



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Blvd • Long Beach, California 90802

March 2, 2010

HONORABLE MAYOR AND CITY COUNCIL

City of Long Beach

California

RECOMMENDATION:

Receive the supporting documentation into the record, conclude the hearing and grant the permit with conditions on the application of Pike Restaurant, Inc., DBA Pike, 1836 E. 4<sup>th</sup> Street, for Entertainment without Dancing by Patrons. (District 2)

## DISCUSSION

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.

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 conditions (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 with alcohol since April 2003.

This matter was reviewed by Principal Deputy City Attorney J. Charles Parkin on February 9, 2010.

#### TIMING CONSIDERATIONS

The hearing date of March 2, 2010, has been posted on the business location, with the applicant and property owners within 300 feet notified by mail.

#### FISCAL IMPACT

The following fees were collected with the application: Building Review \$20 and Zoning Review \$14 (Development Services), Police Investigation \$1,125 (Police Department), 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).

#### SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,




LORI ANN FARRELL  
DIRECTOR OF FINANCIAL MANAGEMENT/CFO

LAF: ES: JEM  
K:\Exec\Council Letters\Business Relations\Hearing Letters\03-02-10 ccl - Pike Restaurant.doc

APPROVED:

ATTACHMENTS



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PATRICK H. WEST  
CITY MANAGER



## **Recommended Conditions of Operation**

**Pike Restaurant, Inc. DBA Pike, 1836 E. 4<sup>th</sup> St**  
**Application for Entertainment without Dancing**

In response to your request for a recommendation regarding the above named permit application for Entertainment without Dancing, the Department of Financial Management recommends **approval**, subject to the following eighteen (18) conditions of operation.

The Pike is located on the southwest corner of 4<sup>th</sup> Street and Hermosa Avenue. The establishment serves a seafood menu and is open for lunch and dinner. Musical entertainment is provided during the evening hours. Christopher and Otilia Reece have owned and operated the business since November 2002, and have had an entertainment permit since June of 2003. During this period of time, there have not been any issues or concerns related to the operations of the business. The owners recently incorporated their business and were required to obtain new permits in the name of the corporation.

### **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) The permittee shall develop and maintain a plan to address neighborhood concerns, related to the operation of the Pike. (i.e. newsletter, meetings, etc.)
- 3) Entertainment activities indicated on page #7 of your entertainment application shall be restricted to no later than 12 midnight Sunday through Thursday nights, and 2:00 a.m. on Friday and Saturday nights. Outdoor amplified entertainment is prohibited.
- 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) The Pike 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.
- 6) Patrons 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, or **10 p.m., whichever comes first**. Private functions not open to the public are exempt from this condition.

- 7) Noise emanating from the permittee's premises shall not be audible 50 feet or more from the exterior of the premises. The permittee shall be responsible for determining how to best meet this requirement, either by keeping doors and windows shut, limiting hours of entertainment or by offering non-amplified entertainment.
- 8) During any entertainment activity listed on page #7 of the application, the permittee shall be responsible for maintaining an adequate security staff to supervise patrons inside the establishment and the parking lot. For crowds up to fifty (50) people, the permittee shall provide a minimum of one (1) security guard. For crowds over (50) fifty people, the permittee shall provide a minimum of one (1) additional security guard per fifty (50) people. Security guards must be identifiable as "Pike employees." Should the permittee's operations give rise to a substantial increase in complaints/calls for service, or trash left in the parking lot, the permittee shall increase staff, or employee uniformed licensed security guards, as directed by the Chief of Police.
- 9) 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.
- 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) 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.
- 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 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)
- 14) This Entertainment Permit is accessory to the primary business, which is a restaurant. In the event the primary business ceases operations on a permanent basis, meaning meals are no longer offered at the location, then the entertainment permit becomes null and void.
- 15) The permittee shall not hire promoters with the intent to advertise/promote or hold any entertainment activities consistent with nightclub entertainment.

RECOMMENDED CONDITIONS OF OPERATION

APPLICATION FOR ENTERTAINMENT WITHOUT DANCING—PIKE RESTAURANT, INC. DBA PIKE

1836 E. 4<sup>TH</sup> ST

PAGE 3

- 16) The Pike, or its agents, shall not distribute any advertising matter, such as signs, posters, or promotional cards, in or upon any public property, or in or on any vehicle in any such place in the City of Long Beach. 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. The permittee shall keep all agent contracts, including names, addresses, and phone numbers, on file at all times, and be available for inspection at anytime.
- 17) The permittee shall maintain full compliance with all applicable laws, ABC laws, ordinances and stated conditions. In the event of a conflict with the requirements of this permit, the more stringent regulation shall apply.
- 18) 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 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.

