

CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Boulevard Long Beach, CA 90802

SUMMARY OF APPLICATION FOR BUSINESS PERMIT

Attached for your review and action is an application for Pine Avenue S&G, DBA Smooths Sports Grille. 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	
Planning and Building 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
- Planning and Building Department, Director of Planning and Building.....570-6623

Compiled by: Department of Financial Management
Commercial Services Bureau



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT
COMMERCIAL SERVICES BUREAU

333 West Ocean Boulevard • Long Beach, CA 90802

5-YEAR HISTORY OF BUSINESS ESTABLISHMENT 144 Pine Ave.

Widnes Inc.
DBA: Mum's
Lic# 87069260
01/88 – 07/04

Restaurant With Alcohol

Widnes Inc.
DBA: Mum's
Lic#90059740
10/90 – 07/04

Entertainment With Dancing

Widnes Inc.
DBA: Mum's
Lic#20347760
04/98 – 07/04

Pool Hall (3 Tables)

Pine Avenue S&G
DBA: Smooths Sports Grille
Lic#20430090
07/04 – Pending (City approval)

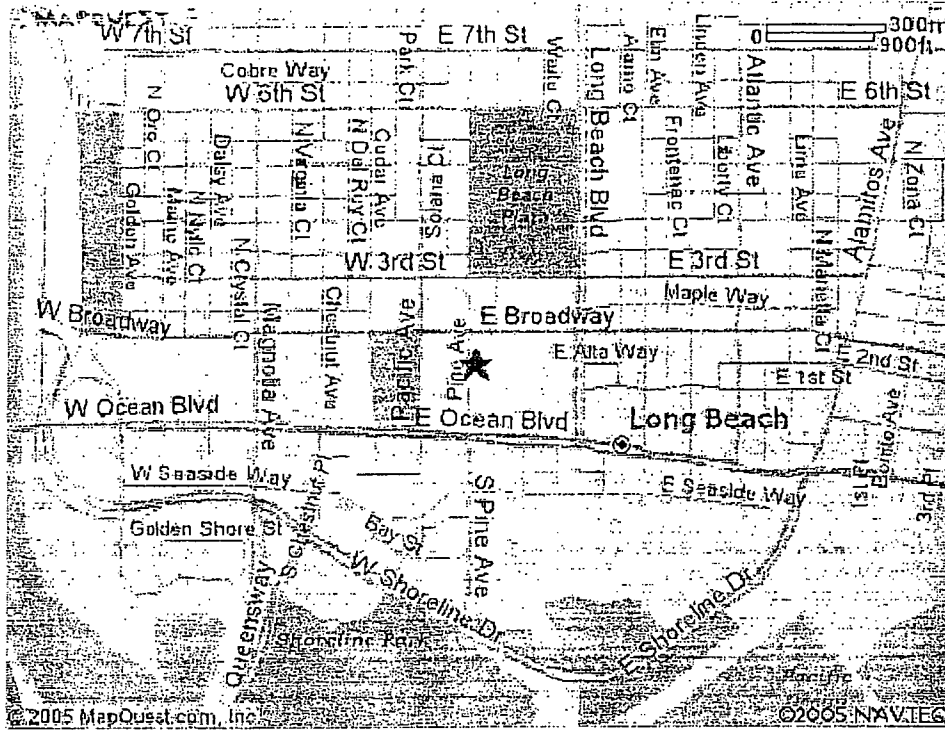
Restaurant With Alcohol

Pine Avenue S&G
DBA: Smooths Sports Grille
Lic#20459380
12/04 – Pending (City Council approval)

Entertainment With Dancing

Smooths Sports Grille

144 Pine Avenue





OFFICE USE ONLY

Accepted by: P. L. [Signature] Date: 12-9-04
 Zoning Approval Date: [Signature] By: [Signature]

APPLICATION FOR ENTERTAINMENT PERMIT

(Please Print All Information/Incomplete Applications Will Not Be Accepted)

