



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

# H-1

333 West Ocean Blvd • Long Beach, California 90802

June 10, 2008

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Receive the supporting documentation into the record, conclude the hearing and deny the Permit Application for Entertainment without Dancing by Patrons for Smelly Kat, Inc., DBA Smelly Kat, 1739 E. Artesia Blvd. (District 9)

## 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 either be approved for a long-term or short-term entertainment permit. Otherwise, the permit 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 denied. Based on the Vice Section's investigation, along with opposition from local residents, the Police Department is unable to find that the public peace, safety, and welfare will not be impaired if this permit is granted.
- 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 Long Beach Development Services Department finds that the building/location meets department requirements for the proposed use.

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 Bar/Tavern/Lounge since April 1998.

#### TIMING CONSIDERATIONS

The hearing date of June 10, 2008, has been posted on the business location, with the applicant and property owners within 300 feet notified by mail.

This matter was reviewed by Deputy City Attorney Cristyl Meyers on May 19, 2008.

#### FISCAL IMPACT

The following fees were collected with the application: Team Inspection \$300 and Zoning Review \$14 (Long Beach Development Services), Police Investigation \$1,000 (Police Department), Temporary Permit \$300, Labels \$90 (Financial Management Department), and Health/Noise Control \$94 (Health and Human Services Department).

The following fees will be collected if the application is approved: Business License \$299.88 and Regulatory \$250 (Financial Management Department).

#### SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



LORI ANN FARRELL  
DIRECTOR OF FINANCIAL MANAGEMENT/CFO

LAF: RIB: JEM  
K:\Exec\Council Letters\Commercial Services\Hearing Letters\06-10-08 ccl - Smelly Kat.doc

APPROVED:

  
PATRICK H. WEST  
CITY MANAGER

ATTACHMENTS



# 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 Smelly Kat, Inc., DBA Smelly Kat. 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	
Long Beach Development Services	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
Long Beach Development Services.....	570-6623

Compiled by: Department of Financial Management  
Commercial Services Bureau



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

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

COMMERCIAL SERVICES DIVISION

## FIVE YEAR HISTORY OF BUSINESS ESTABLISHMENT 1739 E. Artesia Blvd.

Smelly Kat, Inc. DBA: Smelly Kat Lic#20804900 01/08 – Pending	Entertainment Without Dancing
Smelly Kat, Inc. DBA: Smelly Kat Lic#20443850 09/04 – Active	Bar/Tavern/Lounge
Smelly Kat, Inc. DBA: Smelly Kat Lic#20443870 09/04 – Active	Pool Tables
Smelly Kat, Inc. DBA: Smelly Kat Lic#20443880 09/04 – Active	Amusement Machines
William A & Luanne Johnson DBA: B & L Staggerlee's Lic#98016270 04/98 – 08/05	Bar/Tavern/Lounge

# SMELLY KAT 1739 E ARTESIA BLVD.





OFFICE USE ONLY

Accepted By: [Signature] Date: 1/30/08  
Zoning Approval By: JM pendis approval Date: 1/30/08

### APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): Smelly Kat, Inc.

Business Name (DBA): Smelly Kat Business Phone: 562 428-3061

Business Site Address: 1739 E. Artesia Blvd, L.B. CA 90805

Date Business Proposes To Open: Currently Open will start D.J. as soon as permit allows

Days & Time Premises Are Open For Inspection: M-F 8am-6pm

**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:

D.J. music, Party, Pool, Socializing, Acoustic Music, Karaoke

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

Contact Person(s) Phone Number: (562) 810-4071

**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): Same

Fictitious business names(s) or dba(s) used: Smelly Kat

Place and date of filing fictitious business name statement: L.B. 9/04

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:

Jalinda Sharland 208 E. Pleasant St., Long Beach, CA 90805  
Julie Clapper 6537 Johnson Ave, Long Beach, CA 90805

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

Jalinda Sharland, 208 E. Pleasant St. Long Beach, CA 90805

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:

State of CA Alcohol Beverage License Exp 8/31/08, City of L.B. BU 20443980 Exp 7/1/08  
48-416272 HF00013740 Exp 9/21/08 BU 20443870 Exp 9/27/08 BU 20443850 Exp

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? 3 years

Is the location: Owned?  Rented/Leased?

