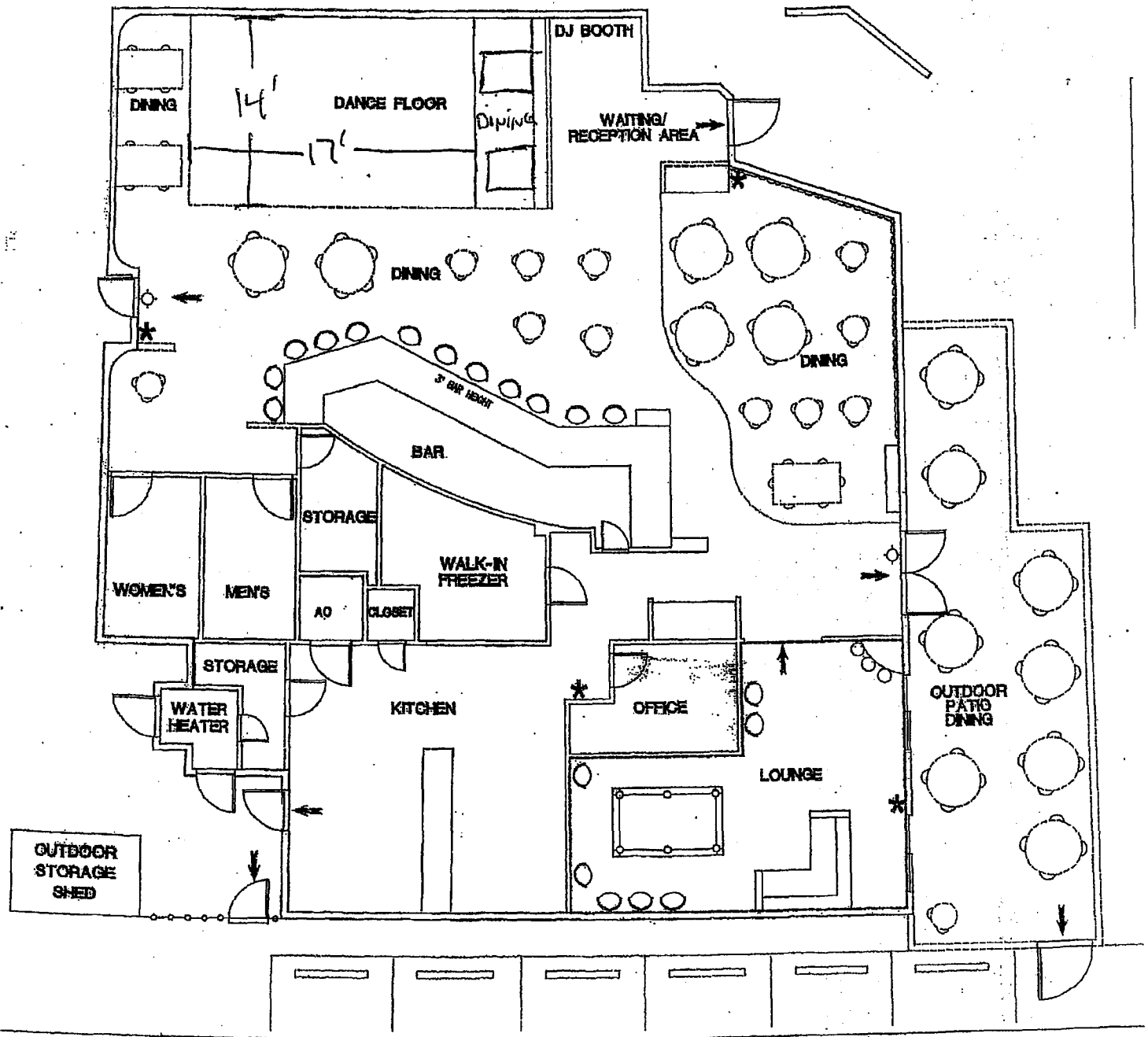
If you would like to know more about your rights as a taxpayer, or if you are unable to resolve an issue with the Board, please contact the Taxpayers' Rights Advocate Office for help by calling toll-free, 888-324-2798 or 916-324-2798. Their fax number is 916-323-3319.