Applicant's Name (Legal Ownership Structure): Pine Ave SE 6

Business Phone: (562) 437-7700

Business Name (d.b.a.): Smoothie Sports Grille

Business Site Address: 144 Pine Ave

Date Business Proposes to Open: Open

Days & Time Premises are Open for Inspection: 9am - midnight

Proposed Use(s):

- Entertainment/Restaurant With Dancing Without Dancing
- Entertainment/Tavern With Dancing Without Dancing
- Social Club Pool or Billiard Hall Other (Explain): _____

Explain briefly the proposed use of the rooms within the building: Dining inside restaurant and on rooftop terrace

Contact Person's Name (authorized agent, manager, etc.): John Morris

Contact Person's Phone: (562) 437 7700

Type of Organization:

- Corporation Partnership Individual Unincorporated Association or Club
- Trust L.L.C. Other (Explain): _____

OFFICE USE ONLY

BUILDING FIRE HEALTH (Check Inspecting Department) Date Received: _____

Building/Location meets Department requirements for the proposed use.
 Building/Location meets Department requirements for the proposed use subject to the following conditions:

Building/Location does not meet Department requirements for the proposed use.
 Inspection Completed on (date): _____ By: _____

POLICE DEPARTMENT

Police Department finds no basis for denial. Police Department finds basis for denial.
 Police Department finds no basis for denial with conditions.

Conditions or Basis for Denial: _____

By: _____ Title: _____ Date: _____

General information (all applicants)

Principal place of business (if other than the business address listed on page 1):

Fictitious business name(s) or d/b/a(s) used:

Smooths Sports Grille

Place and date of filing fictitious business name statement:

Aug. 6, 2004

LA. County Recorder's Office

County(ies) in which fictitious business name statement is (are) filed:

L.A.

Names and addresses of all agents and employees authorized to negotiate or otherwise represent individual in connection with any transaction with the City of Long Beach:

Jane Morris 144 Pine Ave LB 90802

Frank Sigan 144 Pine Ave LB 90802

Name and address of person (agent) authorized to accept service of process in California:

Same as Above

State whether you are licensed by any governmental agency to engage in any business. If so, list each such license held, the city in which held, the number and expiration date thereof.

Is this applicant a subsidiary of a present corporation or business? yes no
If yes, explain

How long has the corporation or business been in operation?

7 mos

GENERAL OPERATING CONDITIONS

Complete Each Question

ALCOHOL/FOOD/ADDITIONAL BUSINESSES

1. Will liquor be sold and consumed on the premise? Yes [] No

a. If Yes, complete the following box:

Check One Box to Indicate License Type	Alcoholic Beverage Control License No.	Premises Type: Club (restaurant) or Commercial(store)
On sale beer		
On sale beer & wine		
On sale distilled spirits	<input checked="" type="checkbox"/> 415387	RESTAURANT

2. Is a bonafide eating place provided on the premises? (*Bona fide 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.*)

Yes [] No

a. If yes, list types of food sold: American Cuisine

b. If no, list any food products (such as snacks) sold: _____

3. Are non-alcoholic beverages sold? Yes [] No

4. How many tables for seating? 55

5. Are other types of business conducted on the premises? [] Yes No

a. If yes, list type(s): _____

6. Are pool tables provided? [] Yes No

a. If yes, indicate number: _____

7. Is there a license for the pool tables? [] Yes No

a. If yes, license number: _____

8. Are amusement machine(s) and/or jukebox(es) provided? [] Yes No

a. If yes, indicate number and type: _____

9. Is there a license for the amusement machine(s) and or jukebox(es)?

[] Yes No

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

10. Owner of machine(s) and/or Jukebox(es):

Name: _____

Address: _____

Telephone No. () _____

GENERAL OPERATING CONDITIONS (Continued)

