



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 Sara Nieblas and Mario Gutierrez, DBA Broke Ass Cantina and Grill. Also attached are reports from various departments stating their recommended disposition of the subject application. These are summarized as follows:

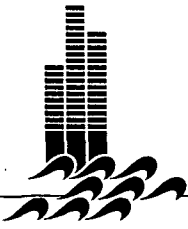
SUBMITTED FOR CITY COUNCIL ACTION

	<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

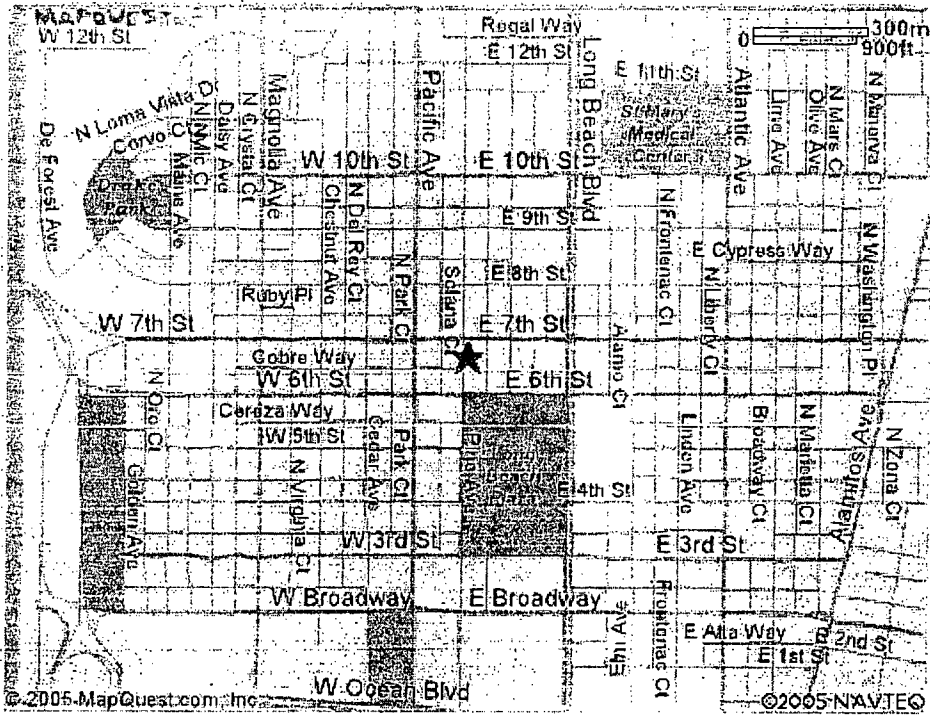
333 West Ocean Boulevard • Long Beach, CA 90802

FIVE YEAR HISTORY OF BUSINESS ESTABLISHMENT 650 Pine Avenue

Mario Gutierrez & Sara Nieblas DBA: Broke Ass Cantina & Grill Lic# 20442810 04/04 – Active	Restaurant With Alcohol
Mario Gutierrez & Sara Nieblas DBA: Broke Ass Cantina & Grill Lic# 20414980 04/04 – Active	Pool Tables (2)
Mario Gutierrez & Sara Nieblas DBA: Broke Ass Cantina & Grill Lic# 20611200 03/06 – Pending	Entertainment Without Dancing
Mario Gutierrez & Sara Nieblas DBA: Broke Ass Cantina & Grill Lic# 20451260 07/05 – 03/06 (Re-applied for Ent. W/out Dancing)	Entertainment With Dancing
Walter Jones & Mario Gutierrez DBA: Broke Ass Cantina & Grill Lic# 20414970 04/04 – 10/04 (partnership dissolved)	Restaurant With Alcohol
Walter Jones & Mario Gutierrez DBA: Broke Ass Cantina & Grill Lic# 20414980 04/04 – 10/04 (partnership dissolved)	Pool Tables (2 Tables)
Dino's Pizza Italian Restaurant Inc. DBA: Dino's Pizza Lic# 20039010 09/00 – 07/03	Restaurant
Dino's Pizza Italian Restaurant Inc. DBA: Dino's Pizza Lic# 20044940 11/00 – 07/03	Entertainment No Dancing
Dragan Petrov DBA: Dino's Pizza Lic# 99031330 07/03 – 04/04	Restaurant With Alcohol