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

STATE BOARD OF EQUALIZATION
Sales and Use Tax Department

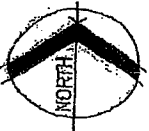
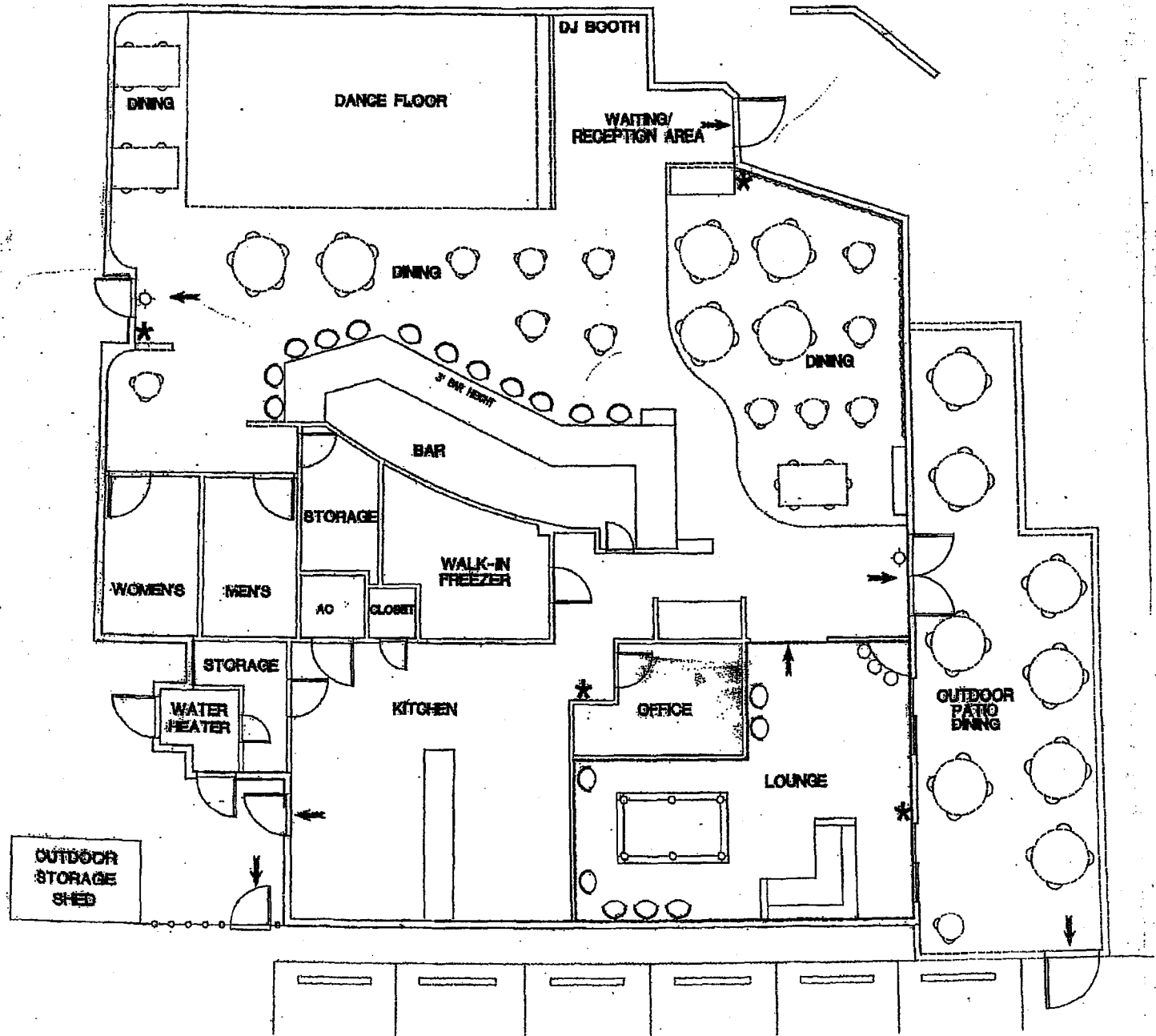
Hamburger Mary's Revised Plan
740 E. Broadway