SECURITY

1. Will security officers be provided?

[X] Yes [] No

a. If yes, number of security officers: depending on event

2. Is any other type of security provided?

[] Yes [X] No

a. If yes, describe type of security: _____

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

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours of Security					5pm 2am	5pm 2am	5pm 2am

3. Will a private security firm be used?

[] Yes [X] No

a. If Yes, Provide the following information of the contracted security firm:

Name: _____ City Business License No. _____
Address: _____ Telephone No. () _____

ADMISSION and/or MEMBERSHIP FEES CHARGED

14. Will minors be allowed on the premises?

[X] Yes [] No

15. Will the premises be open to the general public?

[X] Yes [] No

16. Will an admission fee be charged?

[X] Yes [] No

a. If yes, fee schedule: would like to be flexible
with charging admission fee.

17. Is there a private area for exclusive use of members and their guests only? [] Yes [X] No

a. If yes, types of membership and fees: _____

18. Will guests of members pay an admission fee or other charges? [] Yes [] No

a. If yes, describe the fee schedule or other charges: _____

GENERAL OPERATING CONDITIONS (Continued)

HOURS OF OPERATION

Establishment hours of operation by day:
(please fill out completely)

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	11 Am	11 Am	11 Am	11 Am	11 Am	8 Am	8 Am
Close	2 Am	2 Am	2 Am	2 Am	2 Am	2 Am	2 Am

PROXIMITY OF BUSINESSES AND RESIDENCES

19. Are there surrounding businesses? Yes [] No

a. What type? office & Restaurants

20. Are there surrounding residences? Yes [] No

a. Approximately how close? 300 ft

PARKING FACILITIES AND ARRANGEMENTS

21. Is parking available? Yes [] No

22. Is parking facility part of the business premises? Yes [] No

a. If no, what is the street address of the off-premises parking facility? _____

b. Describe business arrangement made with owner of parking facility if not part of business premises. (please attach copy of parking contract or deed restriction) _____

c. Days and hours parking facility will be available? 24hrs 7 days a week

d. How many individual parking spaces (approximately)? Diamond parking lot

ENTERTAINMENT FACILITY AND ACTIVITY

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

Does the Proposed Activity have:

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: NOT SURE

Dance Floor? Y N Stage? Y N

If yes, provide dimensions and type of material of dance floor. L 25 X W 25 = _____ sq ft.

If yes, provide dimensions and type of material of stage. L _____ W _____ H _____

Describe floor material and surface type: Wood (3) areas not to be used all at once, terrace: concrete as depicted on floor plan 78 12

Schedule of entertainment. Please provide days of the week and time of day. If entertainment is not provided the same days and times every week, please provide a detailed schedule of specific dates and times of entertainment. Attach an additional sheet if necessary: (Fill Out Completely)

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Entertainment Type	← all the above listed activities →						
Start Time	3:00pm	3:00pm	3:00pm	3:00pm	3:00pm	3:00pm	3:00pm
End Time	1:30am	1:30am	1:30am	1:30am	1:30am	1:30am	1:30am

RELEASE FORM

True Acc. S & G

The undersigned, on behalf of (owner(s)) Smackles Sports Grill, hereby authorizes 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:

(D.B.A.) Smackles Sports Grill

to obtain the (entertainment type) entertainment with dancing permit/license.

The applicant by signing this application consents that service of any notice required or provided for by the laws, rules, regulations, or ordinances of the City of Long Beach upon the person at the address designated in this application as the business address, will constitute sufficient and legal notice. Any change in the person or the address listed in the application may be made only in writing to the Director of Financial Management.

The applicant consents and agrees that full compliance will be made with all applicable State laws and City ordinances governing the conduct of the particular type of business activity for which a business license or permit is requested. The applicant by signing this application understands that any incomplete or false information may constitute grounds for denial.

I swear under penalty of perjury that I have read the forgoing application and that all information and statements made by the undersigned/applicant regarding this application are true and correct.