ES:jem:act



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Boulevard • Long Beach, CA 90802 • (562) 570-5700 • Fax (562) 570-6867

BUSINESS RELATIONS BUREAU

## FIVE YEAR HISTORY OF BUSINESS ESTABLISHMENT 1836 E. 4<sup>th</sup> Street

Pike Restaurant, Inc. DBA: Pike Lic#20929040 08/09 – Pending city council approval	Entertainment Without Dancing
Pike Restaurant, Inc. DBA: Pike Lic#20926720 07/09 – Active	Jukebox
Pike Restaurant, Inc. DBA: Pike Lic#20926690 07/09 – Active	Restaurant With Alcohol
Christopher & Otilia Reece DBA: Pike Lic#20320340 03/03 – 07/09	Bar/Tavern/Lounge
Christopher & Otilia Reece DBA: Pike Lic#20312030 03/03 – 07/09	Entertainment Without Dancing



# 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 Pike Restaurant, Inc., DBA Pike. 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

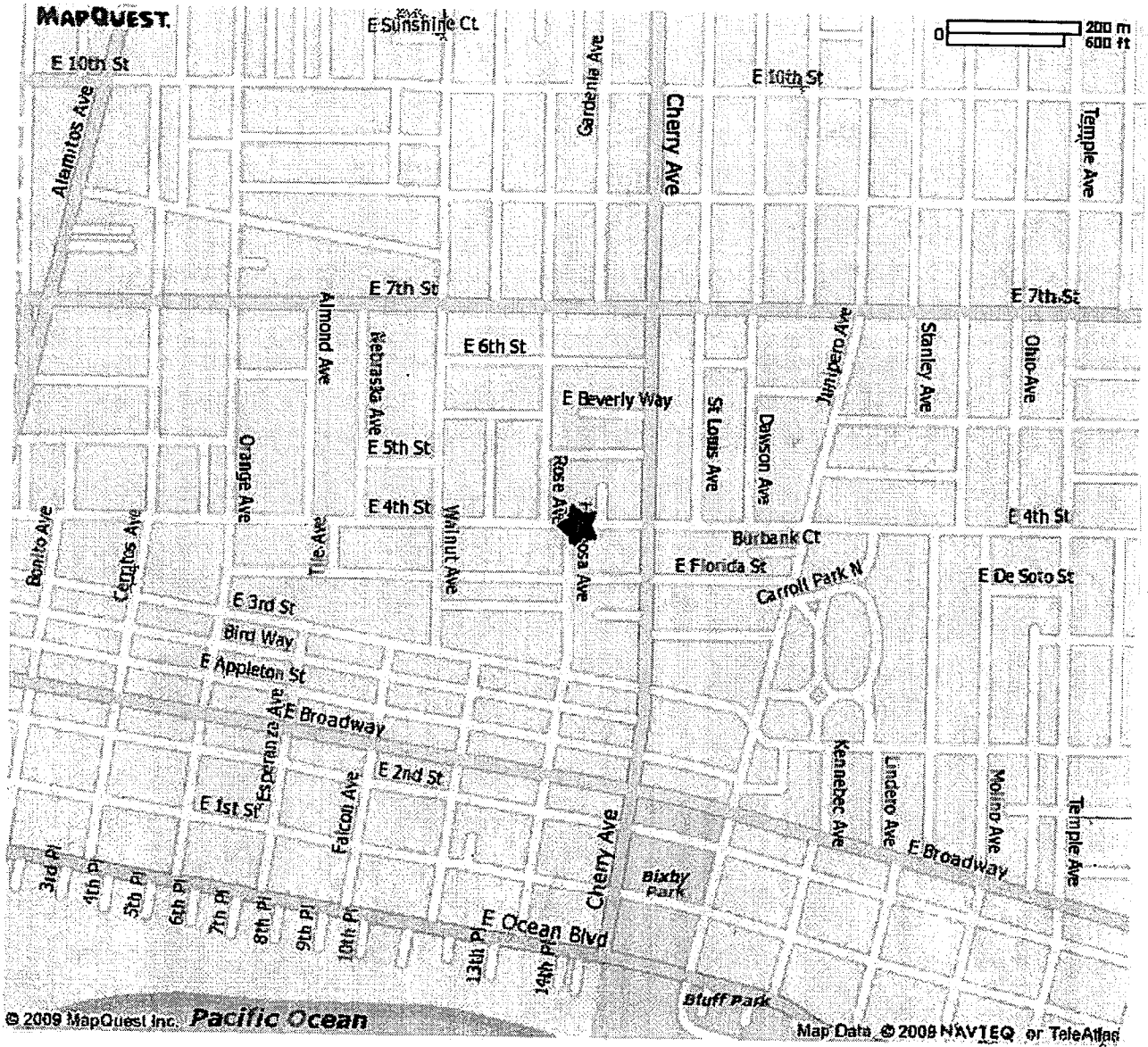
	<u>Without Concern</u>	<u>With Conditions</u>	<u>With Concerns</u>
Police Department		X	
Fire Prevention Bureau	X		
Health and Human Services Department/Noise Control		X	
Development Services Department	X		

