

May 5, 2009

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the supporting documentation into the record, conclude the hearing and grant a One-Year Short-Term Permit, with conditions, on the application of Mark Kaake and Mary Rose Goodwin, DBA Ashley's Bar & Grill, 1731 E. 4th Street, for Entertainment Without Dancing by Patrons at an existing Restaurant. (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 application is complete and truthful; the applicant, the person 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, a short-term permit shall be approved, or the application shall be denied.

The City Council has the authority to approve the following options: 1) grant the Permit, with or without conditions; or 2) grant a One-Year Short-Term Permit, with or without conditions; or, 3) deny the Permit on the application.

Attached for your review is the application from Mark Kaake and Mary Rose Goodwin, DBA Ashley's Bar & Grill. Also attached are reports from various departments and a summary of those reports, as well as the license history of the establishment.

City departments have conducted their investigation in accordance with the LBMC. The following summarizes their findings:

- The Police Department recommends that the permit for entertainment without dancing by patrons be approved as a One-Year Short-Term Permit subject to conditions.

- The Fire Department recommends that the permit for entertainment without dancing by patrons be approved.
- 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 recommends that the permit for entertainment without dancing by patrons be approved.

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 as a One-Year Short-Term Permit subject to conditions.

In the event that any of the recommended conditions attached to any permit or licenses are in conflict, the permittee shall adhere to the strictest of the applicable conditions. This location has been licensed as a restaurant with alcohol since November 1974.

This item was reviewed by Deputy City Attorney Cristyl Meyers on April 7, 2009.

TIMING CONSIDERATIONS

The hearing date of May 5, 2009, has been posted on the business location, with the applicant and property owners within 300 feet notified by mail.

FISCAL IMPACT

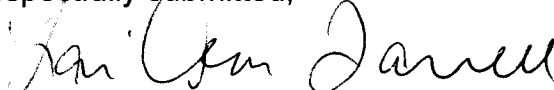
The following fees were collected with the application: Building Review \$20 and Zoning Review \$14 (Development Services Department), Police Investigation \$1,060 (Police Department), and Labels \$90 (Financial Management Department).

The following fees will be collected if the application is approved: Business License \$309.77 and Regulatory \$265 (Financial Management Department).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,


LORI ANN FARRELL
DIRECTOR OF FINANCIAL MANAGEMENT/CFO

APPROVED:


PATRICK H. WEST
CITY MANAGER



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 Mark Kaake and Mary Rose Goodwin, DBA Ashley's Bar & 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	
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
Development Services.....	570-6623