[Signature]
SIGNATURE (OWNER OR AUTHORIZED AGENT) TITLE

12-07-04
DATE

W4324655 CA
DRIVER'S LICENSE OR I.D. CARD NUMBER STATE

P. L. Boan CSP III
ACCEPTED BY (CITY STAFF) TITLE

12-9-04
DATE



OFFICE USE ONLY

Accepted by: P. LeBoeuf Date: 12-9-04
 Zoning Approval Date: 12/9/04 By: JN

APPLICATION FOR ENTERTAINMENT PERMIT

(Please Print All Information/Incomplete Applications Will Not Be Accepted)

Applicant's Name (Legal Ownership Structure): Pine Ave SE 6
 Business Name (d.b.a.): Smooths Sports Grille
 Business Site Address: 144 Pine Ave
 Business Phone: (562) 437-7700
 Date Business Proposes to Open: open
 Days & Time Premises are Open for Inspection: 9am - midnight

Proposed Use(s):

Entertainment/Restaurant With Dancing Without Dancing
 Entertainment/Tavern With Dancing Without Dancing
 Social Club Pool or Billiard Hall Other (Explain): _____

Explain briefly the proposed use of the rooms within the building: Dancing inside restaurant and on rooftop terrace.

Contact Person's Name (authorized agent, manager, etc.): JOHN MORRIS
 Contact Person's Phone: (562) 437 7700

Type of Organization:

Corporation Partnership Individual Unincorporated Association or Club
 Trust L.L.C. Other (Explain): _____

OFFICE USE ONLY

BUILDING FIRE HEALTH (Check Inspecting Department) Date Received: _____

Building/Location meets Department requirements for the proposed use.
 Building/Location meets Department requirements for the proposed use subject to the following conditions:

Building/Location does not meet Department requirements for the proposed use.
 Inspection Completed on (date): _____ By: _____

POLICE DEPARTMENT

Police Department finds no basis for denial. Police Department finds basis for denial.
 Police Department finds no basis for denial with conditions.
 Conditions or Basis for Denial: _____

By: Anthony W. Berto Title: CHIEF OF POLICE Date: 2-8-05



Date: February 9, 2005
To: Pamela Wilson-Horgan, Manager, Commercial Services Bureau
From: Anthony W. Batts, Chief of Police
Subject: APPLICATION FOR ENTERTAINMENT WITH DANCING AT SMOOTHS SPORTS GRILL – 144 PINE AVENUE

In response to your request for a recommendation regarding the above named permit application for Entertainment With Dancing, the Police Department recommends **approval**, subject to the following eighteen (18) conditions of operation:

CONDITIONS OF OPERATION

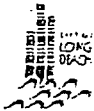
- 1) The operation of the establishment shall be limited to those activities and elements expressly indicated on the permit application and approved by the City Council. Any change in the operation, which exceeds the conditions of the approved permit, will require that a new permit application be submitted to the City Council for their review and approval.
- 2) Entertainment activities shall be restricted to no later than 12 midnight Sunday through Thursday nights, and 2:00 a.m. on Friday and Saturday nights. Outdoor entertainment shall be restricted to no later than 10pm each day of the week.
- 3) Outdoor entertainment shall be restricted to no more than three (3) entertainers, and shall not be amplified in any way. This shall apply to the sidewalk patio and the roof.
- 4) 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.
- 5) Persons under twenty-one (21) years of age shall not be permitted to enter nor to remain on the premises after the restaurant (food services) portion of the establishment has closed.
- 6) Persons under eighteen (18) years of age shall not be permitted to enter nor to remain on the premises after 10 p.m., unless accompanied by a parent or legal guardian.
- 7) Smooths Sports Grille shall not advertise, procure, nor allow any person, performance, show, promotion, or any other event or entertainment that exposes or promotes, encourages, or allows the exposure of the male or female genitals, cleft of the buttocks, the areola or any portion of the female breast below the areola, while at or inside the business.

