

# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

# H-2

333 West Ocean Boulevard 7<sup>th</sup> Floor • Long Beach, CA 90802 • (562) 570-6200 • Fax (562) 499-1097

August 15, 2017

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Receive the supporting documentation into the record, conclude the hearing and grant an Entertainment Permit with conditions on the application of Toshco, LLC, dba The Good Bar and Eatery, 3316 E. 7<sup>th</sup> Street, for entertainment without dancing. (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 (Permit) is granted or denied.

The LBMC also requires the City Council to approve the issuance of the Permit if they find that: the issuance of the Permit at the proposed location is consistent with federal, state and local laws, rules, and regulations; it will not constitute an undue burden on the neighborhood; the applicant(s) or responsible persons have not been convicted of any misdemeanor involving moral turpitude or felony offense within the past five years; and, neither the applicant(s) or any responsible persons have a history of committing significant violations of the City code and have not provided false or misleading information on their application.

The City Council has the authority to approve the following options: 1) grant the Permit, with or without conditions; or 2) deny the Permit on the application. Once the Permit is granted, pursuant to LBMC 5.72.120.5, the Permit will be subject to an administrative review by the Financial Management Department every two years. This review process will consist of a multi-department analysis to determine compliance and identify if issues exist. This provision does not affect the City's ability to modify, revoke or suspend a permit at any time.

City departments have conducted their investigations in accordance with the LBMC. Attached for your review are the departmental investigative reports, history, entertainment permit application and floor plan. To review entertainment forms online, you may visit <http://www.longbeach.gov/finance/services-and-permits/entertainment-permit>.

HONORABLE MAYOR AND CITY COUNCIL

August 15, 2017

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The following summarizes departmental findings:

- The Police Department recommends the permit for entertainment without dancing be approved subject to the conditions.
- The Fire Department finds the building/location meets department requirements for the proposed use.
- The Health and Human Services Department finds 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 the building/location meets department requirements for the proposed use.

The Financial Management Department, Business Services Bureau, has reviewed all submitted department documents and correspondence and, after a thorough investigative process, recommends that the permit for entertainment without dancing 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 Bar/Tavern/Lounge since February 2004. The business changed ownership to Toshco, LLC, in December 2015.

This matter was reviewed by Deputy City Attorney Amy R. Webber on July 24, 2017.

TIMING CONSIDERATIONS

The hearing date of August 15, 2017, 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 \$22.45 and Zoning Review \$16.50 (Development Services), Police Investigation \$1,255.00 (Police Department), and Temporary Entertainment Permit \$380.00, and Mailing List \$90.00 (Financial Management Department).

The following fees will be collected if the application is approved: Business License Annual Tax \$355.25, Employee Rate \$18.45 per employee, and Annual Entertainment Regulatory Fee \$305.00 (Financial Management Department).

HONORABLE MAYOR AND CITY COUNCIL  
August 15, 2017  
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SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



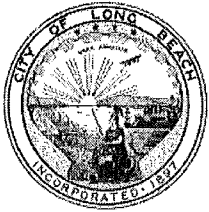
JOHN GROSS  
DIRECTOR OF FINANCIAL MANAGEMENT

JG:ea  
P:\1 COUNCIL LETTERS\2017 COUNCIL LETTERS\2017 08 - AUGUST\BUSINESS LICENSE\8-15-2017 THE GOOD BAR AND EATERY

ATTACHMENTS

APPROVED:

  
PATRICK H. WEST  
CITY MANAGER



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT  
BUSINESS RELATIONS BUREAU

333 WEST OCEAN BOULEVARD 7<sup>TH</sup> FLOOR • LONG BEACH, CA 90802 • (562) 570-6211

## Recommended Conditions of Operation

Toshco, LLC. DBA The Good Bar and Eatery

3316 E. 7<sup>th</sup> Street

Application for Entertainment Without Dancing

The Department of Financial Management recommends **approval** of the Permit subject to the following conditions:

### I. STANDARD 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) The establishment shall remain in compliance with all applicable sections of the Long Beach Noise Ordinance (LBMC Chapter 8.80).
- 4) This Entertainment Permit is accessory to the primary business. The authorization to provide entertainment on-site is subject to the use remaining a bona fide eating place serving actual and substantial meals.

