

June 13, 2023

H-17

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the supporting documentation into the record, conclude the public hearing, and grant an Entertainment Permit with conditions for entertainment without dancing to Kings & Convicts BP, LLC, dba Ballast Point Brewing Company, at 110 Marina Drive. (District 3)

DISCUSSION

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

The LBMC also requires the City Council to approve the issuance of the 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) nor any responsible persons have a history of committing significant violations of the City of Long Beach (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 Financial Management Department 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 are the departmental investigative reports, history, entertainment permit application, and floor plan.

The following summarizes departmental findings:

- The Police Department recommends that the Permit for entertainment without dancing be approved, subject to conditions.
- The Fire Department finds the building/location meets department requirements for the proposed use.

- The Health and Human Services Department finds the building/location meets department requirements for the proposed use.
- The Development Services Department finds the building/location meets department requirements for the proposed use.

The Financial Management Department, Business Services Bureau, has thoroughly reviewed all submitted department documents and correspondence and recommends the Permit for entertainment without dancing be approved subject to conditions (attached).

In the event that any of the recommended conditions conflict with other permits or licenses, the permittee must adhere to the strictest of the applicable conditions. This location has been licensed as a Restaurant and Ready to Eat Foods with Alcohol since March 2020.

This matter was reviewed by Deputy City Attorney Monica Kilaita on May 22, 2023.

TIMING CONSIDERATIONS

The hearing date of June 13, 2022, has been posted at 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 \$23.30 and Zoning Review \$33.00 (Development Services Department); Police Investigation \$1,561.00 (Police Department); and Mailing List \$90.00 (Financial Management Department).

The following fees will be collected if the application is approved: Business License Annual Tax \$412.96, Employee Rate \$21.41 per employee and Annual Entertainment Regulatory Fee \$371.00 (Financial Management Department).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



KEVIN RIPER
DIRECTOR OF FINANCIAL MANAGEMENT

APPROVED:



THOMAS B. MODICA
CITY MANAGER

ATTACHMENTS: A – FM CONDITIONS
 B – SUMMARY
 C – FIVE YEAR HISTORY
 D – MAP
 E – BUSINESS LICENSE APPLICATION
 F – ENTERTAINMENT PERMIT APPLICATION
 G – INFOR PRINT OUT
 H – PD CONDITIONS

KINGS & CONVICTS BP LLC DBA BALLAST POINT BREWING COMPANY
110 Marina Drive, Long Beach, CA 90803

Attachments Summary:

Attachment A	FM Conditions
Attachment B	Summary of Application for Entertainment Permit
Attachment C	Five Year History of Business Establishment
Attachment D	Map
Attachment E	Business License Application
Attachment F	Entertainment Application Packet
Attachment G	INFOR print out
Attachment H	PD Conditions



Recommended Conditions of Operation
Kings & Convicts BP LLC dba Ballast Point Brewing Company
110 Marina Drive
Application for Entertainment Without Dancing

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

I. **STANDARD CONDITIONS OF OPERATION**

- 1) The operation of the establishment shall be limited to those activities and elements expressly indicated on the permit application and approved by the City Council. Any change in the operation, which exceeds the conditions of the approved permit, will require that a new permit application be submitted to the City Council for their review and approval.
- 2) Unless separately applied for, reviewed, and approved, no adult entertainment, as defined by section 5.72.115(B) LBMC shall be conducted on the permitted premises.
- 3) The establishment shall remain in compliance with all applicable sections of the Long Beach Noise Ordinance (LMBC Chapter 8.80).
- 4) This Entertainment Permit is an accessory to the primary business. The authorization to provide entertainment on-site is subject to the use remaining 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 operation, 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) Due to the proximity of neighboring liveboard boat in The Marina, 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.

- 6) 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.
- 7) Deliveries to and from the premises shall be limited to the hours of 8:00 A.M. to 10:00 P.M.
- 8) During times that the entertainment activities are being conducted and any night where organizations, such as car clubs, motorcycle clubs, or any organization who are also patrons of the Ballast Point Brewing Company and may congregate in the parking lot, the permittee shall staff one (1) security guard for crowds over (50) patrons to monitor activity inside the establishment to include the adjacent parking lot and any area under the control of the licensee, between the hours of 5 p.m. and ½ hour after closing. Security Guards shall ensure that patrons conduct themselves in a peaceful manner as not to disturb any nearby businesses and liveaboard vessels. Security Guards must be identifiable as "Ballast Point Brewing Company" employees or the use of a reputable and licensed security company. The Chief of Police may increase or relax this condition, based on calls for service related to problems in the establishment to include the adjacent parking lot and any area under the control of the licensee.

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.

- 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 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.
- 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 front of the establishment, the parking lot or the immediate area.
- 11) 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.



- 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) 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.
- 14) Ballast Point Brewing Company, or its 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 promoter contracts, including names, addresses, and phone numbers, on file at all times, and be available for inspection at any time.
- 15) The permittee shall be responsible for maintaining free of litter the premises and the area adjacent to the licensed premises over which they have control.
- 16) 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.
- 17) The permittee shall ensure that all employees attend an alcohol awareness class such as TIPS or LEAD, within the first ninety (90) days of employment. 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 kept on file at the business and shall be available for inspection at any time. All current and new alcohol servers and managers must be certified by an accredited RBS training provider and pass an ABC exam within 60 calendar days from date of employment. Responsible Beverage Service (RBS) Training Program is mandatory by The Department of Alcoholic Beverage Control. For more information please visit <https://www.abc.ca.gov/education/rbs>.



- 18) 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, your conditional use permit, or your Alcoholic Beverage Control license, the more stringent regulation shall apply.
- 19) An identification card scanner shall be used for all patrons entering the establishment after 10:00 PM for the sole purpose of verifying patron age and/or authenticity of a patron's driver's license or identification card

II. ADDITIONAL CONDITIONS OF OPERATION

- 1) Entertainment activities indicated on Page 7 of your entertainment application **shall be restricted to no later than 11:00 PM Monday through Sunday. Entertainment can begin at 11:00 AM Monday through Friday and 10:00 AM Saturday through Sunday. All outdoor entertainment shall be restricted to no later than 10:00 PM Monday through Sunday.**
- 2) The permittee is required to monitor the outside patio area for any nuisance activity that could disturb the surrounding neighbors. This shall be done by utilizing security guards or employees.
- 3) The permittee must provide all promoters, independent contractors, and dancers, hired to conduct entertainment activities with a copy of the approved permits, which shall include a copy of the approved conditions of operation. The permittee shall not hire promoters with the intent to advertise/promote or hold any entertainment activities consistent with nightclub entertainment.
- 4) The permittee shall develop and maintain a plan to address neighborhood concerns, related to the operation of Ballast Point Brewing Company. (i.e. newsletter, meetings, etc.)
- 5) The permittee and/or security shall also ensure that no employee, patron, or entertainer loiters in the parking lot at any time during the operation of the business.

The permittee shall not allow any employee, patron or entertainer, to exit and loiter near the side or rear doors leading to the boardwalk or boat docks.

- 6) The permittee shall not convert the restaurant, or any portion thereof, into a dance/night club. All entertainment activities shall be conducted in conjunction with regular dining or pre-planned banquet activities. A banquet is defined as a function held at a bonafide eating place wherein complete and substantial meals are provided to the persons in attendance by the management of the restaurant



where the function is being held. Fast food, snacks, and hors d'oeuvres shall not constitute a complete and substantial meal.

- 7) The speaker volume in the patio area shall be kept at a low level, so as not to disturb any other businesses or residents. If any noise or disturbance complaints can be attributed to the speaker volume in the patio area, the permittee shall modify or remove existing speakers at the direction of the Chief of Police.
- 8) Entertainment shall not be offered on any day that the restaurant is closed.

III. In the event that any of the recommended conditions attached to any permit or license is in conflict, the permittee shall adhere to the strictest of the applicable conditions. In addition, please be advised that your permit is subject to administrative review every two years from the date this permit is issued. If grounds exist for modification, revocation, or suspension of the permit, a hearing will be held.



SUMMARY OF APPLICATION FOR ENTERTAINMENT PERMIT

Attached for your review and action is an application for Kings & Convicts BP LLC dba Ballast Point Brewing Company. Also, attached are reports from various departments stating their recommended disposition of the subject application. These are summarized as follows:

SUBMITTED FOR CITY COUNCIL ACTION

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

Questions concerning the above may be directed to the following:

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

Compiled by: Department of Financial Management
Business Services Bureau

**FIVE-YEAR HISTORY OF BUSINESS ESTABLISHMENT
110 MARINA DRIVE, LONG BEACH CA 90803**

Kings & Convicts BP LLC
dba Ballast Point Brewing Company
Lic # BS22303008
02/2023 – Pending

Entertainment Without Dancing (Alcohol)

Kings & Convicts BP LLC
dba Ballast Point Brewing Company
Lic # BU22003209
03/2020 – Present