Compiled by: Department of Financial Management
Business Relations Bureau



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 1731 E 4th Street

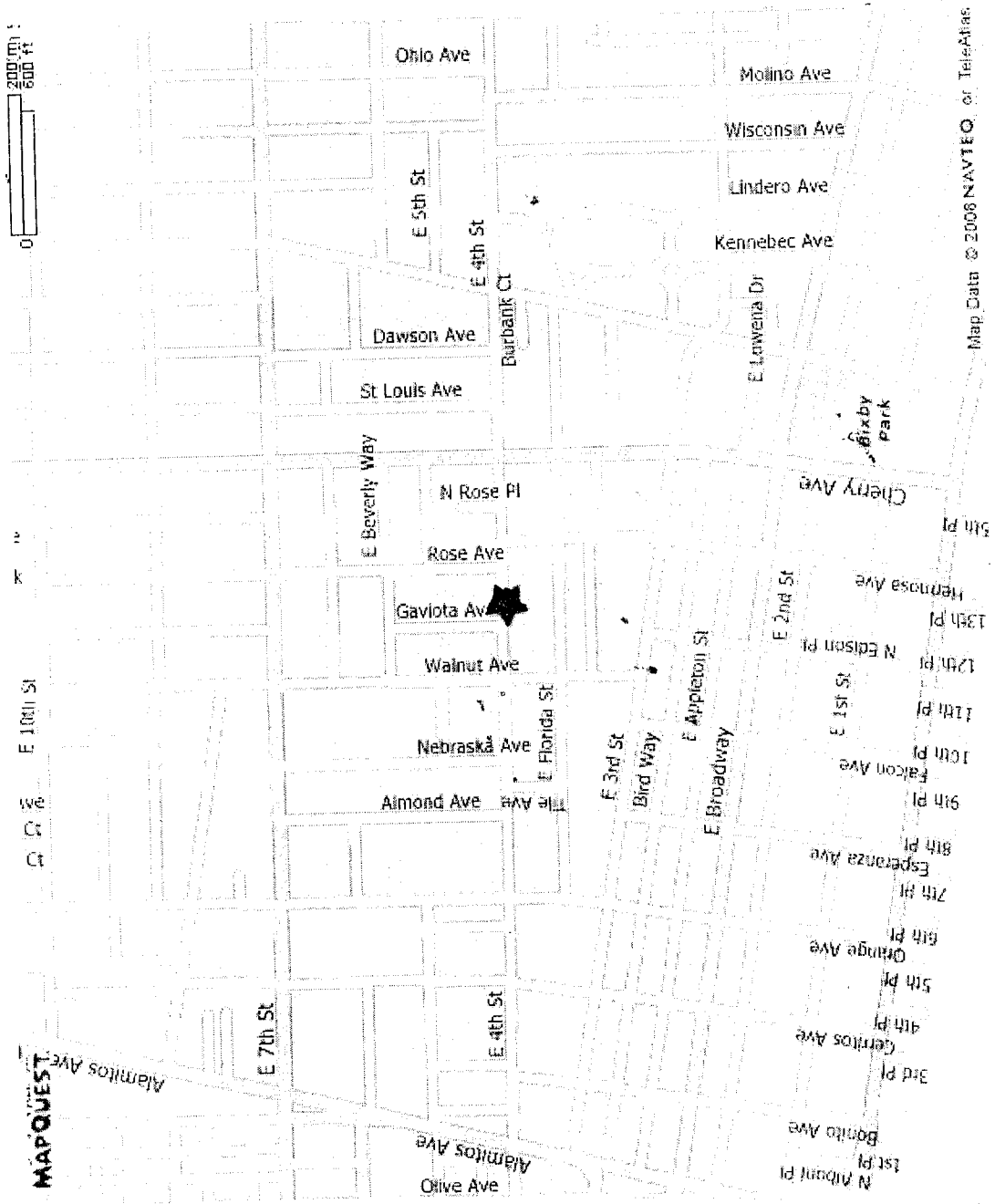
Mark Kaake & Mary Rose Goodwin Entertainment Without Dancing
DBA: Ashley's Bar & Grill
Lic#20854410
11/08 – Pending

Mark Kaake & Mary Rose Goodwin Restaurant With Alcohol
DBA: Ashley's Bar & Grill
Lic#20845460
09/08 – Active

Mark Kaake & Mary Rose Goodwin Pool Table
DBA: Ashley's Bar & Grill
Lic#20854330
11/08 – Active

Ashleys El Encanto Inc Restaurant With Alcohol
DBA: Ashley El Encanto
Lic#00078110
11/74 – 09/08

1731 E 4th Street Ashley's Bar & Grill



Map Data © 2006 NAVTEQ or TeleAtlas



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) MARK KAAKE		DRIVER'S LICENSE NUMBER	STATE	SOCIAL SECURITY NUMBER	
BUSINESS NAME (D.B.A.) 1731 E 4TH ST ASHLEYS Bar & Grill		TYPE OF BUSINESS (Be specific) ENTERTAINMENT		HOME OCCUPATION <input type="checkbox"/>	
BUSINESS ADDRESS 1731 E 4th St	STREET	CITY Long Beach	STATE CA	ZIP 90802	AREA CODE/TELEPHONE 562-495-5700
BILLING ADDRESS (if different)	STREET	CITY	STATE	ZIP	AREA CODE/TELEPHONE
RESIDENCE ADDRESS (if different)	STREET	CITY	STATE	ZIP	AREA CODE/TELEPHONE
LIST OF PRINCIPAL OFFICERS' OR PARTNERS' NAMES AND RESIDENTIAL ADDRESSES (IF MORE, PLEASE ATTACH A LIST)			TITLE	% OWNERSHIP	
MARK KAAKE SR.			Part.	[Redacted]	
MARY ROSE I Goodwin			Part.	[Redacted]	
<input type="checkbox"/> New Business <input type="checkbox"/> Address Change <input type="checkbox"/> Ownership Change <input checked="" type="checkbox"/> Secondary License <input type="checkbox"/> Sole Owner <input checked="" type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> L.L.P. <input type="checkbox"/> L.L.C.					

