

CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

SUMMARY OF APPLICATION FOR BUSINESS PERMIT

Attached for your review and action is an application for Four Olives Cafe LLC. 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

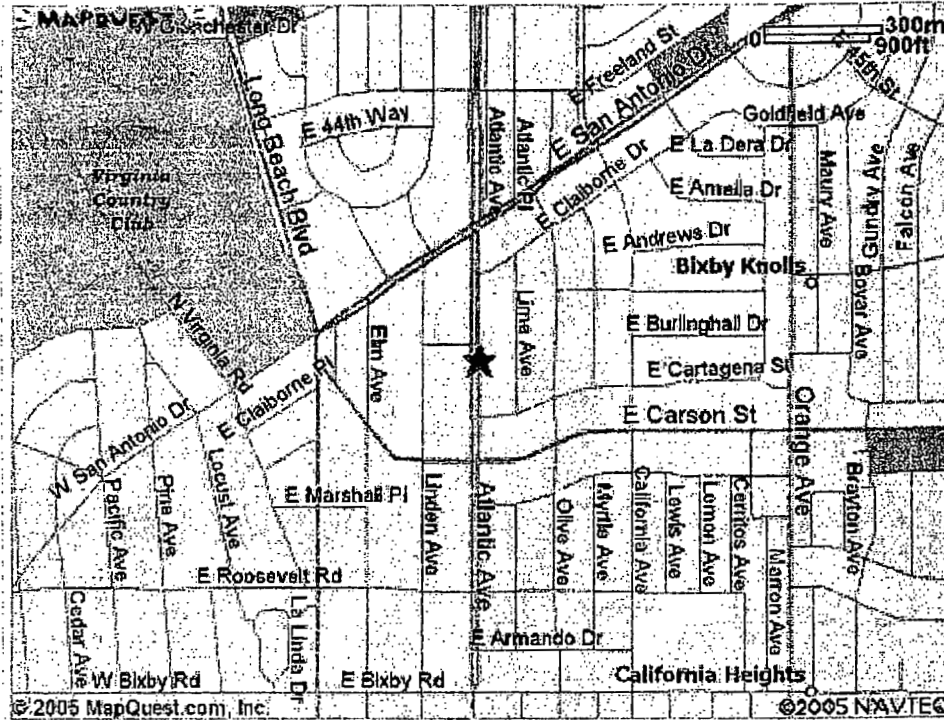
333 West Ocean Blvd • Long Beach, California 90802

FIVE YEAR HISTORY OF BUSINESS ESTABLISHMENT 4276 Atlantic Avenue

Four Olives Café LLC DBA: Four Olives Café Lic# 20546440 09/05 – Pending	Entertainment No Dancing
Four Olives Café LLC DBA: Four Olives Café Lic# 20546470 09/05 – 02/06	Restaurant With Alcohol
Douglas Orr & David Rodriguez DBA: Four Olives Café Lic# 20403010 01/04 - 09/05	Restaurant With Alcohol
Diane Anglin, Kirk Anglin Douglas Orr & David Rodriguez DBA: Four Olives Café Lic# 20301440 01/04 – 01/04	Restaurant With Alcohol
Rogelio Calleros DBA: Cabo Rock Grill Lic#20131820 07/01 – 01/03	Restaurant With Alcohol

Four Olives Café

4276 Atlantic Avenue





OFFICE USE ONLY

Accepted By: Joe Frank Date: 09/08/05
 Zoning Approval Date: _____ By: _____

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): LLC
 Business Name (DBA): Four Olives Cafe Business Phone: (562) 595-1131
 Business Site Address: 4276 Atlantic Ave, Long Beach, CA 90807
 Date Business Proposes To Open: ASAP Already open -
 Days & Time Premises Are Open For Inspection: Tues - Fri 11 am to 4 pm

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 in the main room - food prep in kitchen

Contact Person(s) Name (authorized agent, manager, etc.): Douglas Orr
 Contact Person(s) Phone Number: (962) 208-4226 cell -

Type of Organization:

Corporation Partnership Individual Unincorporated Association or Club
 Trust LLC 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 for basis for denial Police Department finds basis for denial
 Police Department finds no for 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 address listed on page 1): _____

Fictitious business names(s) or dba(s) used: Four Olives Cafe LLC

Place and date of filing fictitious business name statement: Long Beach, CA 2003/March

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

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

Douglas Orr 3758 Olive Ave. LB

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

Douglas Orr 3758 Olive Ave. LB

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, and expiration date thereof:

Calif - Sellers Permit. SR EA 100-152933

Is this applicant a subsidiary of a present corporation or business? YES NO

How long has the corporation or business been in operation? 2.5 yrs

Is the location: Owned? Rented/Leased?