← BROADWAY AVENUE →

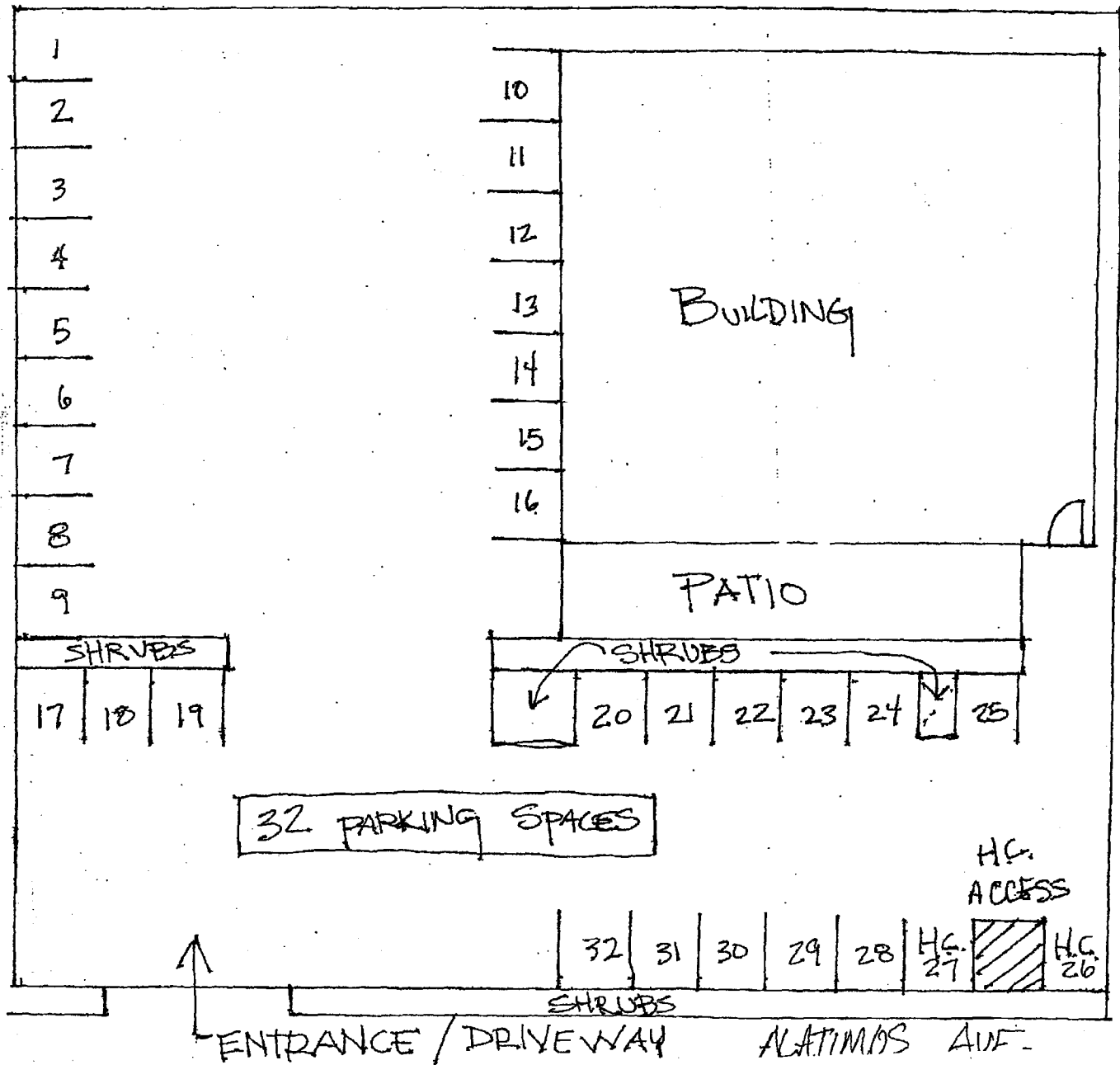


SCALE 1" = 10'

← BROADWAY AVENUE →



SCALE 1" = 10'



BROADWAY

HAMBURGER MARY'S 740 E BROADWAY



OFFICE USE ONLY

Accepted By: [Signature] Date: 6/10/08
 Zoning Approval By: [Signature] Date: 6/16/08

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): Warne Jo LLC
 Business Name (DBA): Hamburger Mary's Business Phone: () 310 291 1368
 Business Site Address: 740 E Broadway
 Date Business Proposes To Open: 6/19/08
 Days & Time Premises Are Open For Inspection: 11am - 2am

Proposed Use(s):

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

Explain briefly the proposed use of the rooms within the building:
Dining, Dancing, Live entertainment

Contact Person(s) Name (authorized agent, manager, etc.): Dale Warner
 Contact Person(s) Phone Number: (310) 291 1368

Type of Organization:

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

OFFICE USE ONLY

Building Fire Health (Check Inspecting Department) Date Received: _____
 Building/Location meets Department Requirements for the proposed use.
 Building/Location meets Department Requirements for the proposed use subject to the following conditions:

 Building/Location does not meet Department requirements for the proposed use.
 Inspection Completed On (date): _____ By: _____

POLICE DEPARTMENT

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

Conditions or Basis for Denial: _____

By: [Signature] Title: COJ Date: 8-5-08



Date: August 7, 2008
To: Pamela Wilson-Horgan, Manager, Commercial Services Bureau
From: Anthony W. Batts, Chief of Police
Subject: **APPLICATION FOR ENTERTAINMENT WITH DANCING AT HAMBURGER MARY'S - 740 EAST BROADWAY**

In response to your request for a recommendation regarding the above named permit application for Entertainment with Dancing, the Police Department recommends **approval**, subject to the following eighteen (18) conditions of operation:

Hamburger Mary's is a restaurant/nightclub located at the southwest corner of Broadway and Alamitos Avenue. The business is owned and operated by Dale Warner and Ruben Lopez, who also own Hamburger Mary's in West Hollywood. The restaurant serves domestic food and is open for lunch and dinner. The permittee will provide entertainment activities during and after dinner. There has been no disciplinary action taken against the West Hollywood Hamburger Mary's. Since opening, there have been no adverse incidents at the Long Beach location.

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 5.72.115(B) LBMC shall be conducted on the permitted premises.
- 3) The permittee shall not allow any person (employee, independent contractor, dancer or customer) to perform or conduct any activity that emphasizes any of the below listed sexual activities which are common during a "lap dance."
 - A. Actual or simulated, sexual intercourse, anal intercourse, oral or anal copulation.
 - B. Direct physical stimulation, fondling or touching of clothed or unclothed human genitals, pubic region, buttocks or female breasts.

ENTERTAINMENT WITH DANCING AT HAMBURGER MARY'S
740 EAST BROADWAY

Page 2

- 4) Hamburger Mary's shall not advertise, procure, nor allow any person, performance, show, promotion, or any other event or entertainment that exposes or promotes, encourages, or allows the exposure of the male or female genitals, cleft of the buttocks, the areola or any portion of the female breast below the areola, while at or inside the business.
- 5) 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.
- 6) Noise emanating from the permittee's premises shall not be audible 50 feet or more from the exterior of the premises. The permittee shall be responsible for determining how to best meet this requirement, either by keeping doors and windows shut, limiting hours of entertainment or by offering non-amplified entertainment.
- 7) The permittee shall not allow employees to discard trash or beer bottles into the outside dumpster between the hours of 10 p.m. and 7 a.m.
- 8) During any entertainment activity listed on page #7 of the application, the permittee shall be responsible for maintaining an adequate security staff to supervise patrons inside the establishment and the parking lot. For crowds up to fifty (50) people, the permittee shall provide a minimum of one (1) security guard. For crowds over (50) fifty people, the permittee shall provide a minimum of one (1) additional security guard per fifty (50) people. Security guards must be identifiable as "Hamburger Mary's employees." Should the permittee's operations give rise to a substantial increase in complaints/calls for service, or trash left in the parking lot, the permittee shall increase staff, or employee uniformed licensed security guards, as directed by the Chief of Police.
- 9) 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 open for business. This should be done by use of security guards and/or signage indicating, words to the effect of, "Please respect our neighbors."
- 10) 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.
- 11) The permittee agrees to reimburse the City 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.

ENTERTAINMENT WITH DANCING AT HAMBURGER MARY'S
740 EAST BROADWAY

Page 3

- 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. (LBMC section 18.48.320)
- 13) This Entertainment Permit is accessory to the primary business, which is a restaurant. In the event the primary business ceases operations on a permanent basis, meaning meals are no longer offered at the location period, the entertainment permit becomes null and void.
- 14) All independent contractors, including dancers and 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, independent contractors or dancers.
- 15) 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.
- 16) Hamburger Mary's, its promoters, or agents, shall not distribute any advertising matter 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 promoter contracts, including names, addresses and phone numbers, on file at all times, and must be available for inspection at anytime.
- 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) 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.