- 8) Current occupancy loads shall be posted at all times, and the licensee shall have an effective system to keep count of the number of occupants present at any given time. (LBMC section 18.48.320)
- 9) Smoking shall not be allowed inside Smooths Sports Grille at any time. "No smoking" signs shall be posted in conspicuous places inside the club and at the entrance to the business. (LBMC Chapter 8.68)
- 10) The door(s) or windows shall be kept closed at all times during any entertainment activity described in your application, except in cases of emergency and to permit deliveries. Said door(s) are not to consist solely of a screen or ventilated security door.
- 11) No sound shall be audible from the exterior of the premises in any direction except during outdoor entertainment as approved in this permit.
- 12) Smooths Sports Grille, its promoters, or agents, shall not distribute any advertising matter 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.
- 13) The permittee shall provide a minimum of two (2) uniformed security guards during all times that the entertainment activities are being conducted for crowds up to two hundred fifty people. For crowds over two hundred fifty people the permittee shall provide a minimum of one (1) additional uniformed security guard per fifty (50) people. Security guards must be identifiable as "Smooths Sports Grille employees." Should the permittee's operations give rise to a substantial increase in complaints/calls for service, the permittee shall increase security as directed by the Chief of Police.
- 14) The permittee agrees to reimburse the City whenever excessive police services, as determined by the Chief of Police, are required as the result of any incident or nuisance arising out of or in connection with the permittee's operations.
- 15) If any noise, disturbance complaints, or trash left in the parking lot and surrounding area of the business can be attributed to the operation of said business, the Police Department can determine and impose requirements for security officer presence to routinely police and handle these problems.
- 16) All promoters must have or obtain a City of Long Beach Business License prior to conducting entertainment activities governed by this permit. The permittee shall be responsible for all entertainment activities at the location, including those conducted by promoters.

Pamela Wilson-Horgan, Manager, Commercial Services Bureau
February 9, 2005
Page 3

- 17) The permittee must provide all promoters hired to conduct entertainment activities with a copy of the approved permit, which shall include a copy of the approved conditions of operation.
- 18) The permittee shall maintain full compliance with all applicable laws, ABC laws, ordinances and stated conditions.

~~AWB~~:CNA:cna
appvlcondsmooths



OFFICE USE ONLY

Accepted by P. L. Boring Date: 12-9-04
 Zoning Approval Date: 12/9/04 By: [Signature]

APPLICATION FOR ENTERTAINMENT PERMIT

(Please Print All Information/Incomplete Applications Will Not Be Accepted)

Applicant's Name (Legal Ownership Structure): Pine Ave S & G
 Business Phone: (562) 437-7700
 Business Name (d.b.a.): Smoothie Sports Grille
 Business Site Address: 144 Pine Ave
 Date Business Proposes to Open: open
 Days & Time Premises are Open for Inspection: 9am - midnight

Proposed Use(s):

Entertainment/Restaurant With Dancing Without Dancing
 Entertainment/Tavern With Dancing Without Dancing
 Social Club Pool or Billiard Hall Other (Explain): _____

Explain briefly the proposed use of the rooms within the building: Dancing inside restaurant and on rooftop terrace

Contact Person's Name (authorized agent, manager, etc.): John Morris
 Contact Person's Phone: (562) 437-7700

Type of Organization:

Corporation Partnership Individual Unincorporated Association or Club
 Trust L.L.C. Other (Explain): _____

OFFICE USE ONLY

BUILDING FIRE HEALTH (Check Inspecting Department) Date Received: _____

Building/Location meets Department requirements for the proposed use.
 Building/Location meets Department requirements for the proposed use subject to the following conditions:


Building/Location does not meet Department requirements for the proposed use.
 Inspection Completed on (date): 4-15-2005 By: [Signature]