BUSINESS OPERATIONS INFORMATION

START DATE MAR 11-25-08	NO. OF EMPLOYEES 4	NO. OF VEHICLES 1	FEDERAL TAX ID NUMBER [Redacted]	SALES TAX (SELLER'S PERMIT) NUMBER
Does your business have a Calif State Lic? <input type="checkbox"/> Y <input type="checkbox"/> N		STATE LICENSE NUMBER	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?: **72**

Do you plan to sell or serve alcoholic beverages? Y N
 If yes, ABC License number: **47-465199**

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

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

Will you have:
 Music
 Dancing
 Performers
 Adult Entertainment

SERVICES / FUND RAISING

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: **MARK KAAKE**

Business sq. ft.: **4200** 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**

OWNER(S) OR AUTHORIZED AGENT

Signature: [Signature] Date: 11/11/08 PRINT NAME/TITLE: MARK KAAKE Part

Signature: _____ Date: _____ PRINT NAME/TITLE: _____

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	Prev Use: <u>Restaurant</u>	Exp Date: _____
Basic Tax \$ _____	Prev Lic: _____	
Employees # _____ @ \$ _____ = _____	Exp Date: _____	
Vehicles # _____ @ \$ _____ = _____	District: <u>P</u>	
Other # _____ @ \$ _____ = _____	CITY: <u>90802</u>	
PIA _____	SIC: <u>5812</u>	
PIA Employees # _____ @ \$ _____ = _____	Entered by: <u>[Signature]</u>	
Regulatory _____	Date: <u>11/11/08</u>	
Investigation _____	BU: <u>20854410</u>	
Misc. Fees _____		
Sub Total _____		
Zoning _____		
Building Review _____		
Total _____		

Zoning Review

Y N N/A

By: [Signature]

Date: _____

New construction Reuse

Zone: _____

Comments: part permit

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: [Signature] Date: 12/4/08
 Zoning Approval By: [Signature] Date: 12/4/08

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): MARK KAAKE and Mary Rose Goodwin
 Business Name (DBA): ASHLEYS Bar + Grill Business Phone: (562) 495-5700
 Business Site Address: 1731 E 4th St Long Beach ca 90802
 Date Business Proposes To Open: 11-25-08 Since 1938
 Days & Time Premises Are Open For Inspection: 11:30 TO 2 AM

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: RESTAURANT Bar + food Prep

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

Contact Person(s) Phone Number: (562) 577 5424

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): _____ 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: _____

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

Fictitious business names(s) or dba(s) used: ASHLEY'S BAR & GRILL

Place and date of filing fictitious business name statement: COUNTY OF LOS ANGELES RECORDER
6-5-08 Long Beach PRESS TELEGRAM 6-8-15-22-29 OF 2008

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

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:
MARK KAAKE, MARY ROSE GOODWIN 1731 E 4TH ST
Long Beach CA 90802

Name and address of person (agent) authorized to accept service of process in California:
MARK KAAKE 1731 E. 4TH STREET 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:
STATE OF CA. ALCOHOLIC BEVERAGE CONTROL - ASHLEY'S BAR & GRILL - LONG BEACH
INDIAN ROOM - SAN PEDRO
4 30-09

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? SINCE 1938

Is the location: Owned? Rented/Leased?

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

IF APPLYING AS A PARTNERSHIP

Check One Box:

General Partnership

Limited Partnership

LLC (Limited Liability Co.)

Name of Partnership:

MARK KAAKE / MARY ROSE GOODWIN

Percentage of Partnership

Name and residence addresses of *General Partners*:

Interest:

MARK KAAKE [REDACTED]

50 %

MARY ROSE GOODWIN [REDACTED]

50 %

____ %

____ %

Names and residence addresses of *Limited Partners*:

Interest:

____ %

____ %

____ %

____ %

Place and date of filing Articles or Certificate of Partnership or Limited Partnership:

Please Note:

Attach certified copies of *Articles of Partnership* or *Limited Partnership*, or other written evidence of partnership status and all amendments thereto this application.