OFFICE USE ONLY

Accepted By: [Signature] Date: 6/16/08
 Zoning Approval By: _____ Date: _____

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): Warne Jo LLC
 Business Name (DBA): Hamburger Mary's Business Phone: () 310 291 1368
 Business Site Address: 740 E Broadway
 Date Business Proposes To Open: 6/19/08
 Days & Time Premises Are Open For Inspection: 11am - 2am

Proposed Use(s):

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

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

Pining, Dancing, Live entertainment

Contact Person(s) Name (authorized agent, manager, etc.): Dale Warner

Contact Person(s) Phone Number: (310) 291 1368

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): 6/23/08 By: Parker C. 70741

POLICE DEPARTMENT

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

Conditions or Basis for Denial: _____

By: [Signature] Title: Fire Inspector Date: 6/23/08



OFFICE USE ONLY

Accepted By: [Signature] Date: 6/10/08
 Zoning Approval By: [Signature] Date: 6/16/08

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): Warne Jo LLC
 Business Name (DBA): Hamburger Mary's Business Phone: () 310 291 1368
 Business Site Address: 740 E Broadway
 Date Business Proposes To Open: 6/19/08
 Days & Time Premises Are Open For Inspection: 11am - 2am

Proposed Use(s):

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

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

Primary, Dancing, Live entertainment

Contact Person(s) Name (authorized agent, manager, etc.): Dale Warner
 Contact Person(s) Phone Number: (310) 291 1368

Type of Organization:

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

OFFICE USE ONLY

Building Fire Health (Check Inspecting Department) Date Received: _____
 Building/Location meets Department Requirements for the proposed use.
 Building/Location meets Department Requirements for the proposed use subject to the following conditions:
This establishment must stay in compliance with Chapter 8.80 of the Long Beach Noise Ordinance.
 Building/Location does not meet Department requirements for the proposed use.
 Inspection Completed On (date): 6-18-08 By: [Signature]

POLICE DEPARTMENT

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

Conditions or Basis for Denial: _____
 By: _____ Title: _____ Date: _____



OFFICE USE ONLY

Accepted By: [Signature] Date: 6/16/08
 Zoning Approval By: _____ Date: _____

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): Warne Jo LLC
 Business Name (DBA): Hamburger Mary's Business Phone: () 310 291 1368
 Business Site Address: 740 E Broadway
 Date Business Proposes To Open: 6/19/08
 Days & Time Premises Are Open For Inspection: 11am - 2am

Proposed Use(s):
 Entertainment/Restaurant With Dancing Without Dancing
 Entertainment/Tavern With Dancing Without Dancing
 Social Club Pool or Billiard Hall Other (explain)

Explain briefly the proposed use of the rooms within the building:
Dining, Dancing, Live entertainment

Contact Person(s) Name (authorized agent, manager, etc.): Dale Warner
 Contact Person(s) Phone Number: (310) 291 1368


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:
Permit # 531093 Approved [Signature] 6-16-08
 Building/Location does not meet Department requirements for the proposed use.
 Inspection Completed On (date): _____ By: _____

POLICE DEPARTMENT
 Police Department finds no for basis for denial Police Department finds basis for denial
 Police Department finds no for basis for denial with conditions
 Conditions or Basis for Denial: _____
 By: _____ Title: _____ Date: _____



Date: June 30, 2008
To: Richard I. Bartlett, Business Services Officer, Commercial Services Bureau
From: Derek Burnham, Acting Zoning Officer 
Subject: REVIEW OF ENTERTAINMENT LICENSE REQUEST

Site Address: 740 East Broadway
Long Beach, CA 90802

Applicant: Warne Lo, LLC
DBA Hamburger Mary's

Zoning District: PD-30 (Downtown Long Beach Planned
Development District)

Proposed Use: Entertainment with Dancing

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

A review of the permit history for 740 E. Broadway indicates that previous permits for entertainment with dancing have been approved at the subject site. The approvals began with an application received in February 2002 wherein the request was approved subject to the conditions of approval of a Conditional Use Permit (Case No. 9711-02) to allow a restaurant with on-site consumption of general alcohol beverages separate from meal service. Based on the conditions of the CUP that a minimum of twenty-nine (29) parking spaces be maintained on-site, the dance floor was limited to a maximum size of 261 square feet. The limit on the size of the dance floor was reiterated in subsequent reviews of entertainment permit applications in September 2006 and October 2006.

Initially, the current application for entertainment with dancing by patrons requested approval for a 450 square foot dance floor with thirty-two (32) available parking spaces on-site. The request for additional dance floor area could only be approved if there is also an increase of five (5) parking spaces. Planning Bureau recommended that the applicant revise the floor plan reducing the size of the dance floor to meet the available parking on-site.

On this date, the applicant submitted a revised floor plan indicating the dance floor area had been reduced to 231 square feet, measuring 14 feet by 17 feet. As the size of the dance floor is less than the maximum allowed based on the Conditions of Approval for Case No. 9711-02, no additional parking is required.

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

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