POLICE DEPARTMENT

Police Department finds no basis for denial.
 Police Department finds no basis for denial with conditions. Police Department finds basis for denial.
 Conditions or Basis for Denial: _____

By: _____ Title: _____ Date: _____



Date: April 28, 2005
To: Jim Goodin, Financial Management, Business License
From:  Hank Teran, Fire Prevention, Deputy Fire Marshal
Subject: Entertainment Permit Denial - Smooth's Sports Bar, 144 Pine Avenue

At your request, my office reviewed the above application for an Entertainment Permit for Smooth's Sports Bar located at 144 Pine Avenue. Currently we are recommending denial of the application due to the issues listed below:

- Applicant needs to address occupant load calculations and change of occupancy due to proposed dancing. The increase in occupant loads and the change of occupancy will require a formal plan submittal to address life safety issues as required by the California Building and Fire Code.
- Fire sprinkler installation is still unresolved.
- A2.1 Occupancies will require a fire life safety system to be installed.
- Main exit shall be capable of exiting one-half the total occupant load.
- Additional items as required per the California Building and Fire Code.

Based on the above, the Fire Department believes the safety and welfare of the public will be impaired if this permit is granted. Please contact me at extension 82584 if you need any further information.

cc: Deputy Chief Scott Giles, Fire Marshal

OFFICE USE ONLY

Accepted by:

P. L. Bond

Date:

12-9-04

Zoning Approval Date:

12/9/04

By:

[Signature]

APPLICATION FOR ENTERTAINMENT PERMIT

(Please Print: All Information/Incomplete Applications Will Not Be Accepted)

Applicant's Name (Legal Ownership Structure):

Pine Ave S & G

Business Phone: 1562 1437-7700

Business Name (d.b.a.):

Smoothie Sports Grille

Business Site Address:

144 Pine Ave

Date Business Proposes to Open:

Open

Days & Time Premises are Open for Inspection:

9am - midnight

Proposed Use(s):

Entertainment/Restaurant

With Dancing

Without Dancing

Entertainment/Tavern

With Dancing

Without Dancing

Social Club

Pool or Billiard Hall

Other (Explain):

Explain briefly the proposed use of the rooms within the building:

Dancing inside Restaurant and on rooftop terrace

Contact Person's Name (authorized agent, manager, etc.):

John Morris

Contact Person's Phone:

(562) 437 7700

Type of Organization:

Corporation

Partnership

Individual

Unincorporated Association or Club

Trust

L.L.C.

Other (Explain):

OFFICE USE ONLY

BUILDING

FIRE

HEALTH

(Check Inspecting Department)

Date Received:

5/11/05

Building/Location meets Department requirements for the proposed use.

Building/Location meets Department requirements for the proposed use subject to the following conditions:

Building/Location does not meet Department requirements for the proposed use.

A2.1 occupancy not allowed in non-rated building.

Inspection Completed on (date):

5/11/05

By:

Lauren Burgett

POLICE DEPARTMENT

Police Department finds no basis for denial.

Police Department finds basis for denial.

Police Department finds no basis for denial with conditions.

Conditions or Basis for Denial:

Title:

Date:



Date: April 14, 2005
To: Jim Goodin, Business Services Officer
From: Carolyne Bihn, Zoning Administrator *CB*
Subject: REVIEW OF ENTERTAINMENT LICENSE REQUEST

This is in response to your request regarding the following site:

Site Address: 144 Pine Avenue
Long Beach, CA 90802

Applicant: Smooths Sports Grill

Zoning District: PD-30 (Downtown Planned Development)

Proposed Use: Entertainment With Dancing

The Zoning Division of the Department of Planning and Building has the following comments:

- Approve entertainment with dancing as an accessory to restaurant with bar including 88 square feet of dance floor on the second level.
- Applicant has secured an agreement with the Redevelopment Agency of the City of Long Beach for one (1) additional parking space. No additional parking is required.

If you have any questions regarding this response, please call Joe Recker, Planner, at X86004.