



## Legislation Text

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**File #:** 07-0392, **Version:** 1

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Recommendation to receive supporting documentation into the record, conclude the hearing and grant a one-year short-term Permit, with or without conditions, or deny the Permit on the application of Beachside Blue Café, Inc., dba Mariposa On Pine, 135 Pine Avenue, for a Permit for Entertainment With 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 a license or 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 persons 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; if not, it shall be denied.

Attached for your review is the application from Beachside Blue Cafe, Inc., DBA Mariposa On Pine. Also attached are reports from various departments and a summary of those reports, as well as the license history of the establishment.

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

- > The Police Department recommends that the permit for entertainment with dancing by patrons be approved on a one-year short-term permit with conditions of the Downtown Dining and Entertainment District.
- > The Fire Department recommends that the permit for entertainment with dancing by patrons be approved with conditions.
- > 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 Planning and Building Department recommends that the permit for entertainment with dancing by patrons be approved with 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 October 1999.

This matter was reviewed by Deputy City Attorney Cristyl Meyers on March 30, 2007.

The hearing date of April 10, 2007 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 Inspection \$290 and Zoning Review \$14 (Planning and Building Department), Police Investigations \$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 \$287.63 and Regulatory \$825 (Financial Management Department).

Approve recommendation.

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MICHAEL A. KILLEBREW  
DIRECTOR OF FINANCIAL MANAGEMENT

NAME  
TITLE

APPROVED:

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GERALD R. MILLER  
CITY MANAGER