

# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

# H-2

333 West Ocean Blvd • Long Beach, California 90802

November 8, 2011

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 McKenna's on the Bay, LLC, 190 N. Marina Drive, for Entertainment with Dancing by Patrons. (District 3)

## DISCUSSION

The Long Beach Municipal Code (LBMC) requires an application be filed and a hearing be held before the City Council whenever this type of activity is requested and before an entertainment permit is granted or denied.

The LBMC also requires that the City Council make a determination that the permit application is complete and truthful; the applicant and the officers and trustees of the entity are law-abiding persons who will operate and conduct the business activity in a lawful manner; and that public peace, welfare and safety will not be impaired. If this is so, the application shall be approved, a short-term entertainment permit shall be approved, or the application shall be denied.

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 Entertainment Permit, with or without conditions; or, 3) deny the Permit on the application.

City departments have conducted their investigations in accordance with the LBMC. Attached for your review are the departmental investigative reports, the business ownership and permit history, and the entertainment permit application.

The following summarizes departmental findings:

- The Police Department recommends that the permit for entertainment with dancing by patrons be approved as a One-Year Short-Term Entertainment Permit subject to the recommended conditions.
- The Fire Department finds that the building/location meets department requirements for the proposed use with conditions.

- The Health and Human Services Department finds that the building/location meets department requirements for the proposed use with the condition that the establishment remains in compliance with the Long Beach Noise Ordinance (LBMC Chapter 8.80).
- The Development Services Department finds that the building/location meets department requirements for the proposed use.

The Department of Financial Management, Business Relations Bureau, has reviewed all submitted department documents and correspondence and, after a thorough investigative process, recommends that the permit for entertainment with dancing by patrons be approved as a One-Year Short-Term Entertainment Permit subject to conditions (attached).

In the event that any of the recommended conditions are in conflict with other permits or licenses, the permittee shall adhere to the strictest of the applicable conditions. This location has been licensed as a restaurant with alcohol since November of 2002.

This matter was reviewed by Deputy City Attorney Amy R. Webber on September 30, 2011.

#### TIMING CONSIDERATIONS

The hearing date of November 8, 2011, 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 \$15 (Development Services), Police Investigation \$1,183 (Police Department), and Labels \$90 (Financial Management Department).

The following fees will be collected if the application is approved: Business License \$321.97 and Regulatory \$1,006 (Financial Management Department).

#### SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



JOHN GROSS  
DIRECTOR OF FINANCIAL MANAGEMENT

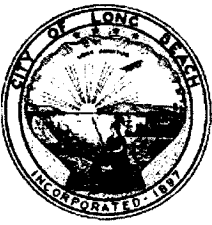
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ATTACHMENTS

APPROVED:



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PATRICK H. WEST  
CITY MANAGER



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT  
BUSINESS RELATIONS BUREAU

# H-2

REVISED

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

**Recommended Conditions of Operation  
McKenna's on the Bay, LLC  
190 N. Marina Drive.  
Application for Entertainment with Dancing**

In regards to the above named permit application for Entertainment with Dancing, the Department of Financial Management recommends **approval subject to the following conditions:**

### **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 21.15.110 LBMC shall be conducted on the permitted premises.
3. Entertainment activities indicated on page #7 of your entertainment application shall be restricted to **12:00 A.M.** Sunday through Thursday nights and **1:00 A.M.** Friday and Saturday nights.
4. Entertainment is permitted until 1:00 A.M. on holidays that fall on a Sunday through Thursday.
5. Patrons under twenty-one (21) years of age shall not be permitted to enter nor to remain on the premises after the restaurant (food services) portion of the establishment has closed, or **10:00 P.M.**, whichever comes first. Private functions not open to the public are exempt from this condition.
6. An identification card scanner shall be used for all patrons entering the establishment after 10:00 P.M. for the sole purposes of verifying patron age and/or authenticity of a patron's driver's license or identification card.
7. This Entertainment Permit is accessory to the primary business, which is a restaurant. The authorization to provide entertainment on-site is subject to the use remaining as a restaurant, meaning 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 operations, 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.