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
Development Services Department.....	570-6623

Compiled by: Department of Financial Management  
Business Relations Bureau

# Pike Restaurant 1836 E. 4<sup>th</sup> Street







**CITY OF LONG BEACH BUSINESS LICENSE APPLICATION**  
 Fourth Floor, City Hall  
 333 W. Ocean Boulevard, Long Beach, CA 90802

www.longbeach.gov  
 (562) 570-6211

**GENERAL INFORMATION**

OWNER'S NAME (or corporate name, partnership name, or partners) <b>Pike Restaurant, Inc.</b>	DRIVER'S LICENSE NUMBER	STATE	SOCIAL SECURITY NUMBER
BUSINESS NAME (D.B.A.) <b>Pike</b>	TYPE OF BUSINESS (Be specific) <b>entertainment w/o dance restaurant w/ alcohol</b>		
BUSINESS ADDRESS <b>1836 E 4th St.</b>	CITY <b>Long Beach</b>	STATE <b>Ca</b>	ZIP <b>90802</b>
BILLING ADDRESS (if different)	CITY	STATE	ZIP
RESIDENCE ADDRESS (if different)	CITY	STATE	ZIP
LIST OF PRINCIPAL OFFICERS' OR PARTNERS' NAMES AND RESIDENTIAL ADDRESSES (IF MORE, PLEASE ATTACH A LIST)		TITLE	% OWNERSHIP
<b>Christopher Reece</b>		<b>President</b>	<b>50</b>
<b>Otilia Reece</b>		<b>Secretary</b>	<b>50</b>
<input type="checkbox"/> New Business <input type="checkbox"/> Address Change <input checked="" type="checkbox"/> Ownership Change <input type="checkbox"/> Secondary License <input type="checkbox"/> Sole Owner <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> L.L.P. <input type="checkbox"/> L.L.C.			

**BUSINESS OPERATIONS INFORMATION**

START DATE <b>5/1/09</b>	NO. OF EMPLOYEES <b>10</b>	NO. OF VEHICLES <b>0</b>	FEDERAL TAX ID. NUMBER	SALES TAX (SELLER'S PERMIT) NUMBER
Does your business have a Calif State Lic? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N		STATE LICENSE NUMBER <b>47-480479</b>	CLASSIFICATION(S)	RENEWAL DATE

**FOOD/ALCOHOL/TOBACCO/ENTERTAINMENT**

Do you plan to sell or serve food? (including pre-packaged)  Y  N  
 If serving food, how many seats?: **60**

Do you plan to sell wholesale food?  Y  N

Do you plan to sell or serve alcoholic beverages  Y  N  
 If yes, ABC License number: **47-480479**

Does your business involve amusement machines, video games, vending machines, jukebox and/or pool tables?  Y  N  
 How many: **1** Type: **jukebox** Owner: **Christopher Reece**

Do you plan to sell tobacco products or tobacco paraphernalia?  Y  N

Will you have:  
 Music  
 Dancing  
 Performers  
 Adult Entertainment

**SERVICES/FUNDRAISING**

Will you offer massage, tanning, body-wrap, escort or other similar personal services?  Y  N

Will you provide a towing service?  Y  N

Will you engage in fund raising?  Y  N

Will you deal in coins, stamps, firearms, jewels, or second-hand property?  Y  N

**BUILDING AND FACILITY INFORMATION**

Property Owner's Name: **Christopher + Otilia Reece**

Business sq. ft.: **1200** Warehouse on site?  Y  N

Do you:  Own or  Rent/Lease your business property?