"Meals" means the usual assortment of foods commonly ordered at various hours of the day; the service of such food only as sandwiches or salads shall not be deemed compliant with this requirement. Meals must consist of food prepared on the premises. Hours of sales of alcohol shall be limited to the hours when meals are available.

The premises must be equipped and maintained in good faith. The premises must possess working refrigeration, cooking equipment, utensils, menus, and enough food to make substantial meals.

In the event the primary business ceases operation, fails to operate as a bona fide eating place, fails to serve actual and substantial meals, or otherwise fails to comply with this condition, the Entertainment Permit becomes null and void.

- 5) Due to the proximity of neighboring businesses and residences, all door(s) and windows shall be kept closed at all times during any entertainment, except in cases of emergency and to permit deliveries. Said door(s) is not to consist solely of a screen or ventilated security door. **Sound shall not be audible beyond fifty feet (50') from the exterior of the premises in any direction.** Outdoor amplified entertainment is prohibited.

- 6) The permittee shall not allow employees to discard trash or beer bottles into the outside dumpster between the hours of 10:00 P.M. and 7:00 A.M.
- 7) Deliveries to and from the premises shall be limited to the hours of 8:00 A.M. to 10:00 P.M.
- 8) The permittee shall provide a minimum of one (1) uniformed security guard during all times that the entertainment activities are being conducted for crowds up to fifty (50) people. For crowds over fifty (50) people, the permittee shall provide a minimum of one (1) additional uniformed security guard per fifty (50) people. Patrons awaiting entry in a defined queue shall be counted toward the calculation of required security staffing levels.

The attire of each security guard shall clearly indicate the guard's affiliation with the establishment by means of a pin, shirt, or other visible form of identification. Should the permittee's operations give rise to a substantial increase in complaint/calls for police service, or trash left in the parking lot, the permittee shall increase security staff, implement the use of electronic metal detection equipment, increase outside lighting, or make other changes to the premises or operation as the Chief of Police determines are necessary to protect the safety of the public.

- 9) 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 while open for business. This should be done by use of security guards and signage indicating words to the effect of, "Please respect our neighbors" or something similar.
- 10) 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 front of the establishment, the parking lot or the immediate area.
- 11) The permittee agrees to reimburse the City for all costs associated with excessive police services, as determined by the Chief of Police, required as the result of any incident or nuisance arising out of or in connection with the permittee's operations.
- 12) 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).
- 13) Any graffiti painted or marked upon the premises, or on any adjacent area under the control of the licensee, shall be removed or painted over within 24 hours of being applied.
- 14) The business, or 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. 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.

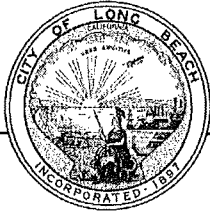
The permittee shall keep all promoter contracts, including names, addresses, and phone numbers, on file at all times, and be available for inspection at any time.

- 15) The permittee shall not hire promoters with the intent to advertise/promote or hold any entertainment activities consistent with nightclub activities.
- 16) The permittee shall install and maintain a video surveillance system that monitors no less than the front and rear of the business with full view of the public right-of-ways and any parking lot under the control of the permittee. The video system must be capable of delineating on playback the activity and physical features of persons and areas within the premises. Recordings shall be retained for a minimum of 30 days and be accessible via the Internet by the Long Beach Police Department. A Public Internet Protocol (IP) address and user name/password is also required to allow the Long Beach Police Department to view live and recorded video from these cameras over the internet. All video security cameras shall be installed to the satisfaction of the Chief of Police, Director of Technology Services, and Director of Development Services. At the discretion of the Chief of Police, the permittee may be required to add additional video cameras.
- 17) The permittee shall within ninety (90) days of an approved entertainment permit, submit proof of attending the LEAD program offered by the Department of Alcoholic Beverage Control. In the event that the LEAD program class is not offered within this ninety day period, the permittee shall attend the next available class. Proof of completion shall be submitted to the Long Beach Police Department Vice Investigations Section.
- 18) The permittee shall maintain full compliance with all applicable laws, ABC laws, ordinances, and stated conditions. In the event of a conflict with the requirements of this permit, your conditional use permit, or your Alcoholic Beverage Control license, the more stringent regulation shall apply.