8. The establishment shall remain in compliance with all applicable sections of the Long Beach Noise Ordinance (LMBC Chapter 8.80).
9. 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.
10. Deliveries to and from the premises shall be limited to the hours of 8:00 A.M. to 10:00 P.M.
11. 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 8:00 A.M.
12. The permittee shall provide a minimum of one (1) licensed 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 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.

13. In addition to the above security requirements, the permittee shall staff one (1) "security guard" on the boat dock anytime the banquet hall is used for entertainment purposes. Security guards assigned to the dock shall ensure that patrons do not loiter near the docks or the immediate area, and ensure that NO ALCOHOL is permitted on the boat dock. Security guards must be identifiable as employees of the establishment. The Chief of Police may increase or relax this condition based upon calls for service related to problems on the boat dock.
14. 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."

15. 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.
16. 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.
17. 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 persona 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.
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. All promoters must have or obtain a City of Long Beach Business License **prior to** conducting entertainment activities governed by this permit. The permittee shall be responsible for all entertainment activities at the location, including those conducted by promoters.
20. The permittee must provide all promoters, independent contractors, and dancers, hired to conduct entertainment activities with a copy of the approved permit, which shall include a copy of the approved conditions of operation.
21. The business, its promoters, 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 agent and promoter's contracts, including names, addresses and phone numbers, on file at all times, and must be available for inspection at anytime.
22. 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..
23. 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.

24. The permittee shall maintain full compliance with all applicable laws, ABC laws, ordinances and stated conditions. In the event of a conflict with the requirements of this permit, the more stringent regulation shall apply.
25. The permittee must submit an application for the renewal of the entertainment with dancing permit not later than July 18, 2012 or four (4) months prior to the One-Year Short-Term permit expiration date to continue to provide entertainment without a break.

ES:ak



# 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 McKenna's on the Bay, LLC. Also attached are reports from various departments stating their recommended disposition of the subject application. These are summarized as follows:

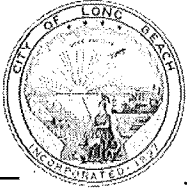
### SUBMITTED FOR CITY COUNCIL ACTION

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

Questions concerning the above may be directed to the following:

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

Compiled by: Department of Financial Management  
Business Relations Bureau



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Boulevard • Long Beach, CA 90802 • (562) 570-5596 • Fax (562) 570-5099