IF APPLYING AS A PARTNERSHIP

INFORMATION IS REQUESTED FOR POLICE DEPARTMENT IDENTIFICATION AND INVESTIGATION

PRINCIPAL PARTNER I

Name: MARK WILLIAM KRAKE Title: OWNER

Residence Address: [REDACTED] Phone: [REDACTED]

Business Address: 1731 E4TH ST Phone: 562 495-5700

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]

PRINCIPAL PARTNER II

Name: MARY ROSE GODDWIN Title: OWNER

Residence Address: [REDACTED] Phone: [REDACTED]

Business Address: 1731 E4TH ST Phone: 562 495 5700

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]

PRINCIPAL PARTNER 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: _____

PRINCIPAL PARTNER 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: _____

Attach a list for additional partners

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

47-465199

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: Burgers, FRIES, CHILE, APPITIZERS

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

3. Are non-alcoholic beverages sold? YES NO

4. How many tables for seating? 21

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: 1

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

a. If yes, license number: 20854330

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

a. If yes, indicate number and type: 1 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): 003499

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

Name: G + G

Address: 6415 E. CANNING ST. CITY OF COMMERCE 90040

Telephone No. (323) 724-0926

GENERAL OPERATING CONDITIONS (continued)

Complete Each Question

SECURITY

11. Will security officers be provided? YES NO
a. If yes, number of security officers: 2 Employees
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	8 PM	8 PM	8 PM	8 PM	8 PM	8 PM	8 PM
Security	2 AM	2 AM	2 AM	2 AM	2 AM	2 AM	2 AM

13. Will a private security firm be used? YES NO
a. If yes, provide the following information of the contracted security firm:
Name: _____ City Business License No.: _____
Address: _____ Telephone No.: () _____

ADMISSION and/or MEMBERSHIP FEES CHARGED

14. Will minors be allowed on the premises? YES NO
15. Will the premises be open to the general public? YES NO
16. Will an admission fee be charged? YES NO
a. If yes, fee schedule: _____
17. Is there a private area for exclusive use of members and their guests only? YES NO
a. If yes, types of membership fees: _____
18. Will guests of members pay an admission fee or other charges? YES NO
a. If yes, describe the fee schedule and other charges: _____

GENERAL OPERATING CONDITIONS (continued)

Complete Each Question

HOURS OF OPERATION

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

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	11:30A	2A	2A 1130A	1130 2A	1130 2A	12:30A	1130A
Close	2A	2A	2A	2A	2A	2A	2A

PROXIMITY OF BUSINESSES AND RESIDENCES

19. Are there surrounding businesses? YES NO

a. What type? Day CARE 8A 5PM, 99¢ Store, RESTAURANT Bar,

20. Are there surrounding residences? YES NO

a. Approximately how close? 100 FT

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) Parking Lot is directly

ACROSS STREET @ 1720 E HAST, WE HAVE A LEASE OPTION TO BUY ON PROPERTY

c. Days and hours parking facility will be available:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
From	24hr	24hr	24hr	24hr	24hr	24hr	24hr
To							

d. How many individual parking spaces (approximately)? 20

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	Live Band D.J. KARAOKE						
Start Time	12 PM						
End Time	2 AM						

RELEASE FORM

The undersigned, on behalf of (owner('s)) MARK KAKE, 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:

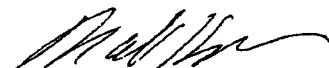
(DBA) ASHLEY'S BAR + GRILL

to obtain the (entertainment type) Entertainment only 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)

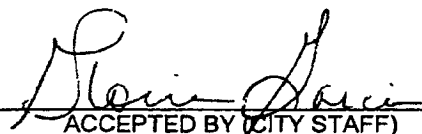
OWNER

(TITLE)

(DATE)


DRIVER'S LICENSE OR ID CARD NUMBER


STATE


ACCEPTED BY (CITY STAFF)

CSR III
TITLE

12/4/08
DATE

CALIFORNIA STATE BOARD OF EQUALIZATION

SELLER'S PERMIT



ACCOUNT NUMBER

7/1/2008 SR Y AS [REDACTED]

ASHLEY'S BAR & GRILL
 MARK WILLIAM KAAKE, ET AL
 1731 E 8TH ST
 LONG BEACH, CA 90813-5019

NOTICE TO PERMITTEE:
 You are required to obey all Federal and State laws that regulate or control your business. This permit does not allow you to do otherwise.

IS HEREBY AUTHORIZED PURSUANT TO SALES AND USE TAX LAW TO ENGAGE IN THE BUSINESS OF SELLING TANGIBLE PERSONAL PROPERTY AT THE ABOVE LOCATION. THIS PERMIT IS VALID ONLY AT THE ABOVE ADDRESS.