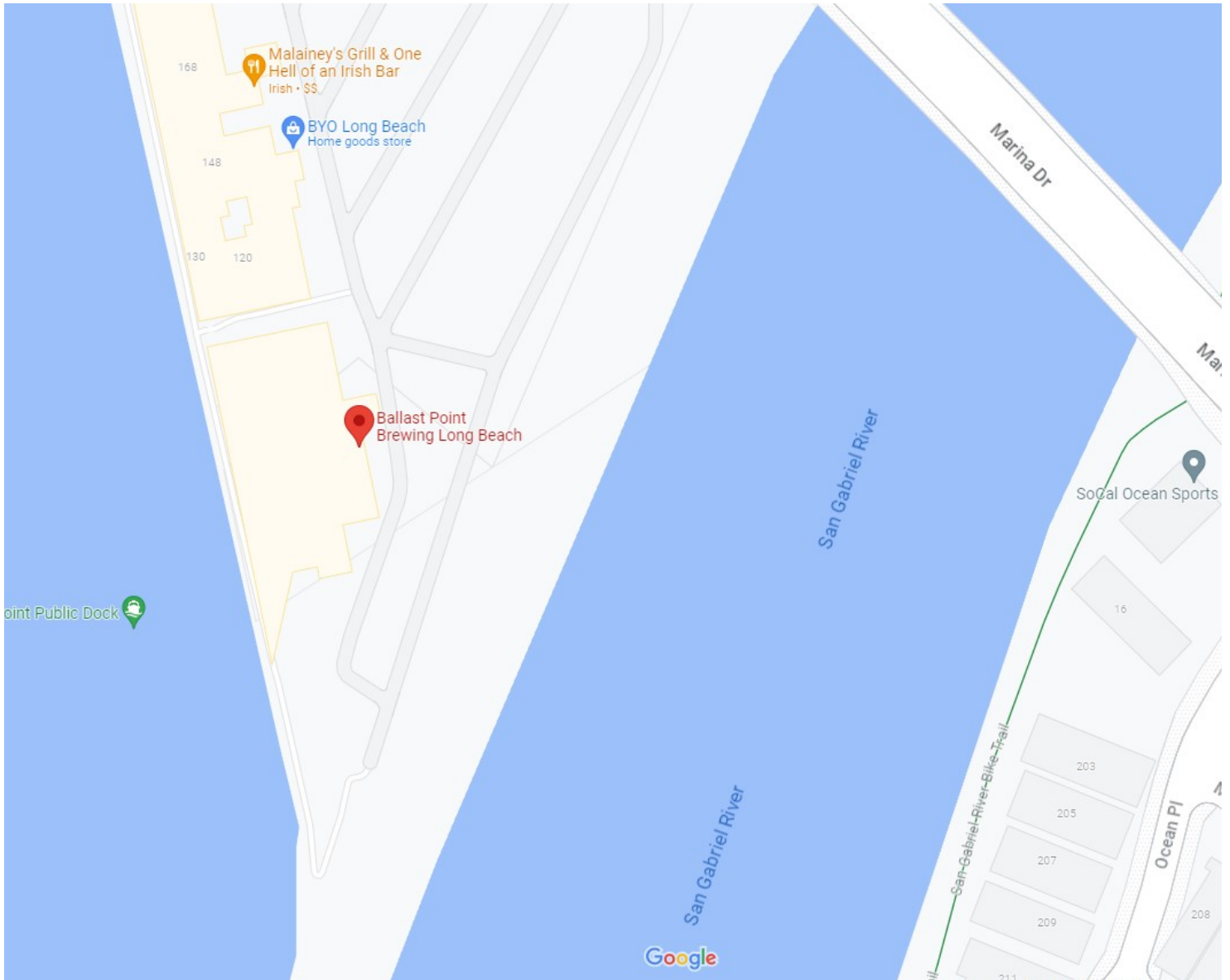
Restaurant & Ready to Eat Food with Alcohol

Home Brew Mart Inc.
Lic # BU21604029
06/2016 – 03/2020

Restaurant & Ready to Eat Food with Alcohol

Kings & Convicts BP LLC dba Ballast Point Brewing Company

110 Marina Drive, Long Beach, CA 90803





CITY OF LONG BEACH BUSINESS LICENSE APPLICATION
 Second Floor, City Hall
 411 W. Ocean Boulevard, Long Beach, CA 90802

www.longbeach.gov
LBBIZ@LongBeach.gov
 (562) 570-6211

GENERAL INFORMATION

OWNER/ENTITY NAME KINGS AND CONVICTS BP, LLC	DRIVER'S LICENSE NO	STATE	SOCIAL SECURITY NO.	HOME OCCUPATION <input type="checkbox"/> Y <input type="checkbox"/> N
BUSINESS NAME (D.B.A.) BALLAST POINT BREWING COMPANY	TYPE OF BUSINESS (BE SPECIFIC) BREWERY & TAPROOM		EMAIL: LEGAL@KINGSANDCONVICTS.COM	
BUSINESS ADDRESS STREET 110 MARINA DRIVE	CITY LONG BEACH	STATE CA	ZIP 90803	AREA CODE/TELEPHONE 562-296-4470
BILLING ADDRESS (if same write SAME)** STREET 9045 CARROLL WAY	CITY SAN DIEGO	STATE CA	ZIP 92025	AREA CODE/TELEPHONE 858-790-0404
RESIDENCE ADDRESS (if same write SAME) STREET	CITY	STATE	ZIP	AREA CODE/TELEPHONE

LIST OF PRINCIPAL OFFICERS, MEMBERS, PARTNERS AND RESIDENTIAL ADDRESSES (IF MORE PLEASE ATTACH A LIST)	TITLE	% OWNERSHIP
BRENDAN WATTERS, [REDACTED]	CEO	19
CHRISTOPHER BRADLEY [REDACTED]	COO	15

New Business Address Change Ownership Change Secondary License Sole Owner Partnership Corporation LLP LLC

BUSINESS OPERATIONS INFORMATION

START DATE MARCH 2, 2020	NO. OF EMPLOYEES 107	NO. OF VEHICLES -	FEDERAL TAX ID NUMBER [REDACTED]	SALES & USE TAX (SELLER'S PERMIT) NO. PENDING
DOES YOUR BUSINESS HAVE A CALIFORNIA STATE LICENSE? <input type="checkbox"/> Y <input type="checkbox"/> N	STATE LICENSE NO. PENDING	CLASSIFICATION(S) ABC TYPE 01	RENEWAL DATE	
HAVE YOU EVER HAD A BUSINESS LICENSE/PERMIT REVOKED OR SUSPENDED? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	LICENSE/PERMIT NO.	ISSUING AGENCY	CLASSIFICATION & DATE OF SUSPENSION/REVOCATION	

FOOD / ALCOHOL / TOBACCO / ENTERTAINMENT SERVICES / FUND RAISING

Do you plan to sell or serve food? (Includes pre-packaged) Y N Will you offer massage, tanning, herbal therapy, escort or any other services that improve the health or well being of another? Y N

If serving food, how many seats?: **360**

Do you plan to sell or serve alcoholic beverages? Y N Will you engage in fund raising? Y N

ABC License number: **PENDING** Type: **01** Will you deal in coins, firearms, jewels or second-hand property? Y N

Conditions Included: (If yes, please attach to application) Y N Will you perform Parking Management? If so, please attach a detailed list of all activities? Y N

LEASING AND FACILITY INFORMATION

Does your business have amusement machines, video games, vending machines, jukebox and/or pool tables? Y N Property Owner's Name: **BANCAP SEAPORT VILLAGE INC.**

How many: _____ Type: _____ Owner: _____ Business sq. ft.: **11440** Warehouse on site? Y N

Do you plan to sell tobacco products/paraphernalia? Y N Do you: Own or Rent/Lease your business property?

HAZARDOUS MATERIALS / MEDICAL WASTE

Do you plan to operate a Smoking Lounge? Y N

Will you deal with, use, store or transport cannabis? Y N Will you manage or produce bio-hazardous materials or waste? Y N

Will you have Music Dancing Performers Adult Entertainment? Will you use, store, or transport chemicals (new or waste state)? Y N

ACKNOWLEDGMENT TO BE COMPLETED BY SOLE OWNER, PRINCIPAL OFFICERS, MEMBERS OR PARTNERS

I understand that before I can operate my business in Long Beach, my establishment must comply with applicable City departmental laws and regulations completely and I must obtain a business license and all necessary Federal State and local permits or I will be in violation of L. B. M. C. Chapter 3.80. I declare that I am authorized to complete this application and that the information and statements provided are true and correct. SIGN and return this statement with your remittance. Make checks payable to City of Long Beach.

Signature: [Signature] Date: 7 FEB 20 PRINT NAME/TITLE: BRENDAN WATTERS / CEO

Signature: [Signature] Date: 7 FEB 20 PRINT NAME/TITLE: CHRISTOPHER BRADLEY / COO

DO NOT WRITE BELOW THIS LINE

Inspection(s): <input type="checkbox"/> Bldg <input type="checkbox"/> Fire <input type="checkbox"/> Health <input type="checkbox"/> HazMat <input type="checkbox"/> PD <input type="checkbox"/> Other	Prev Use: <u>Restaurant w/ALC</u> Exp. Date: <u>6/21/20</u>
Basic Tax	Prev Lic: _____
Employees # _____ @ \$ _____ = _____	Exp Date: _____
Vehicles # _____ @ \$ _____ = _____	District: _____
Other # _____ @ \$ _____ = _____	CRT: _____
PIA _____	SIC: _____
PIA Employees # _____ @ \$ _____ = _____	NAICS: _____
Regulatory	Entered by: <u>CK</u>
Investigation	Date: <u>2/18/20</u>
Misc. Fees	BU <u>22003209</u>
Sub Total	
Zoning	
Building Review	
Total \$ _____	

Zoning Review
 Y N N/A

By: _____
 Date: _____

New construction Reuse
 Zone: _____
 Comments: _____

Section J – Application Attachments	
Staff Only	All Applications
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Department of Health and Human Services Entertainment Permit Application Requirements Form
	Corporation, Limited Liability Companies, Limited Liability Partnerships:
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Copy of your Articles of Incorporation/ Organization; and
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Copy of your Statement of Information
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Copy of CA Seller's Permit
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Copy of Alcoholic Beverage Control License with conditions
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Copy of Fictitious Business Name Filing, if applicable.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Property Owner Authorization of Entertainment Activities If the applicant is the owner of the property, please include a copy of the title or deed to the property.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Copy of Property Owner's City of Long Beach Commercial/Industrial Business License, if applicable.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Interior Floor Plan to include: <ul style="list-style-type: none"> a. Dimensions of interior floor plan b. Location inside the establishment where entertainment activities will be taking place c. Indicate locations of all exit doors, widths of doors, and panic hardware. d. All fixed seating throughout e. Dance floor dimensions and type of flooring materials used f. If a stage is to be added, give exact measurements including height, location, and materials used
<input type="checkbox"/>	<input type="checkbox"/> Parking Agreement/Parking Plan (if using a parking facility that is not part of the business premises)

If you have any questions as to your occupant load, or if your business will change because of a change in use from a B occupancy with an occupant load less than fifty (50) persons to an A occupancy, (usually an A-3) fifty (50) persons or more but less than 300, a floor plan with the above requirements must be submitted to the 4th floor Planning and Building Department, Plan Check Engineer. For more information, please contact the Planning and Building Department at (562) 570-6651.