BUSINESS RELATIONS BUREAU

## FIVE YEAR HISTORY OF BUSINESS ESTABLISHMENT 190 N Marina Dr.

McKenna's on the Bay, LLC  
Lic#21115170  
05/11 – Pending

Entertainment With Dancing

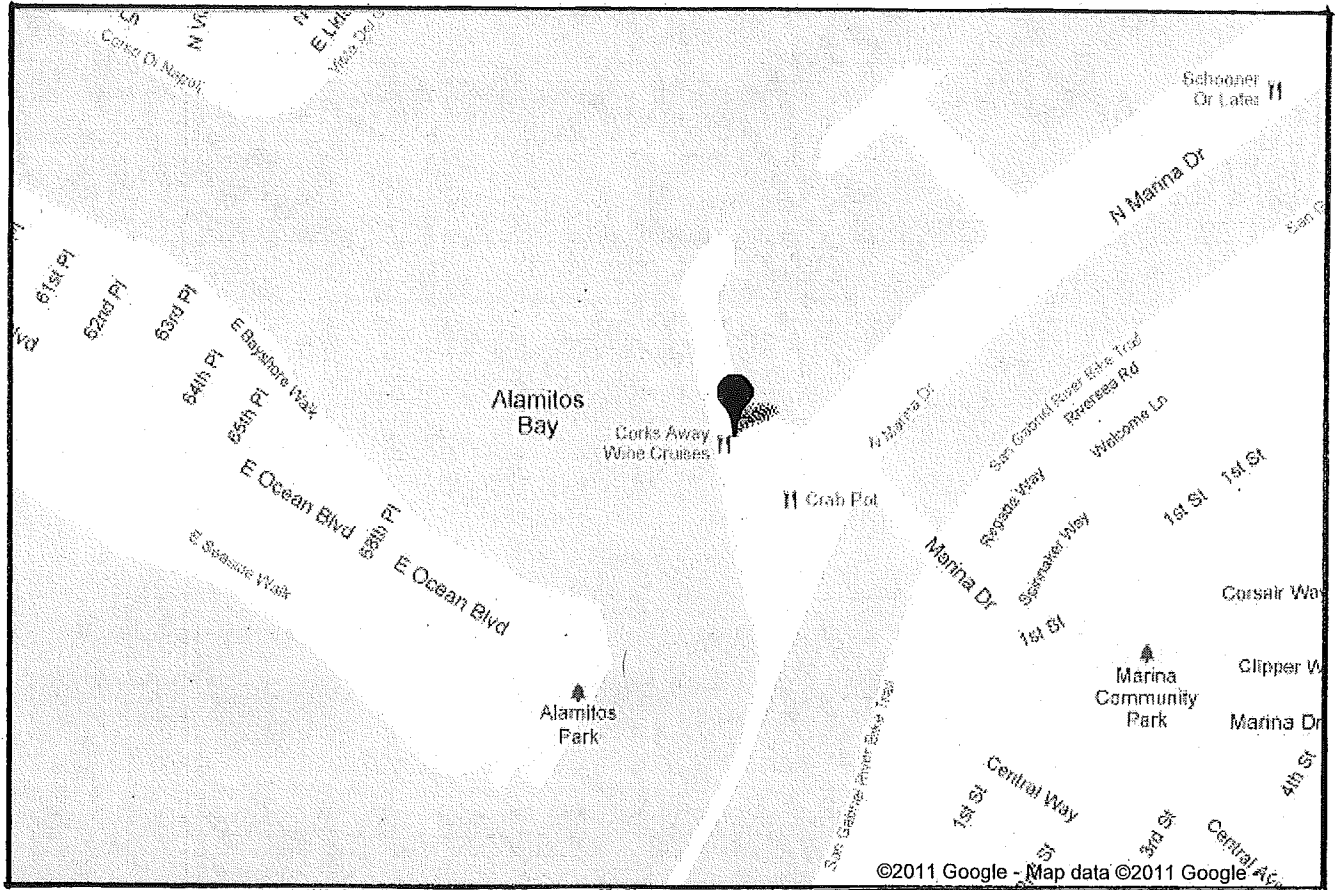
McKenna's on the Bay, LLC  
Lic#20250920  
11/02 – Current

Restaurant With Alcohol



# McKenna's on the Bay

190 N Marina Drive





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

[www.longbeach.gov](http://www.longbeach.gov)  
 (562) 570-6211

**GENERAL INFORMATION**

OWNER/ENTITY NAME (e.g., Sole Owner, Corporation, LLP, LLC, Partnership) <b>McKenna's on the Bay LLC</b>	DRIVER'S LICENSE NO	STATE	SOCIAL SECURITY NO.	HOME OCCUPATION <input type="radio"/> Y <input checked="" type="radio"/> N
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BUSINESS NAME (D.B.A)	TYPE OF BUSINESS (Be specific) <b>Restaurant</b> <i>entertainment w/dance</i>
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BUSINESS ADDRESS <b>190 Marina Drive</b>	STREET	CITY <b>Long Beach</b>	STATE <b>Ca</b>	ZIP <b>90803</b>	AREA CODE/TELEPHONE <b>562-280-0477</b>
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BILLING ADDRESS (if different) <b>3030 Old Ranch PKWY, Suite 350</b>	STREET	CITY <b>Seal Beach</b>	STATE <b>Ca</b>	ZIP <b>90740</b>	AREA CODE/TELEPHONE <b>562-280-0477</b>
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RESIDENCE ADDRESS (if different)	STREET	CITY	STATE	ZIP	AREA CODE/TELEPHONE
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LIST OF PRINCIPAL OFFICERS, MEMBERS, PARTNERS AND RESIDENTIAL ADDRESSES (IF MORE, PLEASE ATTACH A LIST) <b>Nicholas Limer</b>	TITLE <b>Managing Member</b>	% OWNERSHIP <b>[REDACTED]</b>
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New Business  
  Address Change  
  Ownership Change  
  Secondary License  
  Sole Owner  
  Partnership  
  Corporation  
  LLP  
  LLC