THIS PERMIT IS VALID UNTIL REVOKED OR CANCELED AND IS NOT TRANSFERABLE. IF YOU SELL YOUR BUSINESS OR DROP OUT OF A PARTNERSHIP, NOTIFY US OR YOU COULD BE RESPONSIBLE FOR SALES AND USE TAXES OWED BY THE NEW OPERATOR OF THE BUSINESS.

Not valid at any other address

**For general tax questions, please call our information Center at 800-400-7115.
 For information on your rights, contact the Taxpayers' Rights Advocate Office at 888-324-2798 or 916-324-2798.**

BOE-442-R REV. 15 (2-06)

A MESSAGE TO OUR NEW PERMIT HOLDER

As a seller, you have rights and responsibilities under the Sales and Use Tax Law. In order to assist you in your endeavor and to better understand the law, we offer the following sources of help:

- Visiting our website at www.boe.ca.gov
- Visiting a district office
- Attending a Basic Sales and Use Tax Law class offered at one of our district offices
- Sending your questions in writing to any one of our offices
- Calling our toll-free Information Center at 800-400-7115

As a seller, you have the right to issue resale certificates for merchandise that you intend to resell. Conversely, you have the responsibility of not misusing resale certificates. While the sales tax is imposed upon the retailer,

- You have the right to seek reimbursement of the tax from your customer
- You are responsible for filing and paying your sales and use tax returns timely
- You have the right to be treated in a fair and equitable manner by the employees of the Board
- You are responsible for following the regulations set forth by the Board

As a seller, you are expected to maintain the normal books and records of a prudent businessperson. You are required to maintain these books and records for no less than four years, and make them available for inspection by a Board representative when requested. You are also expected to notify us if you are buying, selling, adding a location, or discontinuing your business, adding or dropping a partner, officer, or member, or when you are moving any or all of your business locations. If it becomes necessary to surrender this permit, you should only do so by mailing it to a Board office, or giving it to a Board representative.

If you would like to know more about your rights as a taxpayer, or if you are unable to resolve an issue with the Board, please contact the Taxpayers' Rights Advocate Office for help by calling toll-free, 888-324-2798 or 916-324-2798. Their fax number is 916-323-3319.

Please post this permit at the address for which it was issued and at a location visible to your customers.

STATE BOARD OF EQUALIZATION
 Sales and Use Tax Department

STATE OF CALIFORNIA
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
ALCOHOLIC BEVERAGE LICENSE

ON-SALE GENERAL EATING PLACE

VALID FROM

MAY 12, 2008

EXPIRES

APR 30, 2009

GOODWIN MARYROSE IRENE
DBA: ASHLEYS BAR & GRILL
1731 E 4TH ST
LONG BEACH, CA 90802-1905

TYPE NUMBER DUP

47 465199

TRANSFER
TFR - 47-8264

AREA CODE

1932 03

BUSINESS ADDRESS
(IF DIFFERENT)

OWNERS:

GOODWIN MARYROSE IRENE
KAAKE MARK WILLIAM

Conditions



IMPORTANT INFORMATION

EFFECTIVE PERIOD This license is effective only for the operating period shown above. A new license will be sent to you within 30 days of the expiration date on your license if payment is timely.

POSTING Cover this license with glass or other transparent material and post it on premises in a conspicuous place.

RENEWAL NOTICES Renewal notices are sent to premises address unless a specific mailing address is requested. If a notice is not received 30 days before expiration date shown above, contact the nearest ABC office. To assure receipt of notices, advise your local ABC office of any change in address.

RENEWAL DATES It is the licensee's responsibility to pay the required renewal fee by the expiration date shown above. A penalty is charged for late renewal and the license can be automatically revoked for failure to pay.

SEASONAL LICENSES It is the licensee's responsibility to pay the required renewal fee prior to the next operating period.

CONDITIONS A copy of all applicable conditions must be kept on premises.

LICENSEE NAME Only 10 names will be printed on each license. If there are more names associated with the license, they will be indicated by "AND XX OTHERS". All names are on file and available upon request from your local ABC office.

DBA If you change your business name please notify your local ABC office.

If you have any questions regarding this license, contact your local ABC office.

NOTE: CONTACT YOUR LOCAL ABC OFFICE IF YOUR LICENSED PREMISES WILL BE TEMPORARILY CLOSED FOR MORE THAN 15 DAYS OR WILL BE PERMANENTLY CLOSED.