## II. ADDITIONAL CONDITIONS OF OPERATION

- 1) Entertainment activities indicated on page #7 of your entertainment application must **cease by 10:00 pm Tuesday through Thursday and 12:00 midnight on Friday and Saturday.**
- 2) The permittee shall be responsible for maintaining free of litter the premises and the area adjacent to the licensed premises over which they have control.

III. In the event that any of the recommended conditions attached to any permit or license is in conflict, the permittee shall adhere to the strictest of the applicable conditions. In addition, please be advised that your permit is subject to administrative review every two years from the date this permit is issued. If grounds exist for revocation or suspension of the permit, a hearing will be held.



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Boulevard 7<sup>th</sup> Floor • Long Beach, CA 90802 • (562) 570-6200 • Fax (562) 499-1097

## SUMMARY OF APPLICATION FOR ENTERTAINMENT PERMIT

Attached for your review and action is an application for Toshco, LLC., dba The Good Bar and Eatery. Also, attached are reports from various departments stating their recommended disposition of the subject application. These are summarized as follows:

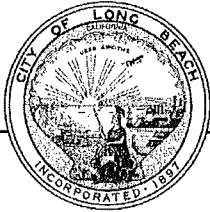
### SUBMITTED FOR CITY COUNCIL ACTION

	<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 Services Bureau



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DEPARTMENT OF FINANCIAL MANAGEMENT

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## FIVE YEAR HISTORY OF BUSINESS ESTABLISHMENT 3316 E. 7<sup>th</sup> STREET

Toshco, LLC  
DBA: The Good Bar and Eatery  
Lic # BU21600005  
01/16 – Pending

Entertainment without Dancing (Alcohol)

Toshco, LLC  
DBA: The Good Bar and Eatery  
Lic # BU21600004  
01/16 – Current

Pool Tables (2 or less)

Toshco, LLC  
DBA: The Good Bar and Eatery  
Lic # BU21600003  
12/15 – Current

Bar, Tavern, Lounge

Mlouks, LLC  
DBA: The Bull Bar  
Lic # BS20600240  
12/05 – 12/15

Entertainment without Dancing (Alcohol)

Mlouks, LLC  
DBA: The Bull Bar  
Lic # BU20566610  
12/05 – 12/15

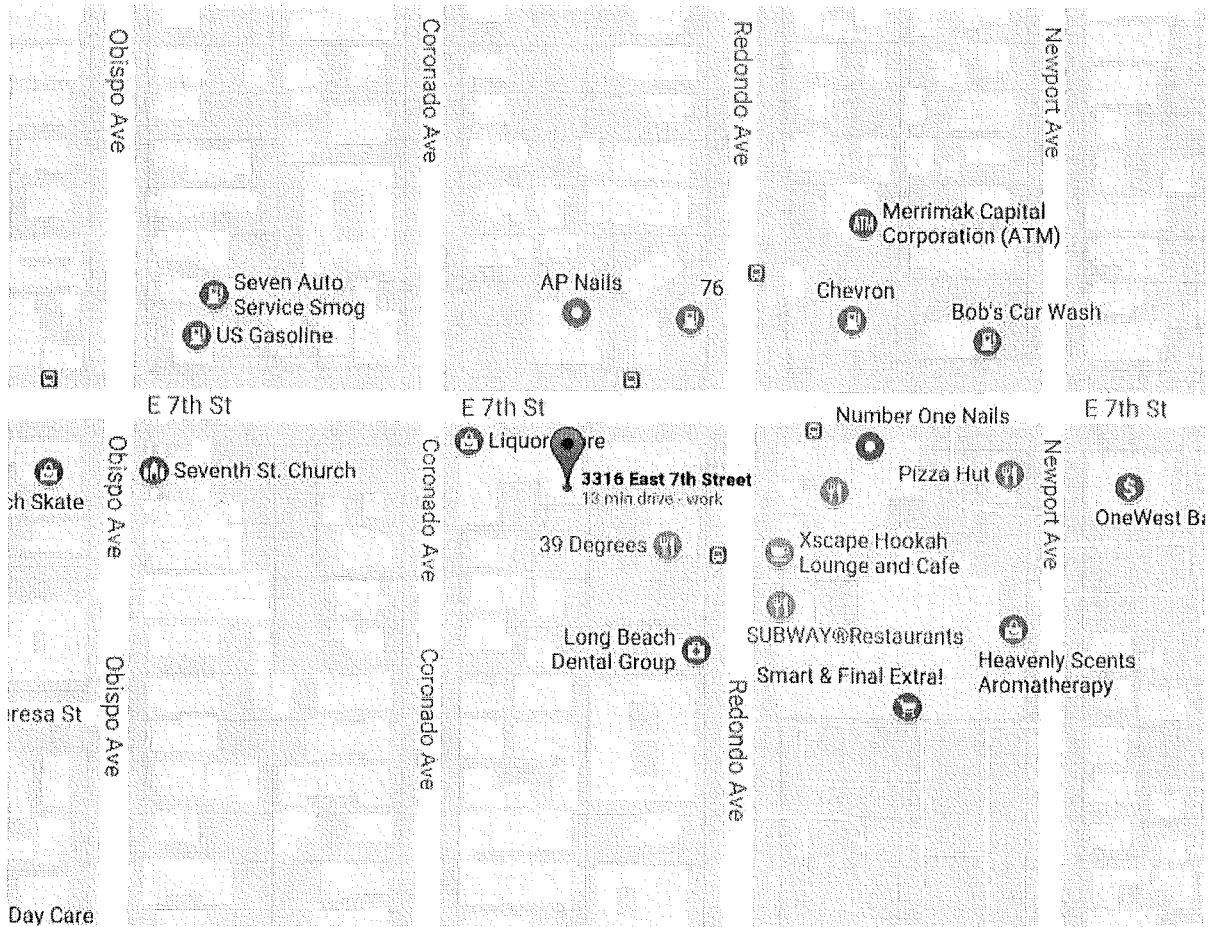
Pool Tables (2 or less)