Does your business require construction and/or remodeling?  Y  N

**HAZARDOUS MATERIALS/MEDICAL WASTE**

Will you use, store, or transport chemicals (new or waste state)?  Y  N

Will you manage or produce bio-hazardous materials or waste?  Y  N

**ACKNOWLEDGMENT**

I understand that before I can operate my business in Long Beach, my establishment must comply with applicable City departmental laws and regulations completely and obtain a business license or I will be in violation of L. B. M. C., Section 3.80. I declare, under penalty of perjury, that I am authorized to complete this application. To the best of my knowledge and belief, the provided information and statements are true and correct.

• SIGN and return this statement with your remittance.      • Make checks payable to City of Long Beach

**OWNERS(S) OR AUTHORIZED AGENT**

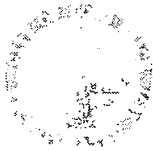
Signature: *[Signature]* Date: **8/3/09** PRINT NAME/TITLE: **Christopher Reece / President**

Signature: *[Signature]* Date: **8/3/09** PRINT NAME/TITLE: **Otilia Reece / Secretary**

**DO NOT WRITE BELOW THIS LINE**

Inspection(s): <input type="checkbox"/> Bldg <input type="checkbox"/> Fire <input type="checkbox"/> Health <input type="checkbox"/> HazMat <input type="checkbox"/> PD <input type="checkbox"/> Other Basic Tax \$ _____ Employees # _____ @ \$ _____ = Vehicles # _____ @ \$ _____ = Other # _____ @ \$ _____ = PIA # _____ @ \$ _____ = PIA Employees # _____ @ \$ _____ = Regulatory Investigation Misc. Fees Sub Total Zoning Building Review Total \$ _____	Prev Use: <b>Restaurant</b> Exp Date: _____ Prev Lic: _____ Exp Date: _____ District: <b>60</b> CRT: <b>300508</b> SIC: <b>5813</b> Entered by: <i>[Signature]</i> Date: <b>8/3/09</b> <b>20929040</b>	<b>Zoning Review</b> <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A By: _____ Date: _____ <input type="checkbox"/> New construction <input type="checkbox"/> Reuse Zone: <b>CNR</b> Comments: <b>He OK Y</b>
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**NOTE: THIS IS NOT A BUSINESS LICENSE: DO NOT OPERATE UNTIL A VALID LICENSE HAS BEEN ISSUED THIS INFORMATION IS AVAILABLE IN AN ALTERNATIVE FORMAT BY CONTACTING (562) 570-6211**



Accepted By: Maria Garcia Date: 8/3/09  
 Zoning Approval By: Pike Dr. J. Date: 8-3-09

**APPLICATION FOR ENTERTAINMENT PERMIT**

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

Applicant's Name (Legal Ownership Structure): Pike Restaurant, Inc.

Business Name (DBA): Pike Business Phone: (562) 437-4453

Business Site Address: 1836 E 4th St. Long Beach, Ca 90802

Date Business Proposes To Open: open since 11/02

Days & Time Premises Are Open For Inspection: anytime

**Proposed Use(s):**

- Entertainment/Restaurant With Dancing  Without Dancing   
 Entertainment/Tavern With Dancing  Without Dancing  AT or.  
 Social Club  Pool or Billiard Hall  Other (explain)

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

restaurant

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

Contact Person(s) Phone Number: (562) 437-4453

**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: Pike

Place and date of filing fictitious business name statement: L.A. County ~~CA~~ 7/23/09

County(ies) in which fictitious name statement is (are) filed: L.A. County

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:

Christopher Reece - 1836 E. 4th St. Long Beach, Ca 90802

Otilia Reece - Same

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

Christopher Reece 1836 E. 4th St. Long Beach, Ca 90802

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:

Long Beach, Ca type 47 on sale 480479 - licensed now

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? 5/1/09

Is the location: Owned?  Rented/Leased?

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

Name: Christopher + Otilia Reece

Address: 767 Gladys Ave.  
Long Beach, Ca 90804

**IF APPLYING AS A CORPORATION**

Check One Box:

For-Profit Corporation

Non-Profit Corporation

(If a Non-Profit Corporation, please attach copies of both State and federal Tax Exemption Certificates)

Name of Corporation: Pike Restaurant, Inc.


