



Legislation Text

File #: 08-0785, **Version:** 1

Recommendation to receive 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 Casbah LBCA LLC, dba Sgt. Pepper's Dueling Piano Cafe, 91 S. Pine Avenue C150, 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, a short-term permit shall be approved, or the application shall be denied.

Attached for your review is the application from Casbah LBCA, LLC, DBA 5gt. Pepper's Dueling Piano Cafe. 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 standard conditions of the Downtown Dining and Entertainment District.
- 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 Long Beach Development Services Department recommends that the permit for entertainment without 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 April 2008.

The hearing date of August 19, 2008, has been posted on the business location, with the applicant and property owners within 300 feet notified by mail.

This matter was reviewed by Deputy City Attorney Cristyl Meyers on August 1, 2008.

The following fees were collected with the application: Building Inspection \$300 and Zoning Review \$14 (Long Beach Development Services Department), Police Investigation \$1,000 (Police Department), 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 \$309.77, Regulatory \$250 and DPBIA \$553.53 (Financial Management Department).

Approve recommendation.

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LORI ANN FARRELL
DIRECTOR OF FINANCIAL MANAGEMENT/CFO

APPROVED:

PATRICK H. WEST
CITY MANAGER