



Legislation Text

File #: 09-1276, **Version:** 1

Recommendation to receive supporting documentation into the record, conclude the hearing and grant the Permit with conditions on the application of Casbah LBCA, LLC, dba Sgt. Peppers Dueling Piano Cafe, 91 S. Pine Avenue, for Entertainment Without Dancing by Patrons. (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 permit application is complete and truthful; the applicant 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 public peace, welfare and safety will not be impaired. If this is so, the application shall be approved, a short-term entertainment permit 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 Entertainment Permit, with or without conditions; or, 3) deny the Permit on the application.

City departments have conducted their investigations in accordance with the LBMC. Attached for your review are the departmental investigative reports, the business ownership and permit history, and the entertainment permit application.

The following summarizes departmental findings:

- The Police Department recommends that the permit for entertainment without dancing by patrons be approved with conditions.
- The Fire Department finds that the building/location meets department requirements for the proposed use.
- 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 finds that the building/location meets department requirements for the proposed use.

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 the standard entertainment conditions of the Downtown Dining and Entertainment District (attached).

In the event that any of the recommended conditions are in conflict with other permits or licenses, the permittee shall adhere to the strictest of the applicable conditions. This location has been licensed as a restaurant since April 2008.

This matter was reviewed by Deputy City Attorney Cristyl Meyers on November 18, 2009.

The hearing date of December 8, 2009 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 \$1,125 (Police Department), Temporary Permit \$340 and Labels \$90 (Financial Management Department).

The following fees will be collected if the application is approved: Business License \$320.70 and Regulatory \$273 (Financial Management Department).

Approve recommendation.

LORI ANN FARRELL
DIRECTOR OF FINANCIAL MANAGEMENT

NAME
TITLE

APPROVED:

PATRICK H. WEST
CITY MANAGER