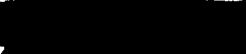

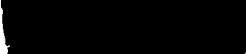
Corporation Number: 3264878

Date and Place of Incorporation: 5/1/09 Ca.

Location Headquarters: 1836 E. 4th St. Long Beach, Ca 90802

Please attach certified copies of *Articles of Incorporation and By-Laws*; and all amendments thereto this application.

Name and Residence Address of Corporation Officers (members of the executive board):

Name	Title	Address	Telephone
<u>Christopher Reece</u>	<u>President</u>		
<u>Otilia Reece</u>	<u>Secretary/Treas.</u>		
_____	_____	_____	( )
_____	_____	_____	( )

Numbers of shares issued by Corporation: 100

Number of share retained by Corporation: 900

Name and addresses of shareholders, if ten (10) or less state also the number and type of shares:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name and address of agent for service of process designated by Corporation with the Secretary of State of California:

Christopher Reece 1836 E. 4th St. Long Beach, Ca 90802

**IF APPLYING AS A CORPORATION**

INFORMATION IS REQUESTED FOR POLICE DEPARTMENT IDENTIFICATION AND INVESTIGATION

**CORPORATE OFFICER I**

Name: Christopher Reece Title: President  
Residence Address: [REDACTED] Phone: [REDACTED]  
Business Address: 1836 E. 4th St. L.B., Ca 90802 Phone: 562-437-4453  
Race: [REDACTED] Sex: [REDACTED] Hair: [REDACTED] Eyes: [REDACTED] Height: [REDACTED] Weight: [REDACTED]  
Date of Birth (mm/dd/yyyy): [REDACTED] Place of Birth: [REDACTED]  
Driver's License Number: [REDACTED] Issuing State: [REDACTED]

**CORPORATE OFFICER II**

Name: Ofilia Reece Title: Secretary/Treasurer  
Residence Address: [REDACTED] Phone: [REDACTED]  
Business Address: 1836 E. 4th St. L.B. Ca 90802 Phone: 562-437-4453  
Race: [REDACTED] Sex: [REDACTED] Hair: [REDACTED] Eyes: [REDACTED] Height: [REDACTED] Weight: [REDACTED]  
Date of Birth (mm/dd/yyyy): [REDACTED] Place of Birth: [REDACTED]  
Driver's License Number: [REDACTED] Issuing State: [REDACTED]

**CORPORATE OFFICER III**

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Residence Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
Business Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Hair: \_\_\_\_\_ Eyes: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_  
Date of Birth (mm/dd/yyyy): \_\_\_\_\_ Place of Birth: \_\_\_\_\_  
Driver's License Number: \_\_\_\_\_ Issuing State: \_\_\_\_\_

**CORPORATE OFFICER IV**

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Residence Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
Business Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Hair: \_\_\_\_\_ Eyes: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_  
Date of Birth (mm/dd/yyyy): \_\_\_\_\_ Place of Birth: \_\_\_\_\_  
Driver's License Number: \_\_\_\_\_ Issuing State: \_\_\_\_\_

# 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

47-480479

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 a 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: 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? 12

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 1

Jukebox(es)

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

YES  NO OR

a. If yes, decal number(s): 20926720

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

Name: Christopher Reece

Address: 767 Gladys Ave. L.B., Ca 90804

Telephone No. (562) 438-4154

# 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: video surveillance

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

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours of Security	9pm-2am	9pm-2am	9pm-2am	9pm-2am	9pm-2am	9pm-2am	noon-Midnight

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	11am-2am	11am-2am	11am-2am	11am-2am	11am-2am	9am-2am	9am-2am
Close							

### PROXIMITY OF BUSINESSES AND RESIDENCES

19. Are there surrounding businesses?  YES  NO

a. What type? auto repair, 99¢ store, bicycle shop

20. Are there surrounding residences?  YES  NO

a. Approximately how close? next door

### PARKING FACILITIES AND ARRANGEMENTS

21. Is parking available?  YES  NO

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

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	11	—————→					
To	hours	—————→					

d. How many individual parking spaces (approximately)? 12

**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 *CR*

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: low volume, acoustic w/vocals