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

Name: \_\_\_\_\_

Address: \_\_\_\_\_

**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

48-416272

Tavern

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: \_\_\_\_\_

b. If no, list any products (such as snacks sold): Pre-Packaged Chips, Microwave Popcorn

3. Are non-alcoholic beverages sold?  YES  NO

4. How many **tables** for seating? 4

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: Bu 20443870

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

a. If yes, indicate number and type: 4 Amusement Machines 1 Jukebox(es)

9. Is there a license for the amusement machine(s) and/or jukebox(es)?  YES  NO

a. If yes, decal number(s): 001119, 001120, 001121, 001122, 001123

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

Name: Smelly Kat, Inc

Address: 1739 E. Artesia Blvd. Long Beach, CA 90805

Telephone No. (562) 428-3061



**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: Surveillance Cameras inside and out  
24 Hours / Day

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							

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	6am	6am	6am	6am	6am	8am	8am
Close	2am	2am	2am	2am	2am	2am	2am

## PROXIMITY OF BUSINESSES AND RESIDENCES

19. Are there surrounding businesses?  YES  NO

a. What type? Beer bar, Liquor Store, Fish market, Mexican Restaurant

20. Are there surrounding residences?  YES  NO

a. Approximately how close? 120 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? \_\_\_\_\_

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	6am	6am	6am	6am	6am	8am	8am
To	2am	2am	2am	2am	2am	2am	2am

d. How many individual parking spaces (approximately)? 8

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: Acoustic Guitar, D.J., Karaoke

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	D.J. Acoustic Karaoke	D.J. Acoustic Guitar Karaoke	D.J. Acoustic Karaoke	D.J. Acoustic Karaoke	D.J. Acoustic Karaoke	D.J. Acoustic Karaoke	D.J. Acoustic Karaoke
Start Time	6pm	6pm	6pm	6pm	6pm	8pm	8pm
End Time	2am	2am	2am	2am	2am	2am	2am



OFFICE USE ONLY

Accepted By: [Signature] Date: 1/30/08  
 Zoning Approval By: JM pending approval Date: 1/20/08

### APPLICATION FOR ENTERTAINMENT PERMIT

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

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Business Name (DBA): Smelly Kat Business Phone: 562 428-3061

Business Site Address: 1739 E. Artesia Blvd, L.B. CA 90805

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Days & Time Premises Are Open For Inspection: M-F 8am-6pm

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:

D.J. music, Party, Pool, Socializing, Acoustic Music, Karaoke

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

Contact Person(s) Phone Number: (562) 810-4071

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. Batts Title: CHIEF Date: 3-28-08



**Date:** March 28, 2008  
**To:** Pamela Wilson-Horgan, Manager, Commercial Services Bureau  
**From:**  Anthony W. Batts, Chief of Police  
**Subject:** **APPLICATION FOR ENTERTAINMENT WITHOUT DANCING AT SMELLY KAT -  
1739 EAST ARTESIA BOULEVARD**

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The Police Department recommends **DENIAL** of this application for Entertainment Without Dancing for Smelly Kat, located at 1739 E. Artesia Boulevard. This recommendation is based on calls-for-service involving violence over the past two years, objections from the residents who live within 100 feet of the location, and a recommendation from the North Division Patrol Commander.

### **Background**

Smelly Kat is a bar located on the northwest corner of Artesia Boulevard and Rose Avenue. The business is a for-profit corporation, Smelly Kat Inc., dba Smelly Kat. The president is listed as Jalinda Sharland, who also holds a Type 48 (On Sale General public premises) Alcoholic Beverage Control license. On January 30, 2008, Smelly Kat applied for an Entertainment Without Dancing permit, which includes live amplified music, a disc jockey, and karaoke music.

### **Crime Analysis**

As part of the investigation, Vice Detectives examined calls for service, crime reports and arrests at the above location for a two-year period between March 29, 2005 and March 29, 2007. The report shows twenty-four (24) calls for service, four (4) incident reports, and one (1) arrest attributable to the business. Of the 24 calls-for-service, six involved guns and one incident involved shots fired inside the business. Five calls involved fights, one of which involved 20 people. Six calls were for unwelcome subjects or customers causing problems. For further details, see crystal report analysis.

### **Patrol Division**

North Division Patrol Commander Billy Quach was contacted for an opinion regarding the issuance of this permit. He indicated there have been many fights at the location, which have included gunfire. On one occasion, officers chased a wanted suspect into the bar. The bartender and patrons interfered with officers' entry into the bar and attempted to hide the wanted suspect. A North Division Patrol Sergeant has had numerous meetings with the owner regarding problems at the bar. However, the owner has been uncooperative. Due to the problems at the bar and the unwillingness of the owner to correct the problems, Commander Quach is recommending that we deny the application for an entertainment permit at Smelly Kat.

## **Vice Investigations**

### **Team Inspection**

On February 14, 2008, a team inspection was conducted at the location. Vice Detectives along with representatives from the Fire Department and Health Department met with David Clapper, who is an owner/operator of Smelly Kat. During the inspection, detectives supplied Mr. Clapper with a list of conditions that would be applied to their temporary permit. Detectives mentioned some past problems with the bar, and stressed the importance of adhering to the conditions and the importance of security. Smelly Kat was subsequently issued a temporary entertainment permit on February 26, 2008.

### **Undercover Police Investigations**

As part of the investigation, Vice Detectives went to the location in an undercover capacity on Wednesday, February 20, 2008, at approximately 2100 hours. There were a few customers inside drinking and playing pool. During this investigation, a customer made it known that non-locals are not welcome at the bar and as a result, fights sometime occur. There was not any entertainment offered on this night and there was no security personnel present.

On Saturday, February 23, 2008, at approximately 1900 hours, detectives went to the location. There were approximately seven people inside the bar drinking and listening to amplified music. There was no security personnel present.

On Friday, February 29, 2008, at approximately 2345 hours, detectives went to the location. There were approximately 20 people inside drinking, playing pool, playing darts, and listening to amplified music. There were approximately eight people loitering in the parking lot, and again, there was no security personnel present.

### **Resident Contacts**

Vice Detectives also contacted residents within 100 feet of the establishment. There were 25 residences within this distance. Four residents were opposed to the addition of entertainment because there had been many fights, loud patrons and shootings at the bar. Three residents were not opposed to the addition of an entertainment permit. The remaining 18 residents were not home during our investigation and were left a letter requesting they contact us.

## **Recommendation**

Based on the Vice Section's investigation and North Division's recommendation, along with the opposition from local residents, the Police Department is unable to find that the public peace, safety, and welfare of the general area will not be impaired if this permit is granted. Pursuant to the provisions of Section 5.72.120(d)(4) LBMC, the Police Department recommends that a permit for Entertainment Without Dancing at this location be DENIED.



OFFICE USE ONLY

Accepted By: [Signature] Date: 1/30/08  
 Zoning Approval By: JM pending approval Date: 1/20/08

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): Smelly Kat, Inc.  
 Business Name (DBA): Smelly Kat Business Phone: 562 428-3061  
 Business Site Address: 1739 E. Artesia Blvd, L.B. CA 90805  
 Date Business Proposes To Open: Currently Open will start D.J. as soon as permit allows  
 Days & Time Premises Are Open For Inspection: M-F 8am-6pm

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:

D.J. music, Darts, Pool, Socializing, Acoustic Music, Karaoke

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

Contact Person(s) Phone Number: (562) 810-4071

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: 2/21/08

Building/Location meets Department Requirements for the proposed use.

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

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

Inspection Completed On (date): 2/25/08 By: PARKER C. (70741)

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



OFFICE USE ONLY

Accepted By: [Signature]

Date: 1/30/08

Zoning Approval By: JM

Date: 1/30/08

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Entertainment/Restaurant With Dancing  Without Dancing

Entertainment/Tavern With Dancing  Without Dancing

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Explain briefly the proposed use of the rooms within the building: D.J. music, Party, Pool, Socializing, Acoustic Music, Karaoke

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

Contact Person(s) Phone Number: (562) 810-4071

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: 1/31/08

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 (LBMC 8-80)

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: \_\_\_\_\_

[Signatures]





OFFICE USE ONLY

Accepted By: [Signature] Date: 1/30/08  
 Zoning Approval By: [Signature] Date: 1/20/08

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 Contact Person(s) Phone Number: (562) 810-4071

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: 02-04-08  
 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): 02-04-08 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: \_\_\_\_\_



**Date:** February 6, 2008  
**To:** Richard I. Bartlett, Business Services Officer, Commercial Services Bureau  
**From:** Carolyne Bihn, Zoning Officer *CB*  
**Subject:** REVIEW OF ENTERTAINMENT LICENSE REQUEST

**Site Address:** 1739 E. Artesia Blvd  
Long Beach, CA 90805

**Applicant:** Smelly Kat, Inc., DBA Smelly Kat

**Zoning District:** CCA (Community Automobile-Oriented District)

**Proposed Use:** Entertainment without Dancing

The Community Design and Development Division of the Department of Planning and Building has the following comments:

No CUPs or AUPs were found for the subject site; however, a CUP Exemption (Case No. 04-61) was approved for alcohol sales at an existing, non-conforming bar.

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 tavern. No extra parking is required.

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

If you have any questions regarding this response, please call Angie Zetterquist, Planner, at (562) 570-6553.



**Date:** April 29, 2008

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

**From:** Richard I. Bartlett, Business Services Officer /s/

**Subject:** Proposed Hearing Date for Smelly Kat Inc., DBA Smelly Kat, for a permit for entertainment without dancing by patrons. (District 9)

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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 June 10, 2008 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 Commercial Services 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 business known as Smelly Kat Inc., DBA Smelly Kat, has been providing entertainment without dancing by patrons on a temporary entertainment permit that will expire on June 26, 2008. The hearing date must be set at least two weeks prior to hearing for proper applicant and public notification.

**ISSUES/CONCERNS**

There are issues/concerns at this time.

APPROVED:

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