Broke Ass Cantina & Grill

650 Pine Avenue





OFFICE USE ONLY

Accepted By: <u>[Signature]</u>	Date: <u>03/23/06</u>
Zoning Approval By: <u>[Signature]</u>	Date: <u>3/2/06</u>

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): SARA NIEBLAS & MARIO GUTIERREZ
 Business Name (DBA): BROKE ASS CANTINA & GRILL Business Phone: (762) 983-6767
 Business Site Address: 650 PINE AVE
 Date Business Proposes To Open: ALREADY OPEN
 Days & Time Premises Are Open For Inspection: OPEN

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:

Contact Person(s) Name (authorized agent, manager, etc.): SARA NIEBLAS OR MARIO GUTIERREZ
 Contact Person(s) Phone Number: (714) 390-2943 OR (562) 773-9651

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 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

_____ 421005 _____ RESTAURANT _____

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: PIZZA, SANDWICHES, SALADS, APPETIZERS

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

3. Are non-alcoholic beverages sold? YES NO

4. How many tables for seating? 22

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: 2

7. Is there a license for the pool table? YES NO

a. If yes, license number: 20442800

8. Are amusement machine(s) and/or jukebox(es) provided? YES NO

a. If yes, indicate number and type: Jukebox - LEASED 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. () _____

GENERAL OPERATING CONDITIONS (continued)

Complete Each Question

SECURITY

11. Will security officers be provided? YES NO
 a. If yes, number of security officers: 2
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	7:00pm	7pm	7pm	7pm	7pm	7pm	1pm
Security	11:30pm	11:30pm	11:30pm	11:30pm	1:30pm	1:30am	6:30pm

13. Will a private security firm be used? YES NO
 a. If yes, provide the following information of the contracted security firm:

Name: US Security Associates City Business License No.: 20306860
 Address: 3029 Wilshire Blvd
Los Angeles ca 90403 Telephone No.: (310) 566-3200

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: \$5-

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 NA
 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	11 AM	11 AM	11 AM	11 AM	11 AM	12 PM
Close	10:30 PM	11:30 PM	10:30 PM	11:30 PM	1:30 AM	1:30 AM	10 PM

PROXIMITY OF BUSINESSES AND RESIDENCES

19. Are there surrounding businesses?

YES NO

a. What type?

RESTAURANT, CIGARETTE CAFE, LAUNDRY, TAXES MISC
CLOTHING, FURN, BARBER SHOP, PUDDIN' & APP

20. Are there surrounding residences?

YES NO

a. Approximately how close?

WITHIN 600 feet.

PARKING FACILITIES AND ARRANGEMENTS

21. Is parking available?

YES NO

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

7th & PACIFIC PUBLIC PKG
you must pay to park, 16th & PACIFIC

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 HR	24 HR	24 HR	24 HR	24 HR	24 HR	24 HR
To							

d. How many individual parking spaces (approximately)?

APP 20 TO 35

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

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: _____

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: _____

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	<i>all activities listed above</i>						
Start Time	<i>5pm</i>	<i>5pm</i>	<i>5pm</i>	<i>5pm</i>	<i>5pm</i>	<i>5pm</i>	<i>12pm</i>
End Time	<i>11:30pm</i>	<i>11:30pm</i>	<i>11:30pm</i>	<i>11:30pm</i>	<i>1:30am</i>	<i>1:30am</i>	<i>10pm</i>



Date: May 5, 2006
To: Pamela Wilson-Horgan, Manager, Commercial Services Bureau
From: Anthony W. Batts, Chief of Police
Subject: **APPLICATION FOR ENTERTAINMENT WITHOUT DANCING AT BROKE ASS CANTINA – 650 PINE 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 nineteen (19) 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) 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.
- 3) Entertainment activities indicated on page #7 of your entertainment application shall be restricted to no later than 10 p.m. Sunday through Thursday nights, and 1 a.m. on Friday and Saturday nights. There shall be no outdoor entertainment allowed at anytime.
- 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. Private functions not open to the public are exempt from this condition.
- 5) 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. On duty employees and private functions not open to the public are exempt from this condition.
- 6) 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.

- 7) 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. No sound shall be audible from the exterior of the premises in any direction.
- 8) The permittee shall not allow employees to discard trash or beer bottles into the outside dumpster between the hours of 10 p.m. and 7 a.m.
- 9) 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, 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.
- 10) The permittee 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 and/or signage indicating, words to the effect of, "Please respect our neighbors."
- 11) 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 immediate area.
- 12) 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.
- 13) 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. (LBM section 18.48.320)
- 14) The Broke Ass Cantina, 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.
- 15) 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.