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 6' W 6' H 6 inches

Describe floor material and surface type: plywood & carpet

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	DJ Live	DJ Live	DJ Live	Live	DJ or Live	DJ or Live	DJ or Live
Start Time	<del>9pm-12am</del> 9-AM	<del>9pm-12am</del> 9-AM	<del>9pm-12am</del> 9-AM	<del>9pm-12am</del> 9-AM	<del>9pm-12am</del> 9-AM	<del>9pm-12am</del> 9-AM	<del>11pm-1am</del> 9-AM
End Time	2 AM	2-AM	2-AM	2-AM	2-AM	2-AM	2-AM
	CR	CR	CR	CR	CR	CR	CR

**RELEASE FORM**

The undersigned, on behalf of (owner('s)) Pike Restaurant Inc., 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) Pike  
to obtain the (entertainment type) Live Music no Dancing. 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)

President  
(TITLE)

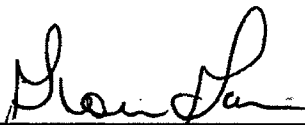
7-14-09  
(DATE)



DRIVER'S LICENSE OR ID CARD NUMBER

Ca

STATE



ACCEPTED BY (CITY STAFF)

CSR III  
TITLE

8/3/09  
DATE

3204878



**State of California**  
**Secretary of State**

I, DEBRA BOWEN, Secretary of State of the State of California, hereby certify:

That the attached transcript of 2 page(s) has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.



**IN WITNESS WHEREOF**, I execute this certificate and affix the Great Seal of the State of California this day of

MAR 27 2009

*Debra Bowen*

DEBRA BOWEN  
Secretary of State

3204878

**ARTICLES OF INCORPORATION**  
**OF**  
**PIKE RESTAURANT, INC.**

**ENDORSED - FILED**  
in the office of the Secretary of State  
of the State of California  
**MAR 27 2009**

I.

The name of this corporation is PIKE RESTAURANT, INC.

II.

The purpose of this corporation is to engage in any lawful act or activity for which a corporation may be organized under the General Corporation Law of California other than the banking business, the trust company business or the practice of a profession permitted to be incorporated by the California Corporations Code.

III.

The name and address in the State of California of this corporation's initial agent for service of process is:

**CHRISTOPHER C. REECE**  
1836 East 4<sup>th</sup> Street  
Long Beach, CA 90802

IV.

This corporation is authorized to issue only one class of shares of stock, and the total number of shares which this corporation is authorized to issue is 1,000.

V.

The liability of the directors of the corporation for monetary damages shall be eliminated to the fullest extent permissible under California law.

VI.

The corporation is authorized to provide indemnification of agents (as defined in Section 317 of the Corporations Code) for breach of duty to the corporation and its stockholders through bylaw provisions or through agreements with the agents, or both, in excess of the indemnification otherwise permitted by Section 317 of the Corporations Code, subject to the limits on such excess indemnification set forth in Section 204 of the Corporations Code.

DATE: March 25, 2009

  
SIDNEY MENDLOVITZ

I hereby declare that I am the person who executed the foregoing Articles of Incorporation, which execution is my act and deed.

DATE: March 25, 2009

  
SIDNEY MENDLOVITZ





Accepted By: Alan Garcia Date: 8/3/09  
 Zoning Approval By: Pike Dr. Ofc. Date: 8-3-09

**APPLICATION FOR ENTERTAINMENT PERMIT**  
 (Please Print All Information - Incomplete Applications Will Not Be Accepted)

Applicant's Name (Legal Ownership Structure): Pike Restaurant, Inc.  
 Business Name (DBA): Pike Business Phone: (562) 437-4453  
 Business Site Address: 1836 E 4th St. Long Beach, Ca 90802  
 Date Business Proposes To Open: open since 11/02  
 Days & Time Premises Are Open For Inspection: anytime

Proposed Use(s):

Entertainment/Restaurant With Dancing  Without Dancing   
 Entertainment/Tavern With Dancing  Without Dancing  OR  
 Social Club  Pool or Billiard Hall  Other (explain)

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

Contact Person(s) Name (authorized agent, manager, etc.): Christopher Reece  
 Contact Person(s) Phone Number: (562) 437-4453

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: Anthony W. Bates Title: CHIEF OF POLICE Date: 10.5.09



**Date:** October 8, 2009  
**To:** Erik Sund, Bureau Manager, Business Relations Bureau  
**From:** Anthony W. Batts, Chief of Police *AWB*  
**Subject:** **APPLICATION FOR ENTERTAINMENT WITHOUT DANCING AT THE PIKE  
1836 EAST 4<sup>TH</sup> STREET**

---

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 sixteen (16) conditions of operation.

The Pike is located on the southwest corner of 4<sup>th</sup> Street and Hermosa Avenue. The establishment serves a seafood menu and is open for lunch and dinner. Musical entertainment is provided during the evening hours. Christopher and Otilia Reece have owned and operated the business since November 2002, and have had an entertainment permit since June of 2003. During this period of time, there have not been any issues or concerns related to the operations of the business. The owners recently incorporated their business and were required to obtain new permits in the name of the corporation. Based on the Police Department's investigation, and the South Division Patrol Commander's recommendation, the Long Beach Police Department does not believe the issuance of an Entertainment Permit without Dancing will have an adverse impact on Patrol Division resources.

**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) The permittee shall develop and maintain a plan to address neighborhood concerns, related to the operation of the Pike. (i.e. newsletter, meetings, etc.)
- 3) Entertainment activities indicated on page #7 of your entertainment application shall be restricted to no later than 12 midnight Sunday through Thursday nights, and 2:00 a.m. on Friday and Saturday nights. Outdoor amplified entertainment is prohibited.
- 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.

APPLICATION FOR ENTERTAINMENT WITHOUT DANCING AT THE PIKE  
1836 EAST 4<sup>TH</sup> STREET

Page 2

- 5) The Pike 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.
- 6) Patrons 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, or **10 p.m., whichever comes first.** Private functions not open to the public are exempt from this condition.
- 7) Noise emanating from the permittee's premises shall not be audible 50 feet or more from the exterior of the premises. The permittee shall be responsible for determining how to best meet this requirement, either by keeping doors and windows shut, limiting hours of entertainment or by offering non-amplified entertainment.
- 8) During any entertainment activity listed on page #7 of the application, the permittee shall be responsible for maintaining an adequate security staff to supervise patrons inside the establishment and the parking lot. For crowds up to fifty (50) people, the permittee shall provide a minimum of one (1) security guard. For crowds over (50) fifty people, the permittee shall provide a minimum of one (1) additional security guard per fifty (50) people. Security guards must be identifiable as "Pike employees." Should the permittee's operations give rise to a substantial increase in complaints/calls for service, or trash left in the parking lot, the permittee shall increase staff, or employee uniformed licensed security guards, as directed by the Chief of Police.
- 9) 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.
- 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) 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.
- 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.



APPLICATION FOR ENTERTAINMENT WITHOUT DANCING AT THE PIKE  
1836 EAST 4<sup>TH</sup> STREET

Page 3

- 13) 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)
- 14) This Entertainment Permit is accessory to the primary business, which is a restaurant. In the event the primary business ceases operations on a permanent basis, meaning meals are no longer offered at the location, then the entertainment permit becomes null and void.
- 15) The permittee shall not hire promoters with the intent to advertise/promote or hold any entertainment activities consistent with nightclub entertainment.
- 16) The Pike, or its agents, shall not distribute any advertising matter, such as signs, posters, or promotional cards, in or upon any public property, or in or on any vehicle in any such place in the City of Long Beach. 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. The permittee shall keep all agent contracts, including names, addresses, and phone numbers, on file at all times, and be available for inspection at anytime.
- 17) The permittee shall maintain full compliance with all applicable laws, ABC laws, ordinances and stated conditions. In the event of a conflict with the requirements of this permit, the more stringent regulation shall apply.
- 18) 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 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.



Accepted By: Maria Garcia Date: 8/3/09  
 Zoning Approval By: Pete Dr. Jk. Date: 8-3-09

**APPLICATION FOR ENTERTAINMENT PERMIT**

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

Applicant's Name (Legal Ownership Structure): Pike Restaurant, Inc.

Business Name (DBA): Pike Business Phone: (562) 437-4453

Business Site Address: 1836 E 4th St. Long Beach, Ca 90802

Date Business Proposes To Open: open since 11/02

Days & Time Premises Are Open For Inspection: anytime

Proposed Use(s):

- Entertainment/Restaurant With Dancing  Without Dancing   
 Entertainment/Tavern With Dancing  Without Dancing  OR.  
 Social Club  Pool or Billiard Hall  Other (explain)

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

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

Contact Person(s) Phone Number: (562) 437-4453

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: 8/12/09

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): 8/24/09 By: WENDY GOETZ

**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: \_\_\_\_\_



# CITY OF LONG BEACH

DEPARTMENT OF HEALTH AND HUMAN SERVICES

100 W BROADWAY STE 400 ! LONG BEACH, CA 90802 ! 562-570-6513 FAX 562-570-6930

ENVIRONMENTAL HEALTH  
NOISE OFFICE

## DEPARTMENT OF HEALTH AND HUMAN SERVICES ENTERTAINMENT PERMIT APPLICATION REQUIREMENTS

Date: 7.22.09

Name of Business (DBA): Pike

Name of Business Owner: Pike Restaurant, Inc.

Business Address: 1836 E. 4th St.  
Long Beach, Ca 90802

Dear New Business Owners:

The Entertainment establishment must abide by the Long Beach Municipal Code Noise Ordinance, Chapter 8.80.

You must make sure that the noise generating inside your business is not impacting adjacent residences.

If loud music is to be played as part of the entertainment permit, you must also post a sign in the customer area in a conspicuous location that states:

**Warning: Sound Levels Within May Cause Permanent Hearing Impairment.**

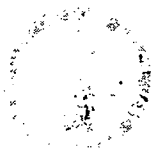
I understand that in order to provide Entertainment, my establishment must comply with the Long Beach Noise Ordinance (LBMC Chapter 8.80)

Owner or Authorized Agent Signature(s) 

Title President

Phone # 562-437-4453

FAX # 562-437-4483



Accepted By: <u>Mona Garcia</u>	Date: <u>8/3/09</u>
Zoning Approval By: <u>Pike Dr. Jk.</u>	Date: <u>8-3-09</u>

### APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): Pike Restaurant, Inc.

Business Name (DBA): Pike Business Phone: (562) 437-4453

Business Site Address: 1836 E 4th St. Long Beach, Ca 90802

Date Business Proposes To Open: open since 11/02

Days & Time Premises Are Open For Inspection: anytime

**Proposed Use(s):**

- Entertainment/Restaurant With Dancing  Without Dancing
- Entertainment/Tavern With Dancing  Without Dancing  OK
- Social Club  Pool or Billiard Hall  Other (explain)

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

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

Contact Person(s) Phone Number: (562) 437-4453

**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. Parking ok / Zoning P

Building/Location meets Department Requirements for the proposed use subject to the following conditions: ok - 03-01

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: \_\_\_\_\_



**City of Long Beach**  
*Working Together to Serve*

**Memorandum**

**Date:** August 7, 2009  
**To:** Erik Sund, Manager of Business Relations Bureau  
**From:** Derek Burnham, Current Planning Officer *DB*  
**Subject:** REVIEW OF ENTERTAINMENT LICENSE REQUEST

**Site Address:** 1836 E. 4<sup>th</sup> street  
Long Beach, CA 90802

**Applicant:** Pike Restaurant, Inc., DBA Pike

**Zoning District:** CNR (Neighborhood Commercial & Residential District)

**Proposed Use:** Entertainment without Dancing

The Current Planning Division of the Department of Development Services has the following comments:

No CUPs or AUPs were found for the subject site; however, a CUP Exemption (Case 02-41) was approved for alcohol sales at an existing restaurant.

The applicant is seeking to obtain a permit for entertainment without dancing. An entertainment permit without dancing is allowed as an accessory use to a restaurant in the CNR zone. No extra parking is required.

Planning Bureau recommends that the entertainment permit without dancing for "Pike" be approved.

If you have any questions regarding this response, please call Jorge Ramirez, Planner, at (562) 570-6952.



**Date:** January 25, 2010

**To:** Patrick H. West, City Manager

**From:** Erik Sund, Business Relations Manager /s/

**Subject:** **Proposed Hearing Date for Pike Restaurant, Inc., DBA Pike, 1836 E. 4<sup>th</sup> Street., to approve one of the following actions: grant the Permit, with or without conditions; or grant a One-Year Short-Term Permit, with or without conditions; or deny the Permit for Entertainment Without Dancing by Patrons. (District 2)**

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**DISCUSSION**

The Municipal Code 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 hearing is proposed to be on March 2, 2010 at 5:00 p.m.

The Municipal Code also requires that the City Council make the determination that the application is complete and truthful and that 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. The Business Relations Bureau Manager will notify the applicant of the time and place of the hearing and post the premises in accordance with the Municipal Code.

**TIMING CONSIDERATIONS**

The hearing date must be set at least two weeks prior to hearing for proper applicant and public notification.

**ISSUES/CONCERNS**

No issues/concerns at this time.

APPROVED:

  
\_\_\_\_\_  
PATRICK H. WEST  
CITY MANAGER