**BUSINESS OPERATIONS INFORMATION**

START DATE <b>5/2003</b>	NO. OF EMPLOYEES <b>75</b>	NO. OF VEHICLES <b>0</b>	FEDERAL TAX ID NUMBER <b>[REDACTED]</b>	SALES & USE TAX (SELLER'S PERMIT) NO. <b>[REDACTED]</b>
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DOES YOUR BUSINESS HAVE A CALIFORNIA STATE LICENSE? <input type="radio"/> Y <input checked="" type="radio"/> N	STATE LICENSE NO.	CLASSIFICATION(S)	RENEWAL DATE
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HAVE YOU EVER HAD A BUSINESS LICENSE/PERMIT REVOKED OR SUSPENDED? <input type="radio"/> Y <input checked="" type="radio"/> N	LICENSE/PERMIT NO.	ISSUING AGENCY	CLASSIFICATION & DATE OF SUSPENSION/REVOCAION
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**FOOD/ALCOHOL/TOBACCO/ENTERTAINMENT**

Do you plan to sell or serve food? (Includes pre-packaged)  Y  N  
 If serving food, how many seats?: 290  
 Do you plan to sell or serve alcoholic beverages?  Y  N  
 ABC License number: 397734 Type: 47

Does your business have amusement machines, video games, vending machines, jukebox and/or pool tables?  Y  N  
 How many: \_\_\_\_\_ Type: \_\_\_\_\_ Owner: \_\_\_\_\_  
 Do you plan to sell tobacco products/paraphernalia?  Y  N  
 Do you plan to operate a Smoking Lounge?  Y  N

Will you deal with, use, store or transport Medical Marijuana?  Y  N  
 Will you have  Music  Dancing  Performers  Adult Entertainment?

**SERVICES/FUNDRISING**

Will you offer massage, tanning, herbal therapy, escort or any other services that improve the health or well being of another?  Y  N  
 Will you engage in fund raising?  Y  N  
 Will you deal in coins, firearms, jewels or second-hand property?  Y  N

**BUILDING AND FACILITY INFORMATION**

Property Owner's Name: Bancap  
 Business sq. ft.: 6500 Warehouse on site?  Y  N  
 Do you:  Own or  Rent/Lease your business property?

**HAZARDOUS MATERIALS/MEDICAL WASTE**

Will you manage or produce bio-hazardous materials or waste?  Y  N  
 Will you use, store, or transport chemicals (new or waste state)?  Y  N

**ACKNOWLEDGMENT TO BE COMPLETED BY SOLE OWNER, PRINCIPAL OFFICERS, MEMBERS OR PARTNERS**

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 I must obtain a business license and all necessary Federal State and local permits or I will be in violation of L. B. M. C. Chapter 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*.

Signature: [Signature] Date: 4-26-11 PRINT NAME/TITLE: Nick Limer Managing Partner  
 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: _____ Exp. Date: _____
Basic Tax _____	Prev Lic: _____
Employees # _____ @ _____ \$ _____ = _____	Exp Date: _____
Vehicles # _____ @ _____ \$ _____ = _____	District: <u>3005607</u>
Other # _____ @ _____ \$ _____ = _____	CRT: <u>5813</u>
PIA _____	SIC: _____
PIA Employees # _____ @ _____ \$ _____ = _____	Entered by: <u>[Signature]</u>
Regulatory Investigation _____	Date: <u>05/06/11</u>
Misc. Fees _____	BU <u>21115170</u>
Sub Total _____	
Zoning _____	
Building Review _____	
Total \$ _____	

**Zoning Review**

Y  N  N/A

By: [Signature]

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

New construction  Reuse

Zone: PD-4

Comments: sub 1

**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**



### APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): McKenna's on the Bay, LLC

Business Name (DBA): \_\_\_\_\_ Business Phone: (562) 342-9411

Business Site Address: 190 Marina Dr Long Beach CA 90803

Date Business Proposes To Open: Existing Business

Days & Time Premises Are Open For Inspection: 10 am to 5 pm Daily

**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, Lounge, Bar & Dance Area

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

Contact Person(s) Phone Number:

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

**GENERAL INFORMATION (All Applicants)**

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

Fictitious business names(s) or dba(s) used: \_\_\_\_\_

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

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

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:

Nick Limer [Redacted]

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

Nick Limer [Redacted]

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:

City of Long Beach Business License

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? 2002

Is the location: Owned?  Rented/Leased?

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

Name: Bancap Seaport Village Ind DA Alhmites Bay Landings

Address: 192 Marina DR Suite 200  
Long Beach CA 90803

**IF APPLYING AS A PARTNERSHIP**

Check One Box:

General Partnership

Limited Partnership

LLC (Limited Liability Co.)

Name of Partnership:

McKenna's on the Bay, LLC

**Percentage of Partnership**

Name and residence addresses of **General Partners:**

Interest:

<u>Nicholas Limer</u>	[REDACTED]	[REDACTED] %
_____	_____	_____ %
_____	_____	_____ %
_____	_____	_____ %

Name and residence addresses of **Limited Partners:**

Interest:

<u>See Attached</u>	_____	_____ %
_____	_____	_____ %
_____	_____	_____ %
_____	_____	_____ %

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

CA - Sept 14, 2001

**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: NICHOLAS LIMER Title: MANAGING PARTNER  
Residence Address: [REDACTED] Phone: [REDACTED]  
Business Address: 190 MARINA DRIVE LONG BEACH 90802<sup>5</sup> Phone: 562-342-9411  
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: \_\_\_\_\_ 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 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 <input type="checkbox"/>	_____	_____
On sale beer and wine <input type="checkbox"/>	_____	_____
On sale distilled spirits <input checked="" type="checkbox"/>	<u>397734</u>	<u>Restaurant</u>

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: Steak, seafood, Pasta

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

3. Are non-alcoholic beverages sold?  YES  NO

4. How many tables for seating? 80

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: \_\_\_\_\_
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							
Security							

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

**ADMISSION and/or MEMBERSHIP FEES CHARGED**

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



# GENERAL OPERATING CONDITIONS (continued)

Complete Each Question

## HOURS OF OPERATION

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

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	11 <sup>00</sup> AM	11 <sup>00</sup> AM	11 <sup>00</sup> AM	11 <sup>00</sup> AM	11 <sup>00</sup> AM	10 <sup>30</sup> AM	10 <sup>30</sup> AM
Close	2 AM	2 AM	2 AM	2 AM	2 AM	2 AM	2 AM

## PROXIMITY OF BUSINESSES AND RESIDENCES

19. Are there surrounding businesses?

YES     NO

a. What type?

Restaurants + Retail shops

20. Are there surrounding residences?

YES     NO

a. Approximately how close?

\_\_\_\_\_

## 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)

N/A

c. Days and hours parking facility will be available:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
From							
To		<u>24 HOURS DAILY</u>					

d. How many individual parking spaces (approximately)?

280

**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: live music

Dance Floor?  Y  N Stage?  Y  N  
 If yes, provide dimensions and type of material of dance floor. L 32 X W 17 = \_\_\_\_\_ sq ft.

If yes, provide dimensions and type of material of stage. L \_\_\_\_\_ W \_\_\_\_\_ H \_\_\_\_\_  
 Describe floor material and surface type: wood floor

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 music	live music	live music	live music	live music	live music	live music
Start Time	6pm	6pm	6pm	6pm	7pm	7pm	7pm
End Time	9pm	9pm	9pm	9pm	11pm	2am	10pm

**RELEASE FORM**

The undersigned, on behalf of (owner('s)) Nick Limer, 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) McKenna's on the Bay LLC

to obtain the (entertainment type) Entertainment with 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.

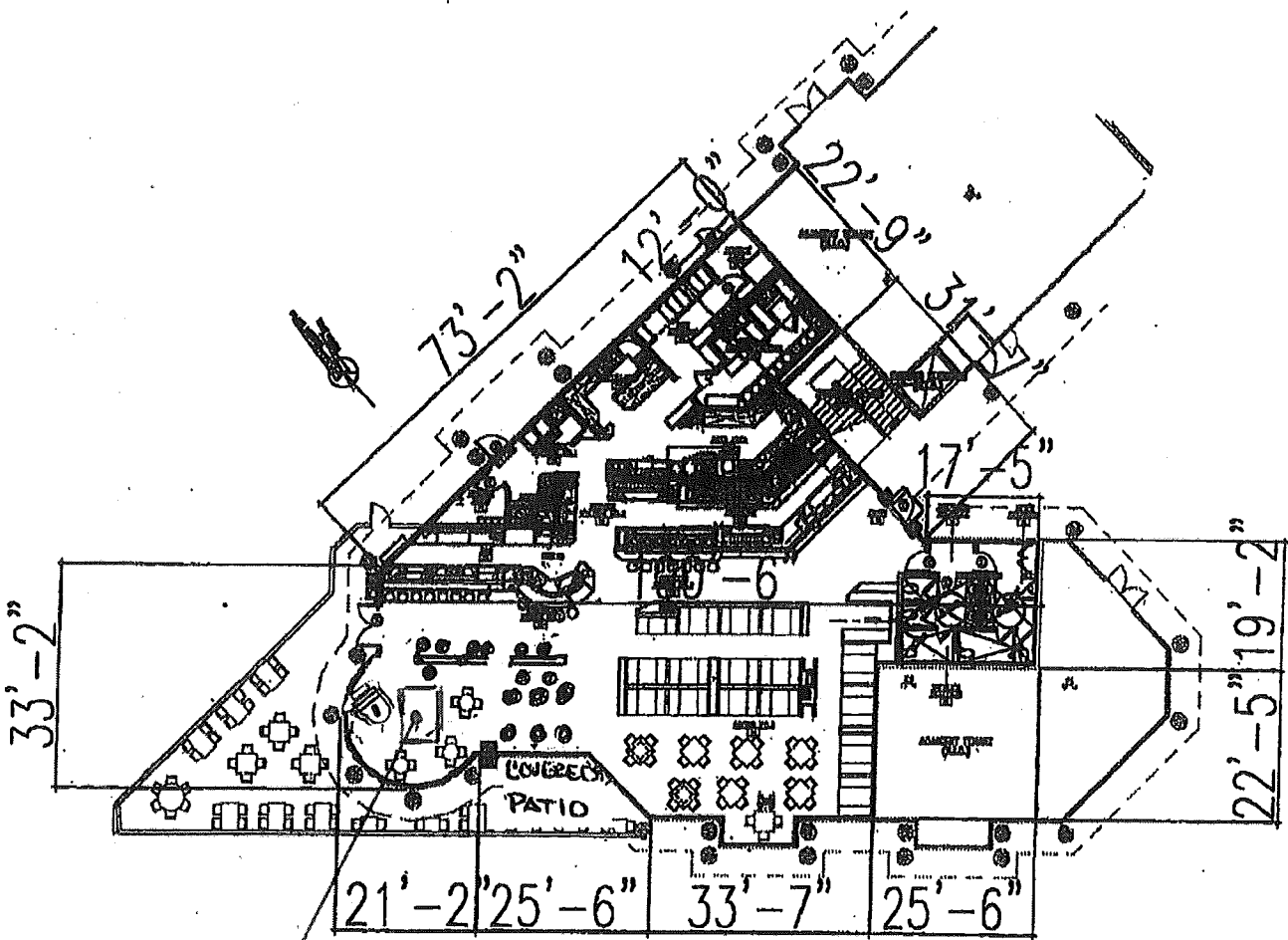
The applicant consents and agrees full compliance will be made with all applicable State laws and City ordinances governing the conduct of the particular type of business activity for which a business license or permit is requested. **The applicant by signing this application understands any incomplete 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.

 Managing Member 4-26-11  
(SIGNATURE OR AUTHORIZED AGENT) (TITLE) (DATE)

[REDACTED] [REDACTED]  
DRIVER'S LICENSE OR ID CARD NUMBER STATE

 AAA 05/06/11  
ACCEPTED BY (CITY STAFF) TITLE DATE



DANCE AREA APPROX  
13' x 9'

24



# State of California

## Bill Jones

### Secretary of State

## LIMITED LIABILITY COMPANY ARTICLES OF ORGANIZATION

A \$70.00 filing fee must accompany this form.  
**IMPORTANT - Read instructions before completing this form.**

200126410084

File#

**FILED**  
In the Office of the Secretary of State  
of the State of California

SEP 04 2001

*Bill Jones*  
This Space For Filing Use Only  
BILL JONES, Secretary of State

1. Name of the limited liability company (and the name with the words "Limited Liability Company," "Ltd. Liability Co.," or the abbreviations "LLC" or "L.L.C.")  
McKenna's on the Bay, LLC

2. The purpose of the limited liability company is to engage in any lawful act or activity for which a limited liability company may be organized under the Beverly-Killea limited liability company act.

3. Name the agent for service of process and check the appropriate provision below:  
Bert DuMars \_\_\_\_\_ which is  
 an individual residing in California. Proceed to item 4.  
 a corporation which has filed a certificate pursuant to section 1505. Proceed to item 5.

4. If an individual, California address of the agent for service of process:  
Address: 324 Smugglers Cove  
City: Long Beach State: CA Zip Code: 90803

5. The limited liability company will be managed by: (check one)  
 one manager  more than one manager  single member limited liability company  all limited liability company members

6. Other matters to be included in this certificate may be set forth on separate attached pages and are made a part of this certificate. Other matters may include the latest date on which the limited liability company is to dissolve.

7. Number of pages attached, if any: 0

8. Type of business of the limited liability company. (For informational purposes only)  
Restaurant

9. **DECLARATION:** It is hereby declared that I am the person who executed this instrument, which execution is my act and deed.

*[Signature]*  
Signature of Organizer

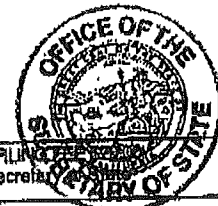
Bert DuMars  
Type or Print Name of Organizer

8/28/01  
Date

10. RETURN TO:  
NAME Bert DuMars  
FIRM McKenna's on the Bay, LLC  
ADDRESS 3229 E. Spring St., #300  
CITY/STATE Long Beach, CA  
ZIP CODE 90806

SECSTATE (REV. 12/99)

FORM LLC-1 - FILING  
Approved by Secretary



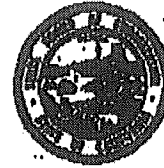
DISPLAY CONSPICUOUSLY AT PLACE OF BUSINESS FOR WHICH ISSUED

TU. TINA

TU. FILE

CALIFORNIA STATE BOARD OF EQUALIZATION

SELLER'S PERMIT



ACCOUNT NUMBER

1/3/2003 SR AB

MCKENNA'S ON THE BAY, LLC
190 MARINA DRIVE
LONG BEACH, CA 90803

THIS PERMIT DOES NOT AUTHORIZE THE HOLDER TO ENGAGE IN ANY BUSINESS CONTRARY TO LAWS REGULATING THAT BUSINESS OR TO POSSESS OR OPERATE ANY ILLEGAL DEVICES.

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 UNTIL REVOKED OR CANCELED BUT 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 TELEPHONE OUR INFORMATION CENTER AT 1-800-400-7115.

808-442-A REV. 13 (8-00)

NOTICE TO INDIVIDUALS REGARDING INFORMATION FURNISHED TO THE BOARD OF EQUALIZATION

The Information Practices Act of 1977 and the Federal Privacy Act requires this agency to provide the following notice to individuals who are asked by the State Board of Equalization (Board) to supply information, including the disclosure of the individual's social security account number.

Individuals applying for permits, certificates, or licenses, or filing tax returns, statements, or other forms prescribed by this agency, are required to include their social security numbers for proper identification. (See Title 42 United States Code Section 4