Page # 17

License Serial # 2029809934

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20080996110

Pages: 002



Recorded/Filed in Official Records
Recorder's Office, Los Angeles County,
California

Fee: 27.00

Tax: 0.00

Other: 0.00

Total: 27.00

06/05/08 AT 12:46PM

2011546 200806050510004 Counter

TITLE(S) : FICTITIOUS NAME STATEMENT



LEAD SHEET

*w/ annex
Stefanie Jenniter*

Assessor's Identification Number (AIN)

To be completed by Examiner OR Title Company in black ink.

Number of AIN's Shown

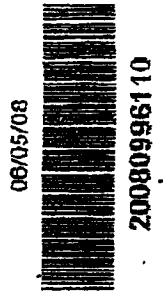
543367

THIS FORM IS NOT TO BE DUPLICATED

YOUR RETURN MAILING ADDRESS

NAME: Ashleys Bar & Grill
ADDRESS: 1731 E. 4th St
CITY: Long Beach
STATE: CA ZIP CODE: 90802

COPY of Document Recorded
Has not been compared with original. Original will be returned when processing has been completed.
LOS ANGELES COUNTY REGISTRAR-RECORDER



FICTITIOUS BUSINESS NAME STATEMENT

TYPE OF FILING AND FILING FEE (Check one)

- Original- \$23.00 (FOR ORIGINAL FILING WITH ONE BUSINESS NAME ON STATEMENT) New Filings- \$23.00
- Refile- \$18.00 (NO CHANGES IN THE FACTS FROM ORIGINAL FILING) (CHANGES IN FACTS FROM ORIGINAL FILING REQUIRES PUBLICATION)
- \$4.00- FOR EACH ADDITIONAL BUSINESS NAME FILED ON SAME STATEMENT, DOING BUSINESS AT THE SAME LOCATION \$4.00- FOR EACH ADDITIONAL OWNER IN E

The following person(s) is (are) doing business as:

*1. Ashleys Bar & Grill
Print Fictitious Business Name(s)
** 1731 E 4th St.
Street address of principal place of business
Long Beach, CA 90802 LA County
City State Zip COUNTY City State Zip

Articles of Incorporation or Organization Number (if applicable): AI #000

*** REGISTERED OWNER(S):

1. Mark W. Kaake
Full Name/Corp/LLC
1731 E. 4th St.
Residence Address (P.O. Box not accepted)
Long Beach CA 90802
City State Zip

2. Mary Rose I. Goodwin
Full Name/Corp/LLC
1731 E. 4th St.
Residence Address (P.O. Box not accepted)
Long Beach, CA 90802
City State Zip

If Corporation or LLC - Print State of Incorporation/Organization

If Corporation or LLC - Print State of Incorporation/Organization

3. _____
Full Name/Corp/LLC
Residence Address (P.O. Box not accepted)
City State Zip

4. _____
Full Name/Corp/LLC
Residence Address (P.O. Box not accepted)
City State Zip

If Corporation or LLC - Print State of Incorporation/Organization

If Corporation or LLC - Print State of Incorporation/Organization

IF MORE THAN FOUR REGISTRANTS, ATTACH ADDITIONAL SHEET SHOWING OWNER INFORMATION

**** THIS BUSINESS IS CONDUCTED BY: (Check one)

- an individual a General Partnership a Limited Partnership a Limited Liability Company
- an Unincorporated Association other than a Partnership a Corporation a Trust Copartners
- Husband and Wife Joint Venture State or Local Registered Domestic Partners a Limited Liability Partnership

**** The registrant commenced to transact business under the fictitious business name or names listed above on N/A
(Insert N/A above if you haven't started to transact business)

I declare that all information in this statement is true and correct.
(A registrant who declares as true information which he or she knows to be false is guilty of a crime.)

REGISTRANT(S)/CORP/LLC NAME (PRINT) MARY ROSE I. GOODWIN TITLE CO-OWNER
REGISTRANT SIGNATURE Mary Rose I. Goodwin

If corporation, also print corporate title or officer. If LLC, also print title of officer or manager.

This statement was filed with the County Clerk of LOS ANGELES on the date indicated by the filed stamp in the upper right corner.
NOTICE - IN ACCORDANCE WITH SUBDIVISION (a) OF SECTION 17220, A FICTITIOUS NAME STATEMENT GENERALLY EXPIRES AT THE END OF FIVE YEARS FROM THE DATE ON WHICH IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK, EXCEPT, AS PROVIDED IN SUBDIVISION (b) OF SECTION 17220, WHERE IT EXPIRES 40 DAYS AFTER ANY CHANGE IN THE FACTS SET FORTH IN THE STATEMENT PURSUANT TO SECTION 17213 OTHER THAN A CHANGE IN THE RESIDENCE ADDRESS OF A REGISTERED OWNER. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED BEFORE THE EXPIRATION.

THE FILING OF THIS STATEMENT DOES NOT OF ITSELF AUTHORIZE THE USE IN THIS STATE OF A FICTITIOUS BUSINESS NAME IN VIOLATION OF THE RIGHTS OF ANOTHER UNDER FEDERAL, STATE, OR COMMON LAW (SEE SECTION 14411 ET SEQ., BUSINESS AND PROFESSIONS CODE).

I HEREBY CERTIFY THAT THIS COPY IS A CORRECT COPY OF THE ORIGINAL STATEMENT ON FILE IN MY OFFICE.

DEAN LOGAN, LOS ANGELES COUNTY CLERK

BY: _____, Deputy

This is a true and certified copy of the record
if it bears the seal, imprinted in purple ink,
of the Registrar-Recorder/County Clerk

JUN 15 2008

Deane Logan ACTING
REGISTRAR-RECORDER/COUNTY CLERK
LOS ANGELES COUNTY, CALIFORNIA



LONG BEACH
PRESS-TELEGRAM

300 Oceangate
Long Beach, CA 90844

PROOF OF PUBLICATION
(2015.5 G.C.P.)

STATE OF CALIFORNIA

County of Los Angeles

I am a citizen of the United States, and a resident of the county aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the Long Beach Press-Telegram, a newspaper of general circulation printed and published daily in the City of Long Beach, County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, on the date of March 21, 1934, Case Number 370512. The notice, of which the annexed is a true printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

June 8-15-22-29-2008

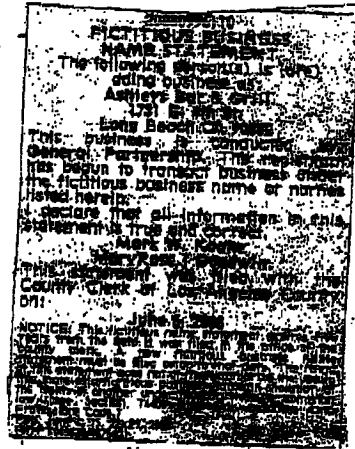
The Long Beach Press-Telegram, a newspaper of general circulation, is delivered to and available in, but not limited to the following cities: Long Beach, Lakewood, Bellflower, Cerritos, Downey, Norwalk, Artesia, Paramount, Wilmington, Compton, South Gate, Los Alamitos, Seal Beach, Cypress, La Palma, Lynwood, San Pedro, Hawaiian Gardens, Huntington Park, La Mirada, Santa Fe Springs, Carson. I declare under penalty of perjury that the foregoing is true and correct.

Executed at Long Beach, LA Co, California

this 20 day of June 2008

[Signature]
signature

Proof of Publication of





Date: January 30, 2009
To: Erik Sund, Manager, Business Relations Bureau
From: Anthony W. Batts, Chief of Police *AWB*
Subject: **APPLICATION FOR ENTERTAINMENT WITHOUT DANCING AT ASHLEY'S BAR & GRILL – 1731 EAST 4TH STREET**

In response to your request for a recommendation regarding the above named permit application for Entertainment without Dancing, the Police Department recommends **approval** of a **One-Year Short-Term** permit, subject to the following nineteen (19) conditions of operation:

Ashley's Bar & Grill is located on the north side of 4th Street between Walnut and Hermosa Avenues. The establishment serves a domestic food menu for lunch and dinner. Ashley's parking lot is located directly across the street from the business, on the south side of 4th Street, and has approximately 20 parking spaces. Ashley's has been in business since 1938 and was recently purchased by Mark Kaake and Mary Goodwin, who want to add entertainment to their business operations.

Based on the Police Department's investigation and residents concern about patron noise in the parking lot, the Police Department believes a One-Year Short-Term Entertainment without Dancing Permit would be in the best interest for the surrounding community and the City of Long Beach.

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 PM Sunday through Thursday nights, and 12 midnight on Friday and Saturday nights.
- 4) 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 offering non-amplified entertainment.

ENTERTAINMENT WITHOUT DANCING AT ASHLEY'S BAR & GRILL
1731 EAST 4TH STREET

Page 2

- 5) Patrons under twenty-one (21) years of age shall not be permitted to enter nor 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.
- 6) 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 "Ashley's 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.
- 7) 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.
- 8) 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."
- 9) The permittee shall not allow any employee, patron or entertainer, to exit or loiter near the side door leading to the alley or the rear kitchen door at anytime during business hours.
- 10) The permittee and/or security shall also ensure that no employee, patron, or entertainer loiters in the parking lot at anytime during the operation of the business.
- 11) The parking lot shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot. The position of such lighting shall not disturb the normal privacy and use of any neighboring residences.
- 12) 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.
- 13) 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.

ENTERTAINMENT WITHOUT DANCING AT ASHLEY'S BAR & GRILL
1731 EAST 4TH STREET

Page 3

- 14) 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)
- 15) This Entertainment Permit is accessory to the primary business, which is a restaurant. In the event the primary business ceases operation on a permanent basis, meaning meals are no longer offered at the location, then the entertainment permit becomes null and void.
- 16) The permittee shall not hire promoters with the intent to advertise, promote, or hold any entertainment activities consistent with nightclub entertainment.
- 17) Ashley's Bar & Grill, or its 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.
- 18) The permittee shall maintain full compliance with all applicable laws, ordinances, and stated conditions. In the event of a conflict with the requirements of this permit, 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.



Accepted By: [Signature] Date: 12/4/08
 Zoning Approval By: [Signature] Date: 12/4/08

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): MARK KAAKE and Mary Rose Goodwin
 Business Name (DBA): ASHLEYS Bar + Grill Business Phone: (562) 495-5700
 Business Site Address: 1731 E 4TH ST Long Beach ca 90802
 Date Business Proposes To Open: 11-25-08 Since 1938
 Days & Time Premises Are Open For Inspection: 11:30 TO 2 AM

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: RESTAURANT Bar + food Prep

Contact Person(s) Name (authorized agent, manager, etc.): MARK KAAKE
 Contact Person(s) Phone Number: (562) 577 5424

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): _____ 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: 1-26-09



Accepted By: [Signature] Date: 12/4/08
 Zoning Approval By: [Signature] Date: 12/4/08

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): MARK KAAKE and Mary Rose Goodwin
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Explain briefly the proposed use of the rooms within the building: RESTAURANT Bar + food Prep

Contact Person(s) Name (authorized agent, manager, etc.): MARK KAAKE
 Contact Person(s) Phone Number: (562) 577 5424

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): 3/6/09 By: W. 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: 11-25-08

Name of Business (DBA): ASHLEY'S BAR & GRILL

Name of Business Owner: MARK KAKE

Business Address: 1731 E 4th ST Long Beach Ca.

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) *Mark Kake*

Title Partner

Phone # 562-577-5424

FAX # 562-494-9663



Accepted By: [Signature] Date: 12/4/08
 Zoning Approval By: [Signature] Date: 12/4/08

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): MARK KAAKE and Mary Rose Goodwin
 Business Name (DBA): ASHLEYS Bar + Grill Business Phone: (562) 495-5700
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 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: RESTAURANT Bar + food Prep

Contact Person(s) Name (authorized agent, manager, etc.): MARK KAAKE
 Contact Person(s) Phone Number: (562) 577 5424

Type of Organization:

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

Building Fire Health (Check Inspecting Department) Date Received: 12-5-08

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): _____ 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: December 11, 2008
To: Richard I. Bartlett, Business Services Officer, Commercial Services Bureau
From: Derek Burnham, Current Planning Officer 
Subject: REVIEW OF ENTERTAINMENT LICENSE REQUEST

Site Address: 1731 E. 4th Street
Long Beach, CA 90802

Applicant: Mark Kaake
DBA Ashley's Bar & Grill

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:

A review of the permit history for 1731 E. 4th Street, indicates there have been no CUPs or AUPs approved for the subject property.

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

Planning Bureau recommends that the entertainment permit without dancing for "Ashley's Bar & Grill" be approved.

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