If Rented/Leased, state the name and address of property owners:

Name: Commercial Real Estate Management

Address: 18627 Brookhurst St #388

Fountain Valley, CA 92708

GENERAL OPERATING CONDITIONS

Complete Each Question

ALCOHOL/FOOD/ADDITIONAL BUSINESSES

1. Will liquor be sold or consumed on the premises? YES NO

a. If Yes, complete the following box:

Check one box to indicate License Type

Alcohol Beverage Control License No.

Premises Type: (Club (restaurant) or Commercial (store))

On sale beer

On sale beer and wine

On sale distilled spirits

41-408708

club

2. Is a bonafide-eating place provided on the premises? (Bonafide 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:

upscale steaks, seafood -

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

3. Are non-alcoholic beverages sold?

YES NO

4. How many tables for seating?

11

5. Are other types of businesses 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 table?

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:

Amusement Machines

Jukebox(es)

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. ()

N/A

GENERAL OPERATING CONDITIONS (continued)

Complete Each Question

SECURITY

11. Will security officers be provided? YES NO

a. If yes, number of security officers: _____

12. Is any other type of security provided? YES NO

a. If yes, describe type of security: _____

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

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours of	none	→					
Security							

13. Will a private security firm be used? YES 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? YES NO

15. Will the premises be open to the general public? YES NO

16. Will an admission fee be charged? YES NO

a. If yes, fee schedule: _____

17. Is there a private area for exclusive use of members and their guests only? YES NO

a. If yes, types of membership fees: _____

18. Will guests of members pay an admission fee or other charges? YES NO

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

GENERAL OPERATING CONDITIONS (continued)

Complete Each Question

HOURS OF OPERATION

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

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	11 am - 12 am →						
Close							

PROXIMITY OF BUSINESSES AND RESIDENCES

19. Are there surrounding businesses?

YES NO

a. What type?

Both sides are vacant one restaurant, one postal box

20. Are there surrounding residences?

YES NO

a. Approximately how close?

150 ft. from back of building

PARKING FACILITIES AND ARRANGEMENTS

21. Is parking available?

YES NO

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

6 spots

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

c. Days and hours parking facility will be available:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
From	24 hrs →						
To							

d. How many individual parking spaces (approximately)?

6

END OF GENERAL OPERATING CONDITIONS SECTION – PLEASE CONTINUE TO NEXT SECTION

ENTERTAINMENT FACILITY AND ACTIVITY

Restaurant
 Entertainment - Tavern (bar)
 Entertainment - Other

Proposed Activity have:

- Entertainment? Y N
- by patrons, guests, customers, participants, attendees? Y N
- by performers? Y N
- 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: live music

Dance Floor? Y N Stage? Y N

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

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

Describe floor material and surface type: ceramic tile

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	live music	live music	live music	live music	live music	live music	live music
Start Time	11 am	11 am	11 am	11 am	11 am	11 am	11 am
End Time	12 am	12 am	12 am	12 am	12 am	12 am	12 am



OFFICE USE ONLY

Accepted By: Joe Francis Date: 09/08/05
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 Trust LLC Other, explain: _____

OFFICE USE ONLY

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POLICE DEPARTMENT

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

Conditions or Basis for Denial: _____
AD



Date: November 8, 2005
To: Pamela Wilson-Horgan, Manager, Commercial Services Bureau
From: Anthony W. Batts, Chief of Police
Subject: **APPLICATION FOR ENTERTAINMENT WITHOUT DANCING AT THE FOUR OLIVES CAFÉ – 4276 ATLANTIC AVENUE**

In response to your request for a recommendation regarding the above named permit application for Entertainment Without 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) There shall be no entertainment as defined on page #7 of your application permitted outdoors or on the patio at anytime.
- 3) 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.
- 4) 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.
- 5) The premises shall be maintained as a full service restaurant providing an assortment of full meals normally offered in such establishments. In the event that the restaurant ceases operations, the entertainment permit becomes null and void.
- 6) The permittee shall not allow employees to discard trash or beer bottles into the outside dumpster between the hours of 10 p.m. and 8 a.m.
- 7) Current occupancy loads shall be posted at all times, and the permittee shall have an effective system to keep count of the number of occupants present at any given time and provide that information to public safety personnel upon request. (LBMC section 18.48.320)