These additional requirements may be applicable:

1. Handicapped requirements may apply.
2. All Fire Department approvals to be obtained.
3. Electrical plan check and permit may be required for exit path illumination.

Annual Entertainment Permit Application

(Print all information in blue or black ink)

Application Instructions

Complete the application and all accompanying forms legibly in black or dark blue ink. Forms completed in pencil will be returned. All authorized individuals must sign and date the forms, where applicable. Incomplete applications will not be accepted.

Submit your application along with the non-refundable application fee in person to the City of Long Beach Business License Division, 411 W. Ocean Blvd., 2nd Floor, Long Beach, CA 90802. Applications will be accepted Monday through Friday from 7:30 a.m. to 4:00 p.m.

Type of Entertainment Permit	Application Fees (Total)
Entertainment with/without Dancing	\$1,504.45
Pool/Billiard Hall (3 or more tables)	\$1,654.45
Entertainment Retail Business	\$793.45
Temporary Entertainment Permit	\$415

The application will be reviewed by Business License, Planning, Building, Fire, Health, and PD. After the departments have reviewed, a City Council hearing will be held. For the complete application process, visit www.longbeach.gov/entertainmentpermit.

Section A – Entertainment Type

<input type="checkbox"/> Entertainment with Dancing (Bar)	<input type="checkbox"/> Entertainment without Dancing (Bar)
<input type="checkbox"/> Entertainment with Dancing (Restaurant)	<input checked="" type="checkbox"/> Entertainment without Dancing (Restaurant)
<input type="checkbox"/> Entertainment (Retail)	<input type="checkbox"/> Social Club
<input type="checkbox"/> Pool/Billiard Hall	<input type="checkbox"/> Other _____

Section B – Business Information

<input type="checkbox"/> Corporation	<input checked="" type="checkbox"/> Limited Liability Company (LLC)	<input type="checkbox"/> General Partnership
<input type="checkbox"/> Limited Partnership	<input type="checkbox"/> Limited Liability Partnership (LLP)	<input type="checkbox"/> Sole Proprietorship

APPLICANT NAME (LEGAL OWNERSHIP STRUCTURE):

Kings & Convicts BP, LLC

BUSINESS NAME (DBA):

Ballast Point Brewing Company

PLACE AND DATE OF FILING OF DBA:

Los Angeles County, May 1, 2020

BUSINESS SITE ADDRESS:

110 Marina Dr., Long Beach, CA 90803

TAXPAYER IDENTIFICATION NUMBER:

84-3026751

SECRETARY OF STATE REGISTRATION ENTITY ID (IF APPLICABLE):

201926210307

TYPE: SSN/ITIN

EIN

NIN

APPLICANT/BUSINESS PHONE:

858-790-6900

APPLICANT/BUSINESS EMAIL ADDRESS:

legal@ballastpoint.com

MAILING ADDRESS:

9045 Carroll Way, San Diego, CA 92121

Section C – Owner(s) Information

LAST NAME: Kings & Convicts Holding Co., LLC	FIRST NAME: Please see attached ownership document.
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HOME ADDRESS: [REDACTED]

PHONE: (858) 790-6900	EMAIL: legal@ballastpoint.com
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BUSINESS TITLE: Member	PERCENTAGE OWNED: 100%
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DATE OF BIRTH:	PLACE OF BIRTH:
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GOVERNMENT ISSUED ID NUMBER:	ISSUING STATE:
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LAST NAME:	FIRST NAME:
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HOME ADDRESS:

PHONE:	EMAIL:
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BUSINESS TITLE:	PERCENTAGE OWNED:
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DATE OF BIRTH:	PLACE OF BIRTH:
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GOVERNMENT ISSUED ID NUMBER:	ISSUING STATE:
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LAST NAME:	FIRST NAME:
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HOME ADDRESS:

PHONE:	EMAIL:
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BUSINESS TITLE:	PERCENTAGE OWNED:
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DATE OF BIRTH:	PLACE OF BIRTH:
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GOVERNMENT ISSUED ID NUMBER:	ISSUING STATE:
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LAST NAME:	FIRST NAME:
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HOME ADDRESS:

PHONE:	EMAIL:
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BUSINESS TITLE:	PERCENTAGE OWNED:
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DATE OF BIRTH:	PLACE OF BIRTH:
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GOVERNMENT ISSUED ID NUMBER:	ISSUING STATE:
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***Attach additional pages if necessary**

Section D – Agent for Service of Process (Not required for sole owners or partnerships)			
LEGAL LAST NAME:	Cogency Global Inc.	LEGAL FIRST NAME:	Erin Haggerty
MAILING ADDRESS:	1325 J St, Ste 1550	CITY:	Sacramento
STATE:	CA	ZIP CODE:	95814
		COUNTY:	Sacramento
PHONE NUMBER:	886.369.1640	EMAIL ADDRESS:	info@cogencyglobal.com

Section E – Owner Disclosures	Yes	No
1. Has any owner ever been convicted of a misdemeanor involving moral turpitude, or entered into a plea of guilty or nolo contendere to, any felony in the United States or a foreign country within the past 5 years?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Has any owner ever had a City of Long Beach license suspended or revoked?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Has any owner ever been denied a business license by the City of Long Beach?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>If you answered "Yes" to any of the questions above, please provide a written statement detailing the date(s) and circumstances of such convictions, pleas of guilty or nolo contendere, sanctions, fines, denials, suspensions, or revocations, including, but not limited to, specific offenses and/or violations, agency involved, name of any business names, and account numbers.</p>		

Section F – Property Information
<p>Is the business located in the Downtown Dining and Entertainment District (DDED)**?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>**If yes, there may be additional requirements your business must meet in order to obtain an entertainment permit. For a map of the DDED boundaries and the DDED requirements, please see Attachment A.</p>
<p>Is the location: Owned? <input type="checkbox"/> Rented/Leased? <input checked="" type="checkbox"/></p> <p>If rented/leased, state the name and contact information of the property owner(s) below.</p>
<p>PROPERTY OWNER NAME: Bancap Commercial Real Estate Services</p>
<p>PROPERTY OWNER PHONE: (562) 598-3351 x303</p>
<p>PROPERTY OWNER EMAIL ADDRESS: WhitLatimer@bancap.biz</p>

Section G – General Operating Conditions

Note: Attach additional pages if necessary

Alcohol/Food/Additional Businesses

1. Will liquor be sold on the premises? Yes No

If yes, complete the following for each license you hold:

License Type	Alcohol Beverage Control License No.	Premises Type (Club, restaurant, or commercial store)
On sale beer	_____	_____
On sale beer and wine	615356	Type 01, Brewery w/ bona fide eating establishment
On sale distilled spirits	_____	_____

2. Is food being sold on the premises? Yes No

a. If yes, list types of food sold: BrewPub

3. Is a bonafide-eating place provided on the premises? Yes No

(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.)

4. Are non-alcoholic beverages sold? Yes No

5. How many tables for seating? 80

6. Are other types of businesses conducted on the premises? Yes No

a. If yes, list type(s): Manufacturing-Brewery

7. Are pool tables provided? Yes No

a. If yes, indicate how many: _____

b. If yes, license number for pool tables: _____

8. Are amusement machines or jukeboxes provided? Yes No

a. If yes, indicate how many: _____ Amusement machines _____ Jukeboxes

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

9. Owner of the machines and/or jukeboxes:

Name: N/A Phone Number: N/A

Address: N/A

Hours of Operation

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open (AM/PM)	11am	11am	11am	11am	11am	10am	10am
Close (AM/PM)	11pm	11pm	11pm	11pm	11pm	11pm	9pm

Admission and/or Membership Fees

10. Will minors be allowed on the premises? Yes No
11. Will the premises be open to the general public? Yes No
12. Will an admission fee be charged? Yes No
- a. If yes, describe the fee schedule: _____
13. Is there a private area for exclusive use of members and their guests only? Yes No
- a. If yes, types of membership fees: _____
14. Will guests of members pay an admission fee or other charges? Yes No
- a. If yes, describe the fee schedule and other charges: _____

Proximity of Businesses and Residences

15. Are there surrounding businesses? Yes No
- a. If yes, what type(s)? Restaurants, Offices
16. Are there surrounding residences? Yes No
- a. If yes, approximately how close: _____ feet

Parking Facilities and Arrangements

17. Is parking available? Yes No
- a. If yes, how many parking spaces? 300
- b. If no, what is the street address of the off-premises parking facility?

18. Days and hours parking facility will be available:

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open (AM/PM)	6am	6am	6am	6am	6am	6am	6am
Close (AM/PM)	2am	2am	2am	2am	2am	2am	2am

Security

19. Will security guards be provided? Yes No

a. If yes, number of security guards: 1

20. Is there any other type of security provided? Yes No

a. If yes, describe type of security: Camera system

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

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Start Time (AM/PM)	11:00 am	11:00 am	11:00 am	11:00 am	11:00 am	10:00 am	10:00 am
End Time (AM/PM)	11:00 pm	11:00 pm	11:00 pm	11:00 pm	11:00 pm	11:00 pm	9:00 pm

21. 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: _____

Phone: _____ Email: _____

Provide a list of all members with access to the surveillance camera system to be used:

Mario Parapini, Kala Petite

Provide a detailed description of the security plan for the proposed business during the scheduled hours of entertainment (Attach additional pages if necessary):

1. Know the venue inside and out.

Identify all venue entry points and make sure all personnel is aware of them.

2. Gauge attendee risk.

Are there any attendees or guests that may pose a risk?

You should identify potential risks.

3. Control the crowd.

Ask guests to move away if they're blocking the exit. Ensure guests don't stray into staff-only areas.

Remember to count all staff and security personnel when keeping track of total numbers.

Going over capacity can result in fines from the venue administrator.

4. Keep communication tight. Be sure they communicate back and forth with your own staff.

The former should report all suspicious activity to the security team.

Section H – Proposed Entertainment Activities & Schedule

Entertainment - Restaurant Entertainment – Tavern (bar) Entertainment - Other

Proposed Entertainment Activity:

- 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: _____

Dance Floor? Yes No Stage? Yes No

If yes, provide dimensions of dance floor L _____ x W _____ = _____ sq ft

If yes, provide dimensions of stage L _____ x W _____ = _____ sq ft

Describe floor material and surface type: _____

Proposed Entertainment Schedule:

Please provide the days and times of the week that you would like to have entertainment at your establishment. Please fill out completely. If you do not wish to have entertainment on a certain day, mark N/A.

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Start Time (AM/PM)	11am	11am	11am	11am	11am	10am	10am
End Time (AM/PM)	11pm	11pm	11pm	11pm	11pm	11pm	11pm

Section I – Declarations

1. I hereby declare that I am authorized to submit this application on behalf of the entity listed on the application because I am an owner of the entity or because I have authority from the owner.
2. I acknowledge that any false, misleading, or fraudulent statement of material fact in this application by an agent of an owner, or an owner, will be held against the owner and is grounds for denial of this application, or suspension or revocation of the license and permit associated with this application.
3. I hereby declare that I have read and understand all the laws, rules and regulations, and policies and procedures associated with my application; and that I fully understand the nature, meaning, and content of such laws, rules, and policies. I warrant and represent that I will abide by such laws, rules, and policies during the application process after my license is issued by the City.
4. I hereby declare that I have conducted my own research and investigation regarding the compliance of my proposed location with state and local laws, including, but not limited to, location requirements, zoning regulations, and address requirements. I further declare that the proposed location of the entertainment permit fully complies with applicable state and local law.
5. I acknowledge that any promise, representation, or any other statement made to me by any agent or employee of the City that is not contained within this application is null, void, and unenforceable and that I am not relying on any such promise, representation, or statement.
6. I acknowledge the City will review this application for compliance with applicable laws, regulations, and ordinances, and that my application may be denied as allowed by laws, rule, or policies of the City.
7. I acknowledge that this application does not confer an entitlement or a vested right to receive a license and/or permit, and I acknowledge that I must qualify for, and obtain, a license or license status that I am seeking prior to operating or otherwise claiming that I have any such right to a license or to operate.
8. I hereby declare that I have read this acknowledgement and advisement, that I have had the opportunity to consult with, and be represented by, legal counsel of my own choice prior to the execution and submission of this application, and that I am knowingly and voluntarily submitting my application in compliance with this acknowledgement and advisement and all applicable laws.
9. I acknowledge that I am jointly and severally liable for any and all taxes, fees, and charges associated with the license.
10. I hereby declare the information contained within and attached to this application is complete, true, and accurate. I understand any false, misleading or fraudulent statement of material fact is cause for rejection of this application, denial of the license, or revocation of an issued license.
11. I consent for 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 the applicant to obtain the entertainment permit.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Print Name: Chris Bradley	Signature: 	Date: 7/6/22
Print Name:	Signature:	Date:
Print Name:	Signature:	Date:



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: 7/6/2022

Name of Business (DBA): BALLAST POINT BREWING COMPANY

Name of Business Owner: KINGS & CONVICTS BP, LLC

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

Dear New Business Owners:

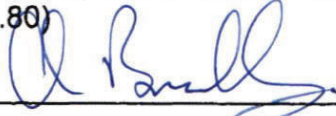
The Entertainment establishment must abide by the Long Beach Municipal Code Noise Ordinance, Chapter 8.80.

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) 

CHRIS BRADLEY

Title COO

Phone # 858-790-6900

FAX # N/A



Secretary of State
Articles of Organization
Limited Liability Company (LLC)

LLC-1

201926210307

FILED Dyy
Secretary of State
State of California
SEP 12 2019

IMPORTANT — Read Instructions before completing this form.

Filing Fee — \$70.00

Copy Fees — First page \$1.00; each attachment page \$0.50;
Certification Fee — \$5.00

Note: LLCs may have to pay minimum \$800 tax to the California Franchise Tax Board each year. For more information, go to <https://www.ftb.ca.gov>.

lpc

This Space For Office Use Only

1. Limited Liability Company Name (See Instructions – Must contain an LLC Identifier such as LLC or L.L.C. "LLC" will be added, if not included.)

Kings & Convicts BP, LLC

2. Business Addresses

a. Initial Street Address of Designated Office in California - Do not enter a P.O. Box	City (no abbreviations)	State	Zip Code
9045 Carroll Way	San Diego	CA	92121
b. Initial Mailing Address of LLC, if different than Item 2a	City (no abbreviations)	State	Zip Code
523 Bank Lane	Highwood	IL	60040

3. Service of Process (Must provide either Individual OR Corporation.)

INDIVIDUAL — Complete Items 3a and 3b only. Must include agent's full name and California street address.

a. California Agent's First Name (if agent is not a corporation)	Middle Name	Last Name	Suffix
b. Street Address (if agent is not a corporation) - Do not enter a P.O. Box	City (no abbreviations)	State	Zip Code
		CA	

CORPORATION — Complete Item 3c. Only include the name of the registered agent Corporation.

c. California Registered Corporate Agent's Name (if agent is a corporation) — Do not complete Item 3a or 3b
COGENCY GLOBAL INC.

4. Management (Select only one box)

The LLC will be managed by:

One Manager More than One Manager All LLC Member(s)

5. Purpose Statement (Do not alter Purpose Statement)

The purpose of the limited liability company is to engage in any lawful act or activity for which a limited liability company may be organized under the California Revised Uniform Limited Liability Company Act.

6. By signing, I affirm under penalty of perjury that the information herein is true and correct and that I am authorized by California law to sign.

Additional signatures set forth on attached pages, if any, are incorporated herein by reference and made part of this Form LLC-1. (All attachments should be 8 1/2 x 11, one-sided, legible and clearly marked as an attachment to this Form LLC-1.)

Daniel C. Cole

Organizer sign here

Print your name here

CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION

SELLER'S PERMIT

March 2, 2020

ACCOUNT NUMBER

266468224 - 00004

BALLAST POINT BREWING COMPANY
KINGS & CONVICTS BP, LLC
110 N MARINA DR
LONG BEACH CA 90803-4601



Office of Control:
San Diego Office

*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 Customer Service Center at 1-800-400-7115 (TTY:711).
For information on your rights, contact the Taxpayers' Rights Advocate Office at 1-888-324-2798 or 1-916-324-2798.**

CDTFA-442-R REV. 18 (5-18)

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.cdtfa.ca.gov
- Visiting an office
- Attending a Basic Sales and Use Tax Law class offered at one of our offices
- Sending your questions in writing to any one of our offices
- Calling our toll-free Customer Service Center at 1-800-400-7115 (TTY:711)

As a seller, you have the right to issue resale certificates for merchandise that you intend to resell. You also 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 California Department of Tax and Fee Administration (CDTFA)
- You are responsible for following the regulations set forth by the CDTFA

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 CDTFA representative when requested. You are also required to know and charge the correct sales or use tax rate, including any local and district taxes. The tax rate applicable to your sales or use may not necessarily correspond to the tax rate of your business address displayed on this permit. 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 CDTFA office, or giving it to a CDTFA representative.

If you would like to know more about your rights as a taxpayer, or if you are unable to resolve an issue with CDTFA, please contact the Taxpayers' Rights Advocate Office for help by calling toll-free, 1-888-324-2798 or 1-916-324-2798. Their fax number is 1-916-323-3319.

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

California Department of Tax and Fee Administration

Business Tax and Fee Division

STATE OF CALIFORNIA
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
ALCOHOLIC BEVERAGE LICENSE
BEER MANUFACTURER

VALID FROM

Apr 01, 2022

KINGS & CONVICTS BP LLC
9045 CARROLL WAY
SAN DIEGO, CA 92121-2405

EXPIRES

Mar 31, 2023

TYPE NUMBER DUP

01 615356

AREA CODE

1932 03

RENEWAL

BUSINESS ADDRESS (IF DIFFERENT) DBA: BALLAST POINT BREWING COMPANY
110 MARINA DR
LONG BEACH, CA 90803-4601

CONDITIONS

OWNERS: KINGS & CONVICTS BP LLC



IMPORTANT INFORMATION

EFFECTIVE PERIOD: This license is effective only for the operating period shown above. A new license will be sent 4 to 6 weeks after the expiration date on your license if payment is timely. Your license status will remain in good standing for 60 days after the expiration date if the renewal payment was received timely. To check the status of your license, visit <http://www.abc.ca.gov/datport/LQSMenu.html>.

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.

RENEWAL PAYMENTS: Renewal payments can be made in person by visiting your local office or sent by mail to ABC Headquarters, 3927 Lennane Drive, Suite 100, Sacramento, CA 95834. If you do not have your renewal notice, your license number and the reason for payment (ex. "renewal") must be clearly indicated on the check. You can contact your local ABC office for your renewal fee amount.

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

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

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. You can find the contact information for each district office at <http://www.abc.ca.gov/distmap.html>.

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

<http://www.abc.ca.gov>



@ca_abc



CaliforniaABC

YOUR RETURN MAILING ADDRESS
 NAME: KINGS & CONVICTS BP, LLC
 ADDRESS: 9045 CARROLL WAY
 CITY: SAN DIEGO

STATE: CA ZIP CODE: 92121

2020 075008
 FILED EXPIRES
 May 01 2020 May 01 2025
 Dean C. Logan, Registrar - Recorder/County Clerk
 Electronically signed by DEEYUJITHA PRAK

FICTITIOUS BUSINESS NAME STATEMENT

TYPE OF FILING AND FILING FEE (Check one)

Original- \$26.00 (FOR ORIGINAL FILING WITH ONE BUSINESS NAME ON STATEMENT)
 Amended Filing- \$26.00 (CHANGES IN FACTS FROM ORIGINAL FILING. REQUIRES PUBLICATION)
 Refile- \$26.00 (NO CHANGES IN THE FACTS FROM ORIGINAL FILING)
 \$5.00 - FOR EACH ADDITIONAL BUSINESS NAME FILED ON SAME STATEMENT, DOING BUSINESS AT THE SAME LOCATION \$5.00- FOR EACH ADDITIONAL OWNER IN EXCESS OF ONE OWNER

The following person(s) is (are) doing business as:

*1. BALLAST POINT BREWING COMPANY	2. KINGS & CONVICTS BREWING COMPANY
Print Fictitious Business Name(s)	
** 110 N MARINA DR	9045 CARROLL WAY
<small>Street address of principal place of business</small>	<small>Mailing address if different</small>
LONG BEACH CA 90803	SAN DIEGO CA 92121
<small>City State /Country Zip</small>	<small>City State /Country Zip</small>

Articles of Incorporation or Organization Number (if applicable): AI #ON

***REGISTERED OWNER(S):

1. KINGS & CONVICTS BP, LLC Full Name/Corp/LLC (P.O. Box not accepted) 9045 CARROLL WAY Residence Address SAN DIEGO CA 92121 City State/Country Zip CA If Corporation or LLC - Print State of Incorporation/Organization	2. _____ Full Name/Corp/LLC (P.O. Box not accepted) Residence Address _____ City State/Country Zip _____ If Corporation or LLC - Print State of Incorporation/Organization
3. _____ Full Name/Corp/LLC (P.O. Box not accepted) Residence Address _____ City State/Country Zip _____ If Corporation or LLC - Print State of Incorporation/Organization	4. _____ Full Name/Corp/LLC (P.O. Box not accepted) Residence Address _____ City State/Country Zip _____ If Corporation or LLC - Print State of Incorporation/Organization

IF MORE THAN FOUR REGISTRANTS, ATTACH ADDITIONAL SHEET SHOWING OWNER INFORMATION

****THIS BUSINESS IS CONDUCTED BY: (Check one)

- an Individual
 a General Partnership
 a Limited Partnership
 a Limited Liability Company
 an Unincorporated Association other than a Partnership
 a Corporation
 a Trust
 Copartners
 a Married Couple
 Joint Venture
 State or Local Registered Domestic Partners
 a Limited Liability Partnership

****The date registrant started to transact business under the fictitious business name or names listed above: 03/2020
(Insert N/A above if you haven't started to transact business)

I declare that all information in this statement is true and correct.
 (A registrant who declares as true any material matter pursuant to Section 17913 of the Business and Professions Code that the registrant knows to be false is guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000).)

REGISTRANT(S)/CORP/LLC NAME (PRINT) KINGS & CONVICTS BP, LLC TITLE Vice President

REGISTRANT SIGNATURE  IF CORP OR LLC, PRINT NAME ALBERT UBIETA

If corporation, also print corporate title of officer. If LLC, also print title of officer or manager.
 This statement was filed with the County Clerk of LOS ANGELES on the date indicated by the filed stamp in the upper right corner.

NOTICE - IN ACCORDANCE WITH SUBDIVISION (a) OF SECTION 17920, A FICTITIOUS NAME STATEMENT GENERALLY EXPIRES AT THE END OF FIVE YEARS FROM THE DATE ON WHICH IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK, EXCEPT, AS PROVIDED IN SUBDIVISION (b) OF SECTION 17920, WHERE IT EXPIRES 40 DAYS AFTER ANY CHANGE IN THE FACTS SET FORTH IN THE STATEMENT PURSUANT TO SECTION 17913 OTHER THAN A CHANGE IN THE RESIDENCE ADDRESS OF A REGISTERED OWNER. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED BEFORE THE EXPIRATION. EFFECTIVE JANUARY 1, 2014, THE FICTITIOUS BUSINESS NAME STATEMENT MUST BE ACCOMPANIED BY THE AFFIDAVIT OF IDENTITY FORM.

THE FILING OF THIS STATEMENT DOES NOT OF ITSELF AUTHORIZE THE USE IN THIS STATE OF A FICTITIOUS BUSINESS NAME IN VIOLATION OF THE RIGHTS OF ANOTHER UNDER FEDERAL, STATE, OR COMMON LAW (SEE SECTION 14411 ET SEQ., BUSINESS AND PROFESSIONS CODE).

I HEREBY CERTIFY THAT THIS COPY IS A CORRECT COPY OF THE ORIGINAL STATEMENT ON FILE IN MY OFFICE.
 DEAN C. LOGAN, LOS ANGELES COUNTY CLERK BY: S. PRAK, Deputy

Rev. 01/2014 P.O. BOX 1208, NORWALK, CA 90651-1208 PH: (562) 462-2177 WEB ADDRESS: LAVOTE.NET

19-320608



Secretary of State
Statement of Information
(Limited Liability Company)

LLC-12

107 BC

FILED
Secretary of State
State of California

SEP 23 2019

21/20/PC

Above Space For Office Use Only

IMPORTANT -- This form can be filed online at bizfile.sos.ca.gov.
Read instructions before completing this form.
Filing Fee -- \$20.00
Copy Fees -- First page \$1.00; each attachment page \$0.50;
Certification Fee - \$5.00 plus copy fees

1. Limited Liability Company Name (Enter the exact name of the LLC. If you registered in California using an alternate name, see instructions.)
Kings & Convicts BP, LLC

2. 12-Digit Secretary of State Entity (File) Number
2 0 1 9 2 6 2 1 0 3 0 7

3. State, Foreign Country or Place of Organization (only if formed outside of California)

4. Business Addresses

a. Street Address of Principal Office - Do not list a P.O. Box 9045 Carroll Way	City (no abbreviations) San Diego	State CA	Zip Code 92121
b. Mailing Address of LLC, if different than Item 4a	City (no abbreviations)	State	Zip Code
c. Street Address of California Office, if Item 4a is not in California - Do not list a P.O. Box	City (no abbreviations)	State CA	Zip Code

5. Manager(s) or Member(s)
If no managers have been appointed or elected, provide the name and address of each member. At least one name and address must be listed. If the manager/member is an individual, complete items 5a and 5c (leave item 5b blank). If the manager/member is an entity, complete items 5b and 5c (leave item 5a blank). Note: The LLC cannot serve as its own manager or member. If the LLC has additional managers/members, enter the name(s) and address(es) on Form LLC-12A.

a. First Name, if an individual - Do not complete item 5b	Middle Name	Last Name	Suffix
b. Entity Name - Do not complete item 5a Kings & Convicts Holding Co, LLC			
c. Address 523 Bank Lane	City (no abbreviations) Highwood	State IL	Zip Code 60040

6. Service of Process (Must provide either individual OR Corporation.)
INDIVIDUAL - Complete items 6a and 6b only. Must include agent's full name and California street address.

a. California Agent's First Name (if agent is not a corporation)	Middle Name	Last Name	Suffix
b. Street Address (if agent is not a corporation) - Do not enter a P.O. Box	City (no abbreviations)	State CA	Zip Code

CORPORATION - Complete item 6c only. Only include the name of the registered agent Corporation.

c. California Registered Corporate Agent's Name (if agent is a corporation) - Do not complete item 6a or 6b
COGENCY GLOBAL INC. C 2003899

7. Type of Business

Describe the type of business or services of the Limited Liability Company
Holder of licenses for the production, manufacture, distribution and retail sales of alcohol products.

8. Chief Executive Officer, if elected or appointed

a. First Name Brendan	Middle Name	Last Name Walters	Suffix
b. Address 523 Bank Lane	City (no abbreviations) Highwood	State IL	Zip Code 60040

9. By signing, I affirm under penalty of perjury that the information herein is true and correct and that I am authorized by California law to sign.

9-12-2019
Date

Daniel C. Cole
Type or Print Name of Person Completing the Form

Attorney
Title

Signature



CITY OF LONG BEACH
 DEPARTMENT OF FINANCIAL MANAGEMENT
 BUSINESS SERVICES BUREAU
 BUSINESS LICENSE SECTION

411 W. Ocean Blvd., 2nd Floor • Long Beach, CA 90802 • (562) 570-6211 FAX (562) 499-1097 • Email LBBIZ@LongBeach.Gov

**PROPERTY OWNER CONSENT AND AUTHORIZATION
 OF ENTERTAINMENT ACTIVITIES**

I, R. Whitney Latimer for BANCAP Seaport Village, Inc., declare under penalty of perjury that:
 (Name of Property Owner/ Authorized Representative)

1. I am the Property Owner of record, or the duly authorized representative of the Property Owner, for the real Property located at 110 Marina Drive, Long Beach CA 90803 ("the Property").
2. The Property Owner acknowledges and consents to the business, Kings & Convicts BP, LLC, conducting the proposed Tenant Applicant (Corporation/LLC/Partnership/Sole Owner) entertainment activities as indicated on Page 7 of the City of Long Beach Annual Entertainment Permit Application at the Property.
3. No person shall engage in any entertainment activities on the proposed Property without all licenses and permits required by the Long Beach Municipal Code (LBMC) while an entertainment application is pending.
4. The City of Long Beach may enter the property to conduct inspections of the Property during the application process in order to thoroughly investigate whether an entertainment permit should be granted.
5. I have read, understand, and will ensure compliance with the terms of LBMC Chapter 5.72 ("Entertainment and Similar Activities"), as applicable. I further understand that as the legal owner of the property, I am responsible for any violation and nuisance activity which may occur at the above-mentioned property.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

[Signature]
 (Signature of legal owner/ owner representative)

Whitney Latimer, President
 (Printed Name & Title)

4/7/22
 (Date)

 (Signature of legal owner/ owner representative)

 (Printed Name & Title)

 (Date)

 (Signature of legal owner/ owner representative)

 (Printed Name & Title)

 (Date)

***This authorization form will not be valid without notarization. The authorization form automatically expires upon sale or transfer of the property to a new legal owner. If sale or transfer of the property occurs prior to the applicant obtaining an entertainment permit, the applicant must resubmit this notarized form with approval of the new legal owner of the property.**

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of California)

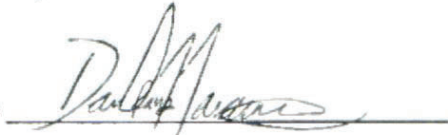
On 04/13/2022 before me, Daniel Ramon Navarro, Notary Public
(insert name and title of the officer)

personally appeared R. Whitney Latimer
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

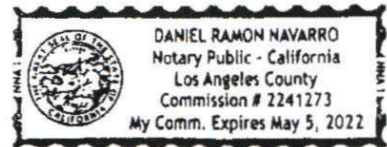
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)





CITY OF LONG BEACH, CALIFORNIA
BUSINESS LICENSE
OWNERSHIP NON-TRANSFERABLE
LICENSE EXPIRES: 03/02/2023

PREPARED: 03/15/2022
P109

THE LICENSEE NAMED BELOW IS AUTHORIZED TO OPERATE THE FOLLOWING:

ACCOUNT NUMBER:	BU22003209	BUSINESS TYPE:	RESTAURANT & READY TO EAT FOODS WITH ALCOHOL
OWNER:	KINGS AND CONVICTS BP LLC		
LOCATED AT:	110 MARINA DR		
DBA NAME:	BALLAST POINT BREWING COMPANY		

AUTHORIZED BY: KEVIN RIPER
DIRECTOR OF FINANCIAL MANAGEMENT

—————
➔ LICENSE HOLDER - - PLEASE NOTE ←

THE TOP PORTION OF THIS FORM IS YOUR LICENSE. YOU MUST DISPLAY THE LICENSE IN A CONSPICUOUS PLACE ON THE BUSINESS PREMISES.

THE DATE YOUR LICENSE EXPIRES IS INDICATED ON THE FACE OF THE LICENSE. IF YOU DO NOT RECEIVE A RENEWAL NOTICE BY THE EXPIRATION DATE, CONTACT THE BUSINESS LICENSE DIVISION AT (562) 570-6211 OR SEND AN EMAIL TO LBBIZ@LONGBEACH.GOV.

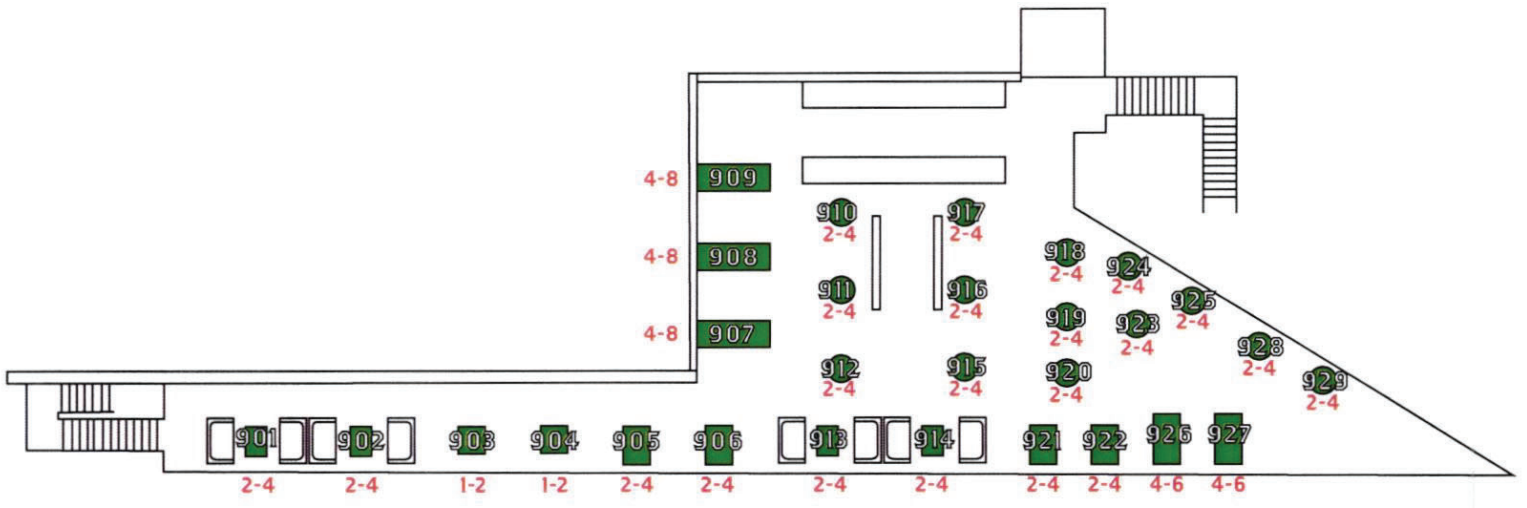
NOTE: YOU ARE RESPONSIBLE FOR RENEWING THE LICENSE ON OR BEFORE THE LICENSE EXPIRATION DATE.

(PLEASE NOTIFY THE BUSINESS LICENSE DIVISION IF YOU ARE NO LONGER IN BUSINESS.)

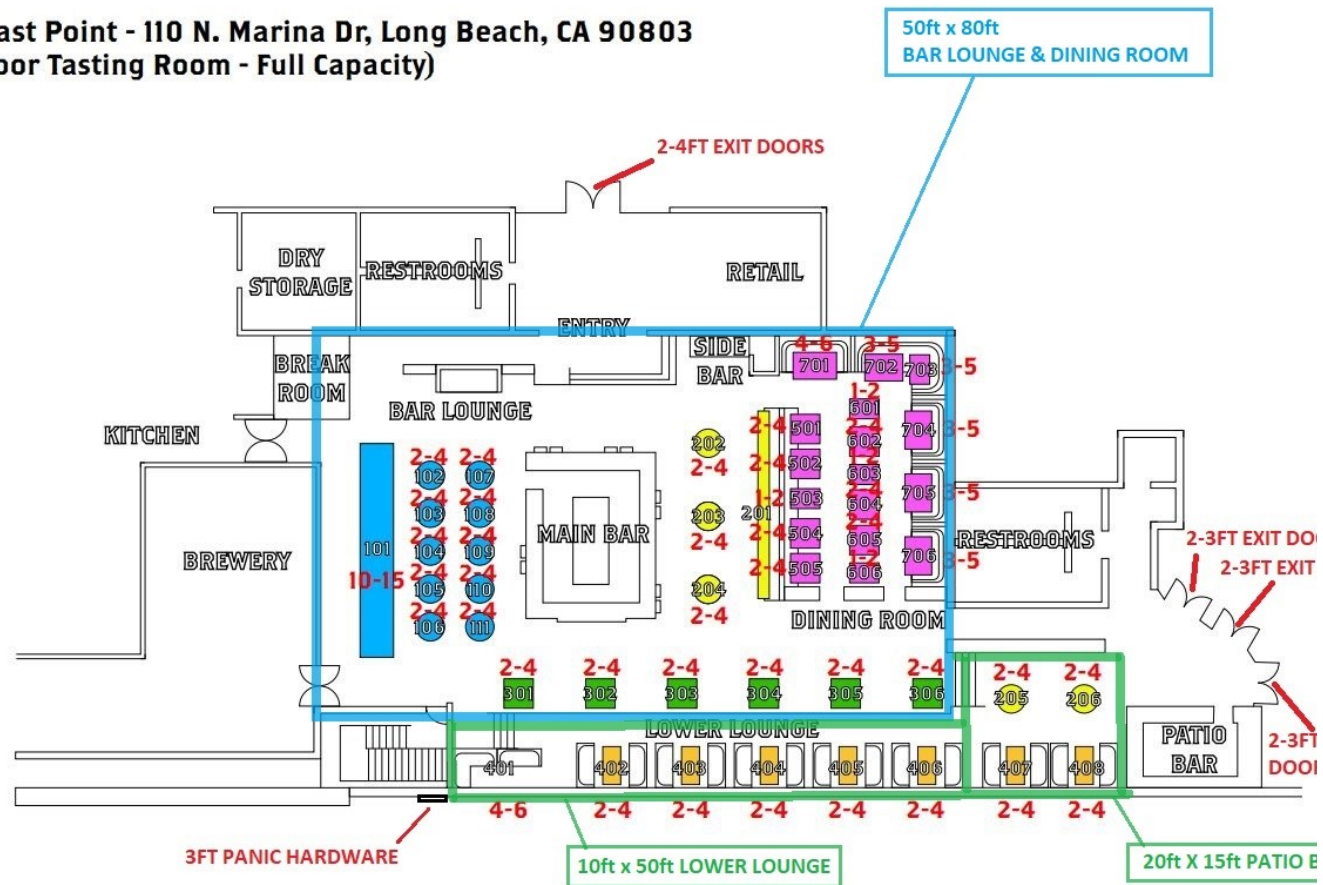
PLEASE REPORT IMMEDIATELY ANY CHANGE IN OWNERSHIP, BUSINESS LOCATION, MAILING ADDRESS, OR BUSINESS ACTIVITY TO THE BUSINESS LICENSE DIVISION.

KINGS AND CONVICTS BP LLC
BALLAST POINT BREWING COMPANY
9045 CARROLL WAY
SAN DIEGO, CA 92025

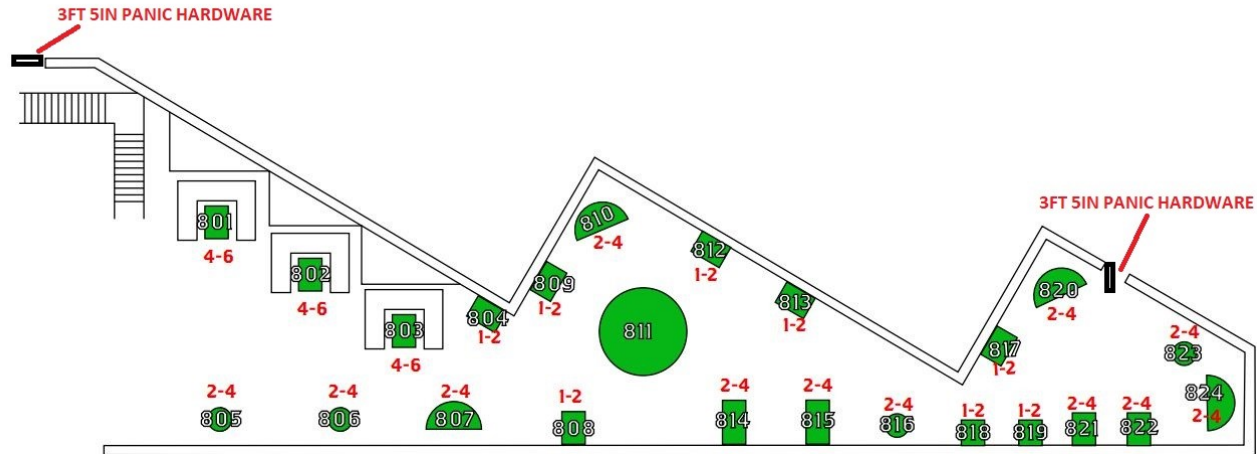
Ballast Point - 110 N. Marina Dr, Long Beach, CA 90803
(Upstairs Outdoor Patio)

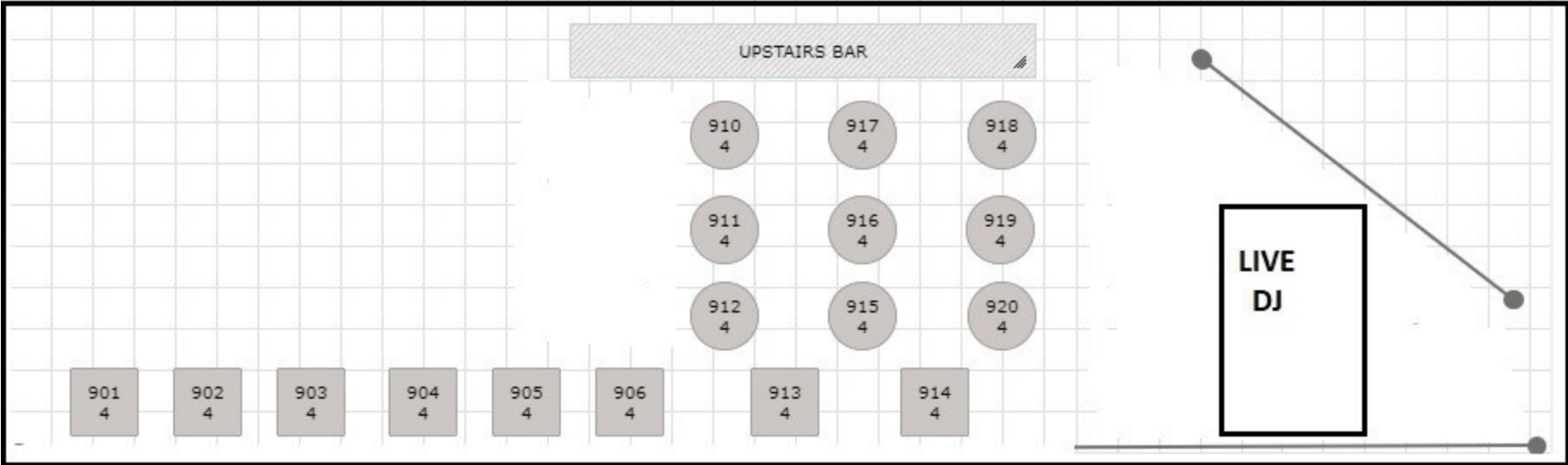


Illost Point - 110 N. Marina Dr, Long Beach, CA 90803
door Tasting Room - Full Capacity)



**Ballast Point - 110 N. Marina Dr, Long Beach, CA 90803
(Lower Outside Patio)**







5/19/2023 13:54

INFORMATION - LICENSE # BS22303008

License Type BS
Application Type Secondary Business License
Description
Primary Applicant
Primary Applicant Last Name KINGS AND CONVICTS BP LLC
Address Location 110 MARINA DR LONG BEACH CA 90803
 License is Pending.
 Current milestone is Council Approval.
 Current unpaid amount of \$0.00.
 Account: BS22303008

License Description

Status Dates

Processed Date 2/13/2023 12:57
by Marla Camerino
Start Date 2/13/2023 00:00
by Marla Camerino
Inactive Date
by
Last Renewal
by
Next Renewal
Expires
Grace Exp
End Date
by VISAR
Last Modified 5/12/2023 13:03

License Description

Property Type COM
License Category 300508
Business Name KINGS AND CONVICTS BP LLC
DBA Name BALLAST POINT BREWING COMPANY
 Detailed Description of Business Activities
 ENTERTAINMENT WITHOUT DANCING (ALCOHOL)
Application Reason NEWLICENSE
Description Entertainment Without Dancing (Alcohol)
HH/MH: Total # Units 0
Census Tract 0
Council District 3

License Details

(Tab Not Loaded)

Endorsements

(Tab Not Loaded)

Reviews

(Tab Not Loaded)

Inspections

(Tab Not Loaded)

Conditions

(Tab Not Loaded)

Fees

(Tab Not Loaded)

Applicants

Contact Information

Name KINGS AND CONVICTS BP LLC
 First Name,
MI
Middle Initial
Contact Type MAILING
Address 110 MARINA DRIVE
Address Line 2
City LONG BEACH
State/Province CA
ZIP/PC 90803
Country
Title
Expiration Date
Day Phone (858)790-6900
Mobile Number (858)790-0404
E-Mail LEGAL@BALLASTPOINT.COM
Foreign no
Corr. Delivery Mail
Company Name
Internet ID Type 1
 ID 1
Internet ID Type 2
 ID 2
Last 4 Digits 6751
Customer# 970182

(No Data)

Additional Applicants

Applicant Type	Capacity	Last Name	First Name	Professional ID	Primary DBA	Effective	Expire	Comments
OtherContact	OFFICER	KINGS AND CONVICTS BP LLC						100%
OtherContact	BUSMGR	BRADLEY	CHRISTOPHER					

Sites

(Tab Not Loaded)

Employees

(Tab Not Loaded)

Related Records

(Tab Not Loaded)

Logs

(Tab Not Loaded)

Attachments

(Tab Not Loaded)

Date: April 14, 2023

To: Tara Mortensen, Bureau Manager, Business Relations Bureau

From: Wally Hebeish, Chief of Police 

Subject: **APPLICATION FOR AN ENTERTAINMENT WITHOUT DANCING PERMIT AT
BALLAST POINT BREWING COMPANY – 110 MARINA DRIVE**

In response to your request for a recommendation regarding the above-named permit application for Entertainment without Dancing, the Police Department recommends approval, subject to the following standard conditions of operation.

Ballast Point is a local contemporary brewery and pub that offers over 60 craft beers on tap and refined pub fare. The establishment is located in Alamitos Bay, overlooking the marina. The current owner for the business is Kings & Convicts PC LLC. Ballast Point has a valid Type 1 (Beer Manufacturer-Large Brewery) Alcoholic Beverage Control License. This is a new application for the ownership.

Ballast Point applied for an Entertainment without Dancing Permit requesting Outdoor entertainment, Live music by more than two (2) performers, live or recorded amplified music, and disc jockey. They requested to provide entertainment from 11:00 AM to 11:00 PM, Monday through Friday and 10:00 AM to 11:00 Pm Saturday and Sunday.

The Police Department is recommending entertainment activities shall be restricted to no later than **11:00 PM Monday through Sunday**. Entertainment can begin at 11:00 AM Monday through Friday and 10:00 AM Saturday through. All outdoor entertainment shall be restricted to no later than **10:00 PM Monday through Sunday**.

Based upon the Police Department's Investigation, The East Division Patrol Commander's recommendation, and the crime analysis, the Long Beach Police Department has determined the public's peace, safety, and welfare would not be adversely impacted by the issuance of this permit, provided the appropriate conditions are imposed and observed by the applicant. The Police Department recommends approval of an Entertainment without Dancing Permit.

CONDITIONS OF OPERATION

- 1) The operation of the establishment shall be limited to those activities and elements expressly indicated on the permit application and approved by the City Council. Any change in the operation, which exceeds the conditions of the approved permit, will require that a new permit application be submitted to the City Council for their review and approval.

- 2) Unless separately applied for, reviewed, and approved, no adult entertainment, as defined by section 21.15.110 LBMC shall be conducted on the permitted premises.
- 3) The Police Department is recommending entertainment activities shall be restricted to no later than 11:00 PM Monday through Sunday. Entertainment can begin at 11:00 AM Monday through Friday and 10:00 AM Saturday through Sunday. All outdoor entertainment shall be restricted to no later than 10:00 PM Monday through Sunday.
- 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.
- 5) "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.

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 operation, 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 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
- 7) 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-way's 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 username/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
- 8) Current occupancy loads shall be posted at all times, and the permittee shall have an effective system to keep count of the number of occupants present at any given time and provide that information to public safety personnel upon request.

- 9) 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.
- 10) The permittee shall ensure that all employees attend an alcohol awareness class, such as TIPS or LEAD, within the first ninety (90) days of employment. The permittee shall keep employees' proof of completion on file and have it available for inspection at any time. All current and new alcohol servers and managers must be certified by an accredited RBS training provider and pass an ABC exam within 60 calendar days from date of employment. Responsible Beverage Service (RBS) Training Program is mandatory by The Department of Alcoholic Beverage Control. For more information please visit <https://www.abc.ca.gov/education/rbs>
- 11) 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.
- 12) The permittee is required to monitor the outside patio area for any nuisance activity that could disturb the surrounding neighbors. This shall be done by utilizing security guards or employees.
- 13) The permittee shall employ his/her own discretion in determining the level of security necessary to prevent violations of law and any other disturbances arising out of or in connection with business operations. Should the permittee's operations give rise to a substantial increase in complaints/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.

During times that the entertainment activities are being conducted and any night where organizations, such as car clubs, motorcycle clubs, or any organization who are also patrons of the Ballast Point Brewing Company and may congregate in the parking lot, the permittee shall staff one (1) security guard for crowds over (50) patrons to monitor activity inside the establishment to include the adjacent parking lot and any area under the control of the licensee, between the hours of 5 p.m. and ½ hour after closing. Security Guards shall ensure that patrons conduct themselves in a peaceful manner as not to disturb any nearby businesses and liveaboard vessels. Security Guards must be identifiable as "Ballast Point Brewing Company" employees or the use of a reputable and licensed security company. The Chief of Police may increase or relax this condition, based on calls for service related to problems in the establishment to include the adjacent parking lot and any area under the control of the licensee.

For crowds over fifty (50) people, the permittee shall provide a minimum of one (1) additional security guard per fifty (50) people. 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.

- 14) The permittee shall take reasonable measures to prohibit and prevent the loitering of persons immediately outside any of the entrance/exit doors and the parking lot, at all times, while open for business. This should be done by utilizing security guards and signage with verbiage such as, "Please respect our neighbors," or something similar.
- 15) The permittee shall not hire promoters with the intent to advertise/promote or hold any entertainment activities consistent with nightclub entertainment.
- 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) Ballast Point Brewing Company, or its agents, shall not distribute any advertising matter such as signs, posters, or promotional cards, in or upon any public property, any vehicle, or in any other such place in the City of Long Beach. Distribution of any advertising matter upon private property shall adhere to the following guidelines: By placing the same matter in a receptacle, clip, or other device designed or intended to receive advertising matter. The permittee shall keep all agent contracts, including names, addresses, and phone numbers, on file at all times, and be available for inspection at any time.
- 18) 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 neighboring area.
- 19) Deliveries to and from the premises shall be limited to the hours of 8:00 a.m. to 10:00 p.m.
- 20) The permittee shall not allow employees to discard trash or beer bottles into the outside dumpster between closing hours and 7 a.m.
- 21) The permittee shall develop and maintain a plan to address neighborhood concerns, related to the operation of the establishment. (i.e. newsletter, meetings, etc.)
- 22) The permittee shall comply with the requirements of LBMC Sec. 8.80 (Noise) at all times. In addition, in response to a complaint, the Police Department will enforce Penal Code Section 415 (disturbing the peace) and all other state and local provisions related to the "public peace." Permittee shall conduct all aspects of his or her operation, including before and after-hours deliveries and maintenance, in consideration of residences located nearby. Permittee agrees that the following standard is reasonable: Noise emanating from Permittee's premises shall not be audible from the middle of the street adjoining the premises.

Due to the proximity of neighboring liveaboard boats in The Marina, 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.**

- 23) The permittee and/or security shall also ensure that no employee, patron, or entertainer loiters in the parking lot at any time during the operation of the business.

The permittee shall not allow any employee, patron or entertainer, to exit and loiter near the side or rear doors leading to the boardwalk or boat docks

- 24) The permittee shall not convert the restaurant, or any portion thereof, into a dance/night club. All entertainment activities shall be conducted in conjunction with regular dining or pre-planned banquet activities. A banquet is defined as a function held at a bonafide eating place wherein complete and substantial meals are provided to the persons in attendance by the management of the restaurant where the function is being held. Fast food, snacks, and hors d'oeuvres shall not constitute a complete and substantial meal.

- 25) The speaker volume in the patio area shall be kept at a low level, so as not to disturb any other businesses or residents. If any noise or disturbance complaints can be attributed to the speaker volume in the patio area, the permittee shall modify or remove existing speakers at the direction of the Chief of Police.

- 26) Entertainment shall not be offered on any day that the restaurant is closed.

Date: April 14, 2023

To: Wally Hebeish, Chief of Police

From: Donald Mauk, Deputy Chief, Investigations Bureau

Subject: **APPLICATION FOR AN ENTERTAINMENT WITHOUT DANCING PERMIT AT
BALLAST POINT BREWING COMPANY – 110 MARINA DRIVE**

The Long Beach Police Department recommends **approval** of the application for an Entertainment without Dancing Permit, at Kings & Convicts BP LLC, dba Ballast Point Brewing Company, located at 110 Marina Drive subject to the conditions provided in the attached memorandum.

Background

Ballast Point is a local contemporary brewery and pub that offers over 60 craft beers on tap and refined pub fare. The establishment is located in Alamitos Bay, overlooking the marina. The current owner for the business is Kings & Convicts PC LLC. Ballast Point has a valid Type 1 (Beer Manufacturer-Large Brewery) Alcoholic Beverage Control License. This is a new application for the ownership.

The ABC license Type 1 Authorizes the sale of beer to any person holding a license authorizing the sale of beer, and to consumers for consumption on or off the manufacturer's licensed premise. Without any additional licenses, may sell beer and wine, regardless of source to consumers for consumption at a bona fide public eating place on or contiguous to the manufactures licensed premises. They may also conduct beer tastings under specified conditions. Minors are allowed on the premises.

Ballast Point applied for an Entertainment without Dancing Permit requesting Outdoor entertainment, Live music by more than two (2) performers, live or recorded amplified music, and disc jockey. They requested to provide entertainment from 11:00 AM to 11:00 PM, Monday through Friday and 10:00 AM to 11:00 PM Saturday and Sunday.

Crime Analysis

As part of the review process by the Long Beach Police Department, calls for service, crime reports, and arrests were evaluated at the above location for a two-year period between February 15, 2022 through February 15, 2023. There were four (8) calls for service, three (3) incidents reported, and three (3) arrests attributable to the business. The calls for service consisted of unwelcome guests, battery, domestic violence and drunk in public calls. Majority of the calls for service were generated by the owner or an employee of the establishment, Ballast Point.

There were three (3) calls for service, no crime reports and no arrest attributable to the business from February 16, 2023 through April 11, 2023.

Patrol Division

East Division Patrol Commander Michael Richens was contacted for an opinion regarding the issuance of this permit. Commander Richens concern would be the impact the live and amplified music and performers will have as unobstructed sound will carry across the water and likely be heard by nearby residents, increasing calls for service noise/music complaints, and impacting our residents. Patrol has no objections to the issuance of an Entertainment without Dancing Permit, provided the proper conditions of operation are imposed and observed by the establishment and ownership.

Resident Contacts

As part of this investigation, Vice detectives responded to the Ballast Point Brewing Company, located at 110 Marina Drive. Vice Investigations did not contact residents living within one hundred feet of the establishment. There are zero residences within this distance. Officers spoke to Marine Patrol staff, and they advised there are 39 liveaboard permittees living on vessels in the immediate vicinity. During a community meeting nearby resident said the noise coming from the prior establishment has been an issue. This is only noted because the distance sound could travel across the water where the boats are located.

Vice Investigation

As part of this investigation, Vice Detective conducted a meeting via telephone with Albert Ubieta, in-house counsel of Kings & Convicts BP, LLC and discussed the calls for service and the proposed entertainment permit conditions. Mr. Ubieta confirmed the establishment will provide Entertainment without Dancing with Outdoor entertainment and Live music by more than two (2) performers. They requested to provide entertainment from 11:00 AM to 11:00 PM, Monday through Friday and 10:00 AM to 11:00 PM Saturday and Sunday

Detectives also went to this location in an undercover capacity on two (2) separate occasions.

On March 23, 2023, Detectives visited the business, Ballast Point Brewing Company. The establishment had adequate parking for patrons just north of the property. Parking was not an issue as there was an additional parking lot across North Marina Drive.

Detectives observed the establishment to be near full capacity that night due to college playoff basketball game, and there was no wait for self-seating. The crowd was calm and respectful. The kitchen and brewing area are located on the north end of the building. The dining room is a large, open space with tables and chairs set up for patrons to sit, eat, and drink. There is a 360-degree bar in the center of the dining room surrounded by the dining tables. There is also an outdoor patio on the west side of the restaurant that is set up with more dining tables and chairs.

On April 6, 2023, Detectives visited the establishment, Ballast Point Brewing Company, a second time.

The establishment was approximately at half its capacity. The noise level was reasonable, and we observed no issues with any of the staff or patrons.

During their visit's, detectives did not observe any subjects dancing within the business. The crowd sizes varied and everyone inside the establishment were respectful with each other. The parking lot and parking on the street was not heavily impacted.

Detectives did not observe any violations during their visits at Ballast Point

Recommendation

Based upon the Police Department's Investigation, The East Division Commander's recommendation, and the crime analysis, the Long Beach Police Department has determined the public's peace, safety, and welfare would not be adversely impacted by the issuance of this permit, provided the appropriate conditions are imposed and observed by the applicant. The Police Department recommends approval of an Entertainment without Dancing Permit.