



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Boulevard Long Beach, CA 90802

SUMMARY OF APPLICATION FOR BUSINESS PERMIT

Attached for your review and action is an application for Beach Foods and Spirits Inc., DBA Pete's At the Beach. Also attached are reports from various departments stating their recommended disposition of the subject application. These are summarized as follows:

SUBMITTED FOR CITY COUNCIL ACTION

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

Questions concerning the above may be directed to the following:

- Police Department, Chief of Police.....570-7301
- Fire Department, Fire Prevention Bureau.....570-2500
- Health and Human Services Department, Noise Control.....570-4130
- Planning and Building Department, Director of Planning and Building.....570-6623

Compiled by: Department of Financial Management
Commercial Services Bureau



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT
COMMERCIAL SERVICES BUREAU

333 West Ocean Boulevard • Long Beach, CA 90802

FIVE YEAR HISTORY OF BUSINESS ESTABLISHMENT 5755 East Pacific Coast Hwy

Buon Gusto Trattoria Inc.
DBA: Buon Gusto Trattoria
Lic# 90068290
11/90 – 12/03

Restaurant With Alcohol

Danjo Enterprises
Lic# 20325060
05/03 – 06/04

Restaurant With Alcohol

Beach Foods & Spirits Inc.
DBA: Pete's At the Beach
Lic# 20525180
05/05 – Pending

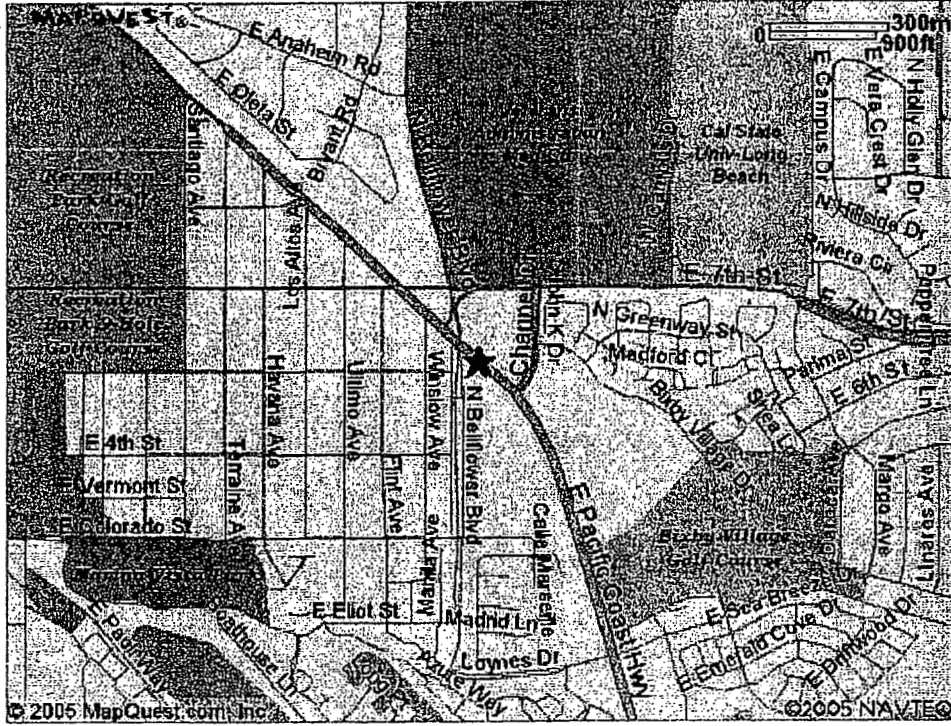
Restaurant With Alcohol

Beach Foods & Spirits Inc.
DBA: Pete's At the Beach
Lic# 20525190
05/05 – Pending

Entertainment With Dancing

Beach Foods & Spirits Inc.

5755 East Pacific Coast Hwy





OFFICE USE ONLY

Accepted By: [Signature] Date: 05/11/05
 Zoning Approval Date: 5/11/05 By: [Signature]

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): _____ Business Phone: (562) 400-6913
 Business Name (DBA): PETE'S AT THE BEACH. (BEACH FOODS & SPIRITS, INC.)
 Business Site Address: 5755 E. P.C.H. LONG BEACH, CA 90803
 Date Business Proposes To Open: 05/27/05
 Days & Time Premises Are Open For Inspection: 0900 - 1700 hrs.