Mlouks, LLC  
DBA: The Bull Bar  
Lic # BU20566590  
12/05 – 12/15

Bar, Tavern, Lounge



**Toshco, LLC.**  
**DBA The Good Bar and Eatery**  
**3316 E. 7<sup>th</sup> Street**





Accepted By: \_\_\_\_\_

Date: \_\_\_\_\_

Zoning Approval By: \_\_\_\_\_

Date: \_\_\_\_\_

**APPLICATION FOR ENTERTAINMENT PERMIT**

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

Applicant's Name (Legal Ownership Structure):

Tosha LLC

Business Name (DBA):

The Good Bar and Eatery

Business Phone: (562) 433-6282

Business Site Address:

3316 E 7th St Long Beach Ca 90804

Date Business Proposes To Open:

1-4-16

Days &amp; Time Premises Are Open For Inspection:

12pm - 12am

Proposed Use(s):

Entertainment/Restaurant

With Dancing ☐Without Dancing ☒Other (explain) ☐

Entertainment/Tavern

With Dancing ☐Without Dancing ☐Entertainment/Retail ☐Social Club ☐Pool/Billiard Hall ☐

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

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

Blake Whytak

Contact Person(s) Phone Number:

(562) 715-0931

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: \_\_\_\_\_

The Good Bar and Eatery

Place and date of filing fictitious business name statement: \_\_\_\_\_

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

U.S.

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:

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

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:

Is this applicant a subsidiary of a present corporation or business?  
If yes, explain:

☐ YES

☐ NO

How long has the corporation or business been in operation? \_\_\_\_\_

3 months.

Is the location: Owned? ☐ Rented/Leased? ☒

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

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

Scott Landis

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




## IF APPLYING AS A CORPORATION

INFORMATION IS REQUESTED FOR POLICE DEPARTMENT IDENTIFICATION AND INVESTIGATION

### CORPORATE OFFICER I

Name: BLAKE WHITOCK Title: MANAGING MEMBER

Residence Address: 

Business Address: 3316 E 7TH LONGBEACH CA 90814 Phone: 562-433-6282

### CORPORATE OFFICER II

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 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 ☒

47 561 542

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: CLASSIC AMERICANA

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

3. Are non-alcoholic beverages sold?

☒ YES ☐ NO

4. How many tables for seating? 7

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: \_\_\_\_\_

8. Are amusement machine(s) and/or jukebox(es) provided?

☒ YES ☐ NO ?

a. If yes, indicate number and type: 4

Amusement Machines 3 Jukebox(es) 1

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

☒ YES ☐ NO ?

a. If yes, decal number(s): \_\_\_\_\_

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

Name: MIKE MARTINEZ N2 INDUSTRIES

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

Telephone No. (800) 231 5927

## 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: DOOR GUY

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

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours of	<del>12-12am</del>	<del>12-12am</del>	<del>12-12am</del>	<del>12-12am</del>	<del>12-12am</del>	<del>12-12am</del>	<del>12-12am</del>
Security	9-2	9-2	9-2	9-2	9-3am	9-3am	9-2

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 (NOT AFTER 9pm)

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	12 pm	12 pm	12 pm	12 pm	12 pm	10 am	10 am
Close	12 am	12 am	12 am	12 am	2 am	2 am	12 am

### PROXIMITY OF BUSINESSES AND RESIDENCES

19. Are there surrounding businesses?

☒ YES ☐ NO

a. What  
type?

COFFEE, LIQUOR, RETAIL

20. Are there surrounding residences?

☒ YES ☐ NO

a. Approximately how  
close?

FEW BEHIND,

### PARKING FACILITIES AND ARRANGEMENTS

21. Is parking available?

☒ YES ☒ NO

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

STREET PARKING,

SOUTHEAST PARKING LOT

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)

NONE

c. Days and hours parking facility will be available:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
From	6 am	6 am	6 am	6 am	6 am	6 am	6 am
To	12 am	12 am	12 am	12 am	2 am	2 am	12 am

d. How many individual parking spaces (approximately)?

40

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: MUSIC

Dance Floor? ☐ Y ☒ N

Stage? ☐ Y ☒ N

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

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

Describe floor material and surface type: \_\_\_\_\_

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		DS KARAOKE	DS	DS KARAOKE	DS MUSIC	DS MUSIC	
Start Time		9pm	9pm	9pm	9pm	9pm	
End Time		12am	12am	12am	1am	1am	



**RELEASE FORM**

The undersigned, on behalf of (owner('s)) Blake W TOSH CO LLC, 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) THE GOOD BAR AND EATERY

to obtain the (entertainment type) ENTERTAINMENT WITHOUT 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.

Blake W TOSH  
(SIGNATURE OF AUTHORIZED AGENT)

MANAGING MEMBER  
(TITLE)

1/19/16  
(DATE)

  
DRIVER'S LICENSE OR ID CARD NUMBER

CA  
STATE

\_\_\_\_\_  
ACCEPTED BY (CITY STAFF)

\_\_\_\_\_  
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: 1-4-16

Name of Business (DBA): The Good Bar and Eatery

Name of Business Owner: Blake Whyte

Business Address: 3316 E. 7th st  
Long Beach Ca 90804

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) bw

Title president

Phone # 562-715-0931

FAX # \_\_\_\_\_



7/24/2017 09:04

**INFORMATION - LICENSE # BS21600005**

*License Type* BS  
*Application Type* Secondary Business License  
*Description*  
*Primary Applicant*  
*Primary Applicant* TOSHCO LLC  
*Last Name*  
*Address* 3316 E 7TH ST LONG BEACH CA 90804  
*Location*  
 License Is Pending.  
 Current milestone is Council Approval.  
 Current unpaid amount of \$0.00.  
 Account: BS21600005

**License Description****Status Dates**

*Processed Date* 1/4/2016 09:09  
*by* Yolanda Maldonado  
*Start Date* 1/4/2016 00:00  
*by* Yolanda Maldonado  
*Inactive Date*  
*by*  
*Last Renewal*  
*by*  
*Next Renewal*  
*Expires*  
*Grace Exp*  
*End Date*

**License Description**

*Property Type* COM  
*License Category* 300508  
*Business Name* TOSHCO LLC  
*DBA Name* THE GOOD BAR AND EATERY  
 Detailed Description of Business Activities  
 ENTERTAINMENT WITH ALCOHOL NO DANCING  
*Application Reason* CHANGE OWN  
*Description* Entertainment Without Dancing (Alcohol)

**License Details**

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**Endorsements**

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**Reviews**

Record Results

**Reviews**

Review #	Review Type	#	Add Date	Result	Result By	Completed	Comments	Completed By	Review Description	Started	Started By
27618	BUSLIC	1	1/4/2016	APPROVED	EMARMST	6/26/2017 08:45	Waiting for the bar license to be approved and	EMARMST	Business License		

<div> <div>issued before going to council</div> <div>BAR LICENSE IS RENEWED. PREPARING TO GO TO COUNCIL</div> </div>									
28016	BUILDING	1	1/21/2016	APPROVED	DAWIERS	5/3/2016 00:00	DAWIERS	Building Dept Review	4/
28017	FIRE	1	1/21/2016	APPROVED	SYSTEM	7/21/2017 11:19	EMARMST	Fire Dept Review	4/
28018	HEALTH	1	1/21/2016	APPROVED	SYSTEM	6/3/2016 07:51	EMARMST	Health Dept Review	4/
28019	POLICE	1	1/21/2016	APPROVED	SYSTEM	4/8/2016 11:19	EMARMST	Police Dept Review	4/
28020	PLANNING	1	1/21/2016	APPROVED	EMARMST	6/6/2016 11:06	EMARMST	Planning Dept Review	4/
40929	COUNCIL	1	6/26/2017					Council	
40930	HEARINGPRE	1	6/26/2017					Hearing Prep	
<div> <div>Inspections</div> <div>Record Results</div> <div>Inspections</div> <div>(No Data)</div> <div>Periodic Inspection Schedules</div> <div>(No Data)</div> </div>									
<div> <div>Conditions</div> <div>(Tab Not Loaded)</div> </div>									
<div> <div>Fees</div> <div>(Tab Not Loaded)</div> </div>									
<div> <div>Applicants</div> <div>(Tab Not Loaded)</div> </div>									
<div> <div>Sites</div> <div>(Tab Not Loaded)</div> </div>									
<div> <div>Employees</div> <div>(Tab Not Loaded)</div> </div>									
<div> <div>Related Records</div> <div>(Tab Not Loaded)</div> </div>									
<div> <div>Logs</div> <div>(Tab Not Loaded)</div> </div>									
<div> <div>Attachments</div> <div>(Tab Not Loaded)</div> </div>									



**Date:** April 8, 2016  
**To:** Jason MacDonald, Bureau Manager, Business Services Bureau  
**From:** Robert G. Luna, Chief of Police *R. Luna*  
**Subject:** **APPLICATION FOR ENTERTAINMENT WITHOUT DANCING AT  
THE GOOD BAR AND EATERY – 3316 EAST 7<sup>TH</sup> STREET**

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In response to your request for a recommendation regarding the above named permit application for an Entertainment Without Dancing, the Police Department recommends **approval**, subject to the following twenty-two (22) conditions of operation:

The Good Bar and Eatery is a restaurant that serves American style bar food and is located on the south side of 7<sup>th</sup> Street between Coronado Avenue and Redondo Avenue. The restaurant is owned by a Limited Liability Company, Toshco, who has owned and operated The Good Bar and Eatery since September 2015. Toshco, LLC currently holds a Type 47 (On-Sale General Eating Place) Alcoholic Beverage Control license. On January 19, 2016, The Good Bar and Eatery applied for an Entertainment Permit without Dancing, requesting live music by more than two performers, live and recorded amplified music, karaoke, and a disc jockey.

Based upon the crime analysis, Vice Section's investigation, the East Division Patrol Commander's recommendation, and input from area residents, the Long Beach Police Department has determined the public's peace, safety, and welfare would not be adversely impacted by the issuance of this permit, provided the appropriate conditions are imposed and observed by the applicant. The Police Department recommends approval of an Entertainment without Dancing Permit.

#### **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 must cease by 10:00 pm Tuesday through Thursday and 12:00 midnight on Friday and Saturday.

Entertainment without Dancing Permit  
The Good Bar and Eatery – 3316 East 7<sup>th</sup> Street  
Page 2

- 4) The establishment shall remain in compliance with all applicable sections of the Long Beach Noise Ordinance (LBMC Chapter 8.80).
- 5) Due to the proximity of neighboring businesses and residences, all door(s) and window(s) shall be kept closed at all times during any musical entertainment, except in cases of emergency, and to permit deliveries. Said door(s) shall not consist solely of a screen or ventilated security door. **Sound shall not be audible beyond fifty feet (50') from the exterior of the premises in any direction.**
- 6) The permittee shall not allow employees to discard trash or beer bottles into the outside dumpster between the hours of 10:00 pm and 7:00 am.
- 7) The permittee shall be responsible for maintaining free of litter the premises and the area adjacent to the licensed premises over which they have control.
- 8) The permittee shall provide security personnel to monitor the area under their control and the entrances and exits for the location at all times that entertainment is provided.
- 9) The permittee shall provide a minimum of one (1) licensed security guard during all times that entertainment activities are being conducted for crowds up to fifty (50) people. For crowds over fifty (50) people, the permittee shall provide a minimum of one (1) additional security guard per fifty (50) people. Patrons awaiting entry in a defined queue shall be counted toward the calculation of required security staffing levels.

The attire of each security guard shall clearly indicate the guard's affiliation with the establishment by means of a pin, shirt, or other visible form of identification. Should the permittee's operations give rise to a substantial increase in complaints/calls for police service, or trash left in the parking lot, the permittee shall increase security staff, implement the use of electronic metal detection equipment, increase outside lighting, or make other changes to the premises or operation as the Chief of Police determines are necessary to protect the safety of the public.

- 10) The permittee shall take reasonable measures to prohibit and prevent the loitering of persons immediately outside any of the entrance/exit doors and the parking lot, at all times open for business. This should be done by use of security guards and/or signage indicating, words to the effect of, "Please respect our neighbors."
- 11) At the conclusion of each event, the permittee shall take reasonable measures to ensure that exiting patrons walk directly to their vehicles, and not loiter in the immediate area, or block the sidewalk from the free flow of pedestrian foot traffic.

- 12) The permittee shall not convert the restaurant, or any portion thereof, into a public dance/night club. All entertainment activities shall be conducted in conjunction with **regular dining** or **pre-planned banquet activities**. A banquet is defined as a function held at a bonafide eating place wherein complete and substantial meals are provided to the persons in attendance by the management of the restaurant where the function is being held. Fast food, snacks, and hors d'oeuvres shall not constitute a complete and substantial meal.
- 13) The permittee or any client shall not hire promoters with the intent to advertise/promote or hold any entertainment activities consistent with nightclub entertainment.
- 14) The Good Bar and Eatery 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.
- 15) The Good Bar and Eatery, its promoters, or agents, shall not distribute any advertising matter in or upon any public property, or in or on any vehicle in any such place in the City. Distribution of any advertising matter upon private property shall adhere to the following guidelines: By placing the same matter in a receptacle, clip, or other device designed or intended to receive advertising matter.
- 16) The permittee shall keep all promoter contracts, including names, addresses, phone numbers, and business license, on file at all times and be available for inspection at any time.
- 17) 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.
- 18) 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.
- 19) The permittee shall maintain full compliance with all applicable laws, ABC laws, ordinances and stated conditions. In the event of a conflict between the requirements of this permit, your conditional use permit, or your Alcoholic Beverage Control license, the more stringent regulation shall apply.

- 20) The permittee shall be responsible for installing and maintaining a video surveillance system that monitors no less than the front and rear of the business, with full view of the public right-of-ways, and any parking lot under the control of the permittee. These cameras shall record video for a minimum of 30 days and be accessible via the Internet by the Long Beach Police Department. A Public Internet Protocol (IP) address and user name/password is also required to allow the Long Beach Police Department to view live and recorded video from these cameras over the internet. All video security cameras shall be installed to the satisfaction of the Chief of Police, Director of Technology Services, and Director of Development Services. At the discretion of the Chief of Police, the permittee may be required to add additional video cameras.
- 21) Any graffiti painted or marked upon the premises, or on any adjacent area under the control of the permittee shall be removed or painted over within 24 hours of being applied.
- 22) The permittee shall ensure that all employees attend an alcohol awareness class such as TIPS or LEAD, within the first ninety (90) days of employment. The permittee shall keep employee's proof of completion on file, and be available for inspection at any time.