- 16) 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.
- 17) Any graffiti painted or marked upon the premises, or on any adjacent area under the control of the licensee, shall be removed or painted over within 24 hours of being applied.
- 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.
- 19) 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.



OFFICE USE ONLY

Accepted By: [Signature] Date: 03/02/06
 Zoning Approval By: [Signature] Date: 3/2/06

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): SARA NIEBLAS & MARIO GUTIERREZ
 Business Name (DBA): BROKE ASS CANTINA & GRILL Business Phone: (562) 988-6767
 Business Site Address: 650 PINE AVE
 Date Business Proposes To Open: ALREADY OPEN
 Days & Time Premises Are Open For Inspection: OPEN

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:

Contact Person(s) Name (authorized agent, manager, etc.): SARA NIEBLAS OR MARIO GUTIERREZ
 Contact Person(s) Phone Number: (714) 390-2943 OR (562) 773-9651

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: [Signature] Title: CHIEF OF POLICE Date: 5-2-06



OFFICE USE ONLY

Accepted By: <u>[Signature]</u>	Date: <u>3/29/06</u>
Zoning Approval By: <u>[Signature]</u>	Date: <u>3/29/06</u>

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): SARA NIEBLAS & MARIO GUTIERREZ

Business Name (DBA): BROKE ASS CANTINA & GRILL Business Phone: (562) 983-6767

Business Site Address: 1050 PINE AVE

Date Business Proposes To Open: ALREADY OPEN

Days & Time Premises Are Open For Inspection: OPEN

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:

Contact Person(s) Name (authorized agent, manager, etc.): SARA NIEBLAS OR MARIO GUTIERREZ

Contact Person(s) Phone Number: (714) 390-2943 OR (562) 773-9651

Type of Organization:

Corporation Partnership Individual Unincorporated Association or Club

Trust LLC Other, explain: _____

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): 3-28-06 By: J. SCOTT

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: J. SCOTT Title: FF/CODE ENFORCEMENT Date: 3-29-06



OFFICE USE ONLY

Accepted By: [Signature] Date: 02/13/06
 Zoning Approval By: [Signature] Date: 3/12/06

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): SARA NIEBLAS & MARIO GUTIERREZ

Business Name (DBA): BROKE ASS CANTINA & GRILL Business Phone: (762) 983-6767

Business Site Address: 1050 PINE AVE

Date Business Proposes To Open: ALREADY OPEN

Days & Time Premises Are Open For Inspection: OPEN

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:

Contact Person(s) Name (authorized agent, manager, etc.): SARA NIEBLAS OR MARIO GUTIERREZ

Contact Person(s) Phone Number: (714) 390-2943 OR (562) 773-9651

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:
This establishment must abide by the Long Beach No ise Ordinance 8.80

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

Inspection Completed On (date): 3-9-06 By: [Signature]

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: [Signature] Date: 02/03/06
 Zoning Approval By: [Signature] Date: 3/2/06

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): SARA NIEBLAS & MARIO GUTIERREZ

Business Name (DBA): BROKE ASS CANTINA & GRILL Business Phone: (762) 983-6767

Business Site Address: 650 PINE AVE

Date Business Proposes To Open: ALREADY OPEN

Days & Time Premises Are Open For Inspection: OPEN

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:

Contact Person(s) Name (authorized agent, manager, etc.): SARA NIEBLAS OR MARIO GUTIERREZ

Contact Person(s) Phone Number: (714) 390-2943 OR (562) 773-9651

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: 3/9/06

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): 3/9/06 By: [Signature]

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: March 13, 2006
To: Jim Goodin, Business Services Officer
From: Carolyne Bihn, Zoning Officer
Subject: **REVIEW OF ENTERTAINMENT LICENSE REQUEST**

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

Site Address: 650 Pine Avenue
Long Beach, CA 90802

Applicant: Broke Ass Cantina & Grill

Zoning District: PD-30 (Downtown Planned Development Ordinance)

Proposed Use: Entertainment without Dancing

Based on the floor plan submitted on 3/02/06, there will not be any designated floor areas for a stage or dance floor. Therefore, no extra parking is required and planning has no objection to granting this entertainment license.