- 8) Smoking shall not be allowed inside Four Olives Café 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)
- 9) 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.
- 10) Sound shall not be audible from the exterior of the premises in any direction.
- 11) The permittee shall employ his/her own discretion in determining the level of security necessary to prevent violations of law and any other disturbances arising out of or in connection with business operations. Should the permittee's operations give rise to a substantial increase in complaint/calls for police service, or trash left in the parking lot, the permittee shall increase security staff, implement the use of electronic metal detection equipment, increase outside lighting, or make other changes to the premises or operation as the Chief of Police determines are necessary to protect the safety of the public.
- 12) Four Olives Café shall take reasonable measures to prohibit and prevent the loitering of persons immediately outside any of the entrance/exit doors and the parking lot, at all times open for business. This should be done by use of security guards or signage indicating, words to the effect of, "Please respect our neighbors."
- 13) At the conclusion of each event, the permittee shall take reasonable measures to ensure that exiting patrons walk directly to their vehicles, and not loiter in the parking lot or the immediate area.
- 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) The permittee shall not hire promoters with the intent to advertise/promote or hold any entertainment activities consistent with nightclub entertainment.
- 16) Four Olives Café, 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.

Pamela Wilson-Horgan, Manager, Commercial Services Bureau

November 8, 2005

Page 3

- 17) The permittee, shall, within ninety (90) days of an approved entertainment permit, submit proof of attending the LEAD program offered by the Department of Alcoholic Beverage Control. In the event that the LEAD program class is not offered within this ninety day period, the permittee shall attend the next available class. Proof of completion shall be submitted to the Long Beach Police Department Vice Investigations Section.

- 18) The permittee shall maintain full compliance with all applicable laws, ABC laws, ordinances and stated conditions. In the event of a conflict between the requirements of this permit, your conditional use permit, or your Alcoholic Beverage Control license, the more stringent regulation shall apply.

AWB:CNA:cna
AppvlCondFourOlives

**BEFORE THE
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
OF THE STATE OF CALIFORNIA**

In the Matter of the Application of:

Douglas Calvin ORR
David RODRIGUEZ
dba Four Olives Café
4276 Atlantic Ave
Long Beach CA 90807

File: 41-408708

Reg:

**PETITION FOR
CONDITIONAL
LICENSE**

For issuance of an On-Sale Beer and Wine License

Under the Alcoholic Beverage Control Act

WHEREAS, petitioner(s) has/have filed an application for the issuance of the above-referred-to license(s) for the above-mentioned premises; and,

**RECEIVED
JAN 27 2004**

WHEREAS, the proposed premises and/or parking lot, operated in conjunction therewith, are located within 100 feet of residence(s); and,

WHEREAS, issuance of the applied-for license without the below-described conditions would interfere with the quiet enjoyment of the property by nearby residents and constitute grounds for the denial of the application under the provisions of Rule 61.4, of Chapter 1, Title 4, of the California Code of Regulations; and,

WHEREAS, pursuant to Section 23958.4 of the Business and Professions Code, the Department may deny an application for a license where issuance would result in or add to an undue concentration of licenses; and,

WHEREAS, the proposed premises are located in Census Tract 5719 where there presently exists an undue concentration of licenses as defined by Section 23958 of the Business and Professions Code; and,

WHEREAS, the petitioner(s) stipulate(s) that by reason of the aforementioned over concentration of licenses, grounds exist for denial of the applied-for license(s); and,

WHEREAS, the issuance of an unrestricted license would be contrary to public welfare or morals;

NOW THEREFORE, the undersigned petitioner(s) do/does hereby petition for a conditional license as follows, to-wit:

Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 08:00 AM and 12 midnight each day of the week.

There shall be no bar or lounge area upon the licensed premises maintained for the purpose of sales, service or consumption of alcoholic beverages directly to patrons for consumption.

as Calvin ORR
David RODRIGUEZ
41-408708


- 3. Entertainment provided shall not be audible beyond the area under control of the licensee(s) as defined on the ABC-257 dated 4/24/03 and ABC-253 dated 9/26/02.
- 4. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. The licensee shall at all times maintain records which reflect separately the gross sale of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the Department on demand.

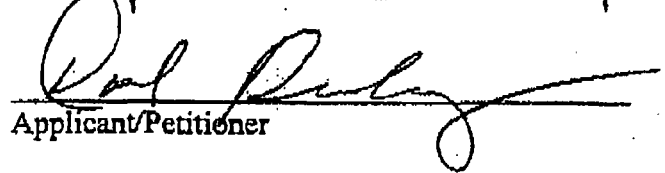
This petition for conditional license is made pursuant to the provisions of Sections 23800 through 23805 of the Business and Professions Code and will be carried forward in any transfer at the applicant-premises.

Petitioner(s) agree(s) to retain a copy of this petition on the premises at all times and will be prepared to produce it immediately upon the request of any peace officer.

The petitioner(s) understand(s) that any violation of the foregoing condition(s) shall be grounds for the suspension or revocation of the license(s).

DATED THIS 21ST DAY OF January, 2004


Applicant/Petitioner


Applicant/Petitioner

RECEIVED
JAN 27 2004

DEPARTMENT OF
ALCOHOL BEVERAGE CONTROL
LONG BEACH/LAKEWOOD

RELEASE FORM

The undersigned, on behalf of (owner(s)) Douglas Orr & David Rodriguez 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:

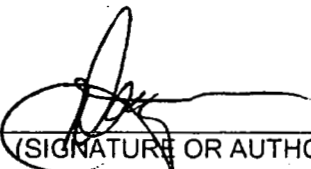
(DBA) Four Olives Cafe LLC


to obtain the (entertainment type) Live music permit/license.

The applicant by signing this application consents 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 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 any incomplete or false information may constitute grounds for denial.**

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

 _____ (SIGNATURE OR AUTHORIZED AGENT)	<u>CEO</u> _____ (TITLE)	<u>9/6/5</u> _____ (DATE)
<u>A1069900</u> _____ DRIVER'S LICENSE OR ID CARD NUMBER	<u>CA</u> _____ STATE	

 _____ ACCEPTED BY (CITY STAFF)	<u>CSPTI lead</u> _____ TITLE	<u>09/08/05.</u> _____ DATE
---	-------------------------------------	-----------------------------------



OFFICE USE ONLY

Accepted By: [Signature] Date: 09/09/05
 Zoning Approval Date: _____ By: _____

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 Social Club Pool or Billiard Hall Other (explain)

Explain briefly the proposed use of the rooms within the building:
dining in the main room - food prep in kitchen

Contact Person(s) Name (authorized agent, manager, etc.): Douglas Orr
 Contact Person(s) Phone Number: (562) 208-4226 cell-

Type of Organization:
 Corporation Partnership Individual Unincorporated Association or Club
 Trust LLC 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): 9/22/05 By: [Signature] 302

POLICE DEPARTMENT
 Police Department finds no for basis for denial Police Department finds basis for denial
 Police Department finds no for basis for denial with conditions

Conditions or Basis for Denial: _____
 By: _____ Title: _____ Date: _____



OFFICE USE ONLY

Accepted By: Joe Frank Date: 09/08/05

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Contact Person(s) Phone Number: (562) 208-4226 cell -

Type of Organization:

- Corporation
- Partnership
- Individual
- Unincorporated Association or Club
- Trust
- LLC
- Other, explain: _____

OFFICE USE ONLY

Building Fire Health (Check Inspecting Department) Date Received: September 10, 2005

Building/Location meets Department Requirements for the proposed use.

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

This establishment must remain in compliance with all applicable sections of the Long Beach City Noise Ordinance (Long Beach Municipal Code Chapter 8.80)

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

Inspection Completed On (date): Sept 22, 2005 By: CARMEN L PIRO

POLICE DEPARTMENT

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

Conditions or Basis for Denial: _____

Title: _____

Date: _____



OFFICE USE ONLY

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 Trust LLC Other, explain: _____

OFFICE USE ONLY

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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): Sept. 22, 2005 By: Wendy Lutz


POLICE DEPARTMENT

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

Conditions or Basis for Denial: _____

By: _____ Title: _____ Date: _____



Date: December 30, 2005
From: Carolyn Bihn, Zoning Officer 
To: Jim Goodin, Business Services Officer
Subject: **REVIEW OF ENTERTAINMENT LICENSE REQUEST**

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

Site Address: 4276 Atlantic Avenue
Long Beach, California 90807

Applicant: Four Olives Café LLC

Zoning District: Commercial, Neighborhood Pedestrian Oriented (CNP)

Proposed Use: Entertainment as Accessory to Bar and Restaurant with No Dance Floor.

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

X Approve with Conditions. Entertainment without dancing is allowed as an accessory to an existing restaurant/tavern. No additional parking is required.

If you have any questions regarding this response, please call Jayme Mekis, Planner, at (562) 570-6943.