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:
EATING

Contact Person(s) Name (authorized agent, manager, etc.): PETER Kour Koullis
 Contact Person(s) Phone Number: (562) 400-6913

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): 5755 E. PCH. LONG BEACH, CA 90803

Fictitious business names(s) or dba(s) used: Pete's at the Beach,
Beach Foods & Spirits, Inc

Place and date of filing fictitious business name statement: Press Telegram, Long Beach

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

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:

PETOR KOURKOURIS 5755 E PCH LONG BEACH, CA 90803

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

PETOR KOURKOURIS 5755 E PCH LONG BEACH, CA 90803

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:

CALIFORNIA

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? Corp 1 year business of

Is the location: Owned? Rented/Leased?

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

Name: L.B. PCH

Address: 5755 E PCH LONG BEACH, CA 90803

IF APPLYING AS A CORPORATION

Check One Box:

For-Profit Corporation

Non-Profit Corporation

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

Name of Corporation: Beach Foods & Spirits, Inc

Corporation Number: 86-1101975

Date and Place of Incorporation: Los Angeles, California

Location Headquarters: 5755 E PCH, Long Beach, CA 90803

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

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

Name	Title	Address	Telephone
<u>Peter Kourkoulis</u>	<u>President</u>	<u>5755 E PCH LB</u>	<u>(562) 480-6913</u>
_____	_____	_____	()
_____	_____	_____	()
_____	_____	_____	()

Numbers of shares issued by Corporation: 10,000

Number of share retained by Corporation: _____

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

<u>Peter Kourkoulis</u>	<u>10,000</u>	<u>one class</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

Peter Kourkoulis 5755 E PCH Long Beach, CA 90803

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

On sale beer

On sale beer and wine

On sale distilled spirits

Alcohol Beverage Control License No.

Premises Type: (Club (restaurant) or Commercial (store))

47-413962

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:

SEAFOOD, STEAKS, BURGERS, ITALIAN FOOD

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

3. Are non-alcoholic beverages sold?

YES NO

4. How many tables for seating?

48

5. Are other types of businesses conducted on the premises?

YES NO

a. If yes, list type(s):

6. Are pool tables provided?

YES NO

a. If yes, indicate number:

7. Is there a license for the pool table?

YES NO

a. If yes, license number:

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

YES NO

a. If yes, indicate number and type:

Amusement Machines

Jukebox(es)

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

YES NO

a. If yes, decal number(s):

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

Name:

Address:

Telephone No. ()

GENERAL OPERATING CONDITIONS (continued)

Complete Each Question

SECURITY

11. Will security officers be provided? YES NO

a. If yes, number of security officers: 3

12. Is any other type of security provided? YES NO

a. If yes, describe type of security: We have security outside
provided by Landlord

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

ONLY WHEN LIVE ENTERTAINMENT

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours of	none	none	none	none	8pm	8pm	none
Security					2am	2am	

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	_____	_____	_____	_____	_____	_____
Close	2PM	_____	_____	_____	_____	_____	_____

PROXIMITY OF BUSINESSES AND RESIDENCES

19. Are there surrounding businesses? YES NO

a. What type? BANK, BAKERY STORE, HAIR SALON, SANDWICH SH

20. Are there surrounding residences? YES NO

a. Approximately how close? 100 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	←	24 HRS					→
To							

d. How many individual parking spaces (approximately)? 200

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 5.72.180 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: BANDS or D'J'S

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: Stained Concrete

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	← All the checked above →						
Start Time	12pm-2am						
End Time	2am						

RELEASE FORM

The undersigned, on behalf of (owner('s)) Beach Foods & Sports Inc., hereby authorizes the City of Long Beach, by and through its appropriate officers, agents and employees to verify and confirm the information contained in this application, and to conduct such other investigations as may be reasonably required by the City of Long Beach, its officers, agents and employees for the purpose of determining the capability, fitness and capacity of:

(DBA) Petes' at the beach

to obtain the (entertainment type) ~~A3651737~~ 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]
(SIGNATURE OR AUTHORIZED AGENT)

Pres. Lit.
(TITLE)

05/10/05
(DATE)

A3651737
DRIVER'S LICENSE OR ID CARD NUMBER

CA
STATE

[Signature]
ACCEPTED BY (CITY STAFF)

CSP
TITLE

05/11/05
DATE



Date: July 28, 2005
To: Pamela Wilson-Horgan, Manager, Commercial Services Bureau
From: Anthony W. Batts, Chief of Police
Subject: APPLICATION FOR ENTERTAINMENT WITH DANCING AT - PETE'S AT THE BEACH - 5755 EAST PACIFIC COAST HIGHWAY

In response to your request for a recommendation regarding the above named permit application for Entertainment With Dancing, the Police Department recommends **approval**, subject to the following eighteen (18) conditions of operation:

CONDITIONS OF OPERATION

- 1) The operation of the establishment shall be limited to those activities and elements expressly indicated on the permit application and approved by the City Council. Any change in the operation, which exceeds the conditions of the approved permit, will require that a new permit application be submitted to the City Council for their review and approval.
- 2) Entertainment activities indicated on page #7 of your entertainment application shall be restricted to no later than 12:30 a.m. Sunday thru Thursday nights, and 1:30 a.m. on Friday and Saturday nights, and holidays. Entertainment in the patio area shall be restricted to no later than 6:00 p.m. each day of the week.
- 3) 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.
- 4) Patrons under twenty-one (21) years of age shall not be permitted to enter nor to remain on the premises after the restaurant (food services) portion of the establishment has closed. Private functions not open to the public are exempt from this condition.
- 5) Persons under eighteen (18) years of age shall not be permitted to enter nor to remain on the premises after 10 p.m., unless accompanied by a parent or legal guardian. On duty employees and private functions not open to the public are exempt from this condition.
- 6) The premises shall be maintained as a full service restaurant providing an assortment of full meals normally offered in such establishments. In the event that the restaurant ceases operations, the entertainment permit becomes null and void.

- 7) The permittee shall not hire promoters with the intent to advertise/promote or hold any entertainment activities consistent with nightclub entertainment.
- 8) The door(s) or windows shall be kept closed at all times during any entertainment activity described in your application, except in cases of emergency and to permit deliveries. Said door(s) are not to consist solely of a screen or ventilated security door.
- 9) Sound shall not be audible from the exterior of the premises in any direction.
- 10) The permittee shall not allow employees to discard trash or beer bottles into the outside dumpster between the hours of 10 p.m. and 8 a.m.
- 11) The permittee shall employ his/her own discretion in determining the level of security necessary to prevent violations of law and any other disturbances arising out of or in connection with business operations. Should the permittee's operations give rise to a substantial increase in complaints/calls for service, or trash left in the parking lot, the permittee shall increase security as directed by the Chief of Police.
- 12) 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.
- 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.
- 14) Current occupancy loads shall be posted at all times, and the licensee shall have an effective system to keep count of the number of occupants present at any given time. (LBMC section 18.48.320)
- 15) Smoking shall not be allowed inside Pete's at the Beach at any time. "No Smoking" signs shall be posted in conspicuous places inside the club and at the entrance to the business. (LBMC Chapter 8.68)
- 16) The permittee shall notify neighboring businesses prior to any special events that may impact parking within the shopping center.

Pamela Wilson-Horgan, Manager, Commercial Services Bureau
July 28, 2005
Page 3

- 17) Pete's at the Beach, 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.
- 18) The permittee shall maintain full compliance with all applicable laws, ABC laws, ordinances and stated conditions.

AWB: ~~CNA~~^M:cna
AppvlCondPetes



OFFICE USE ONLY

Accepted By: Greg Gantz Date: 05/11/05
 Zoning Approval Date: 5/11/05 By: [Signature]

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): _____ Business Phone: (562) 400-6913
 Business Name (DBA): PETE'S AT THE BEACH (BEACH FOODS & SPIRITS, INC.)
 Business Site Address: 5755 E. P.C.H. LONG BEACH, CA 90803
 Date Business Proposes To Open: 05/27/05
 Days & Time Premises Are Open For Inspection: 0900 - 1700 hrs.

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:

EATING

Contact Person(s) Name (authorized agent, manager, etc.): PETOR Kourkoulis
 Contact Person(s) Phone Number: (562) 400-6913

Type of Organization:

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

OFFICE USE ONLY

Building Fire Health (Check Inspecting Department) Date Received: _____
 Building/Location meets Department Requirements for the proposed use.
 Building/Location meets Department Requirements for the proposed use subject to the following conditions:

 Building/Location does not meet Department requirements for the proposed use.
 Inspection Completed On (date): _____ By: _____

POLICE DEPARTMENT

- Police Department finds no for basis for denial Police Department finds basis for denial
 Police Department finds no for basis for denial with conditions

Conditions or Basis for Denial: _____

By: [Signature] Title: COP Date: 7-22-05



OFFICE USE ONLY

Accepted By: [Signature] Date: 05/11/05
 Zoning Approval Date: 5/11/05 By: [Signature]

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): _____ Business Phone: (562) 400-6913
 Business Name (DBA): PETE'S AT THE BOACH (BOACH FOODS & SPIRITS, INC.)
 Business Site Address: 5755 E. P.O.H. LONG BEACH, CA 90803
 Date Business Proposes To Open: 05/27/05
 Days & Time Premises Are Open For Inspection: 0900 - 1700 hrs

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:

EATING

Contact Person(s) Name (authorized agent, manager, etc.): PETEOR Kour Koulis
 Contact Person(s) Phone Number: (562) 400-6913

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:

NO CORRECTIONS OBSERVED AT TIME OF INSPECTION

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

Inspection Completed On (date): 7/14/05 By: [Signature]

POLICE DEPARTMENT

Police Department finds no for basis for denial Police Department finds basis for denial
 Police Department finds no for basis for denial with conditions

Conditions or Basis for Denial: _____

By: _____ Title: _____ Date: _____



OFFICE USE ONLY

Accepted By: [Signature] Date: 05/11/05
 Zoning Approval Date: 5/11/05 By: [Signature]

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): _____ Business Phone: (562) 400-6913
 Business Name (DBA): PETE'S AT THE BEACH (BEACH FOODS & SPIRITS, INC.)
 Business Site Address: 5755 E. P.C.H. LONG BEACH, CA 90803

Date Business Proposes To Open: 05/27/05

Days & Time Premises Are Open For Inspection: 0900 - 1700 hrs

- 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:
EATING

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

Contact Person(s) Phone Number: (562) 400-6913

- 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: 6/1/05

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 (Chapter 8.80)

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

Inspection Completed On (date): 7/14/05 By: [Signature]

POLICE DEPARTMENT

Police Department finds no for basis for denial Police Department finds basis for denial

Police Department finds no for basis for denial with conditions

Conditions or Basis for Denial: _____

By: _____ Title: _____ Date: _____

OFFICE USE ONLY

Accepted By: [Signature]

Date: 05/11/05

Zoning Approval Date: 5/11/05

By: [Signature]

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure):

Business Phone: (562) 400-6913

Business Name (DBA):

PETE'S AT THE BEACH. (BEACH FOODS & SPIRITS, INC.)

Business Site Address:

5755 E. P.O.H. LONG BEACH, CA 90803

Date Business Proposes To Open:

05/27/05

Days & Time Premises Are Open For Inspection:

0900 - 1700 hrs.

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:

EATING

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

PETER Kourkoulis

Contact Person(s) Phone Number:

(562) 400-6913

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: 5/24/05

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): 7/14/05 By: Wendy Darty

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: June 22, 2005
To: Jim Goodin, Business Services Officer
From: Carolyne Bihn, Zoning Administrator *CB*
Subject: **REVIEW OF ENTERTAINMENT LICENSE REQUEST**

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

Site Address: 5575 E. Pacific Coast Highway
Long Beach, CA 90802

Applicant: Pete's At The Beach

Zoning District: PD-1 (South East Area Development Improvement Plan)

Proposed Use: Entertainment with Dancing

The Zoning Division of the Department of Planning and Building has the following comments:

- **Approve** request for entertainment with dancing as an accessory to a restaurant with fixed bar.
- Business hours are restricted from **6:00 a.m. to 12:30 a.m.**
- Conditions of approval for **Case No. 0405-25** (Conditional Use Permit for establishment of a restaurant with fixed bar) shall remain in full force and effect.
- Subject site is improved with a shopping center and thus, no additional parking is required.

If you have any questions regarding this response, please call Joe Recker, Planner, at X86004.



CITY OF LONG BEACH

DEPARTMENT OF PLANNING & BUILDING

333 WEST OCEAN BOULEVARD

LONG BEACH, CALIFORNIA 90802

FAX (562)570-6068

NOTICE OF FINAL LOCAL ACTION

Case No.: 0405-25

Project Location: 5755 East Pacific Coast Highway

Applicant: Peter Kourkoulis for Beach Foods and Spirits, Inc.
5755 E. Pacific Coast Highway
Long Beach, California 90803

Permit(s) Requested: Conditional Use Permit

Project Description: Request to establish and operate a restaurant with full bar in an existing commercial retail center.

Local action was taken by the: Planning Commission on July 15, 2004

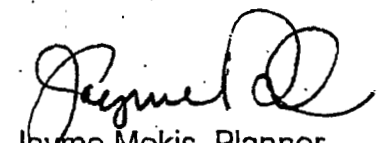
Decision: Approved Subject to Conditions

This project is NOT in the Coastal Zone and IS NOT appealable to the Coastal Commission.

"If you challenge the action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or issues raised via written correspondence delivered to the (public entity conducting the hearing) at or prior to the public hearing."

See other side for City of Long Beach and California Coastal Commission appeal procedures and time limits.


Greg Carpenter
Zoning Administrator


Jayme Mekis, Planner
Phone No.: (562)570-6943

Attachments

Council District: 3

CONDITIONAL USE PERMIT CONDITIONS OF APPROVAL

Case No. 0405-25
Date: July 15, 2004

1. The use permitted hereby on the site, in addition to other uses permitted in the PD-1 Zone District, shall be a restaurant with a full service bar. The establishments hours of operation shall be:
 - a. Monday through Sunday: 6:00 AM until 12:30 PM
2. This permit and all development rights hereunder shall **terminate one year** from the effective date (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date) of this permit unless construction is commenced, a business license establishing the use is obtained or a time extension is granted, based on a written and approved request submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
3. This permit shall be invalid if the owner(s) and applicant(s) have failed to return **written acknowledgment** of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30 days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date). Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval to the satisfaction of the Zoning Administrator.
4. If, for any reason, there is a **violation of any of the conditions** of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.
5. In the event of **transfer of ownership** of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions which are a part thereof. These specific requirements must be recorded with all title conveyance documents at time of closing escrow.
6. This approval is required to comply with these conditions of approval as long as the use is on the subject site. As such, the site shall allow **periodic re-inspections**, at the discretion of city officials, to verify compliance. The property owner shall

reimburse the City for the inspection cost as per the special building inspection specifications established by City Council (Sec. 21.25.412, 21.25.212).

7. All operational conditions of approval of this permit **must be posted** in a location visible to the public, in such a manner as to be readable when the use is open for business.
8. All conditions of approval **must be printed** verbatim on all plans submitted for plan review to the Planning and Building Department. These conditions must be printed on the site plan or a subsequent reference page.
9. The Director of Planning and Building is authorized to make **minor modifications** to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project and if no detrimental effects to neighboring properties are caused by said modifications. Any major modifications shall be reviewed by the Zoning Administrator or Planning Commission, respectively.
10. Site development, including landscaping, shall conform to the approved plans on file in the Department of Planning and Building. At least **one set of approved plans** containing Planning, Building, Fire, and, if applicable, Redevelopment and Health Department stamps **shall be maintained at the job site**, at all times for reference purposes during construction and final inspection.
11. Prior to the issuance of a building permit, the applicant must depict all **utility apparatus**, such as, but not limited to, backflow devices and Edison transformers, on both the site plan and the landscape plan. These devices shall not be located in any front, side, or rear yard area that is adjacent to a public street. Furthermore, this equipment shall be properly screened by landscaping or any other screening method approved by the Director of Planning and Building.
12. All landscaped areas must be maintained in a neat and healthy condition, including public parkways and street trees. Any **dying or dead plant materials** must be replaced with the minimum size and height plant(s) required by Chapter 21.42 (Landscaping) of the Zoning Regulations. At the discretion of city officials, a yearly inspection shall be conducted to verify that all irrigation systems are working properly and that the landscaping is in good healthy condition. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by City Council.
13. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, fences and the **perimeter of the site (including all public parkways)**.

14. Any graffiti found on site must be removed within 24 hours of its appearance.
15. **Energy conserving equipment, lighting and construction features shall be utilized on the building.**
16. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau must be secured.
17. Separate building permits are required for signs, fences, retaining walls, trash enclosures, flagpoles, pole mounted yard lighting foundations and planters.
18. All rooftop mechanical equipment shall be fully screened from public view. Said screening must be architecturally compatible with the building in terms of theme, materials, colors and textures. If the screening is not specifically designed into the building, a rooftop mechanical equipment plan must be submitted showing screening and must be approved by the Director of Planning and Building prior to the issuance of a building permit.
19. Approval of this development project is expressly conditioned upon payment (prior to building permit issuance or prior to Certificate of Occupancy, as specified in the applicable Ordinance or Resolution for the specific fee) of impact fees, connection fees and other similar fees based upon additional facilities needed to accommodate new development at established City service level standards, including, but not limited to, sewer capacity charges, Park Fees and Transportation Impact Fees.
20. The applicant shall file a separate plan check submittal to the Long Beach Fire Department for their review and approval prior to the issuance of a building permit.
22. Any off-site improvements found to be damaged shall be replaced to the satisfaction of the Director of Public Works.
23. Compliance is required with these Conditions of Approval as long as this use is on-site. As such, the site shall be available for periodic reinspection conducted at the discretion of City officials, to verify that all conditions of approval are being met. The property owner shall reimburse the City for the inspection cost as per special building inspection specifications established by the City Council.
24. Exterior public telephones are prohibited on-site.
25. If loitering, security or nuisance issues arise as a result of the operations of the facility, the Director of Planning and Building shall have the authority to require security guards at the facility as per the requirements of the Long Beach Police.