



## Legislation Details (With Text)

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**File #:** 10-1324      **Version:** 1      **Name:** FM-Ashley's D2  
**Type:** Public Hearing      **Status:** Concluded  
**File created:** 11/29/2010      **In control:** City Council  
**On agenda:** 12/14/2010      **Final action:** 12/14/2010

**Title:** Recommendation to receive supporting documentation into the record, conclude the hearing, and grant the Permit with conditions on the application of Ashley's Bar & Grill LLC, dba Ashley's Bar & Grill, 1731 E. 4th Street, for Entertainment Without Dancing by Patrons at an existing Restaurant. (District 2)

**Sponsors:** Financial Management

**Indexes:**

**Code sections:**

**Attachments:** 1. 121410-H-4sr&att.pdf

Date	Ver.	Action By	Action	Result
12/14/2010	1	City Council	approve recommendation	Pass

Recommendation to receive supporting documentation into the record, conclude the hearing, and grant the Permit with conditions on the application of Ashley's Bar & Grill LLC, dba Ashley's Bar & Grill, 1731 E. 4th Street, for Entertainment Without Dancing by Patrons at an existing Restaurant. (District 2)

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, an entertainment permit with conditions shall be approved, or the application shall be denied.

The City Council has the authority to approve the following options: 1) grant the Permit, with or without conditions; or 2) grant a One-Year Short-Term Permit, with or without conditions; or, 3) deny the Permit on the application.

Attached for your review is the application from Ashley's Bar & Grill LLC, DBA Ashley's Bar & Grill. 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 without dancing by patrons be approved subject to conditions.
- The Fire Department recommends that the permit for entertainment without 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 Development Services Department recommends that the permit for entertainment without dancing by patrons be approved.

The Department of Financial Management, Business Relations Bureau, has reviewed all submitted department documents and correspondence and, after a thorough investigative process, recommends that the permit for entertainment without dancing by patrons be approved subject to conditions.

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 November 1974.

This matter was reviewed by Deputy City Attorney Kendra Carney on November 22, 2010.

The hearing date of December 14, 2010, has been posted on the business location, with the applicant and property owners within 300 feet notified by mail.

The following fees were collected with the application: Building Review \$20 and Zoning Review \$14 (Development Services Department), Police Investigation \$1,159 (Police Department), and Labels \$90 (Financial Management Department).

The following fees will be collected if the application is approved: Business License \$320.20 and Regulatory \$279 (Financial Management Department).

Approve recommendation.

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LORI ANN FARRELL  
DIRECTOR OF FINANCIAL MANAGEMENT/CFO

APPROVED:

PATRICK H. WEST  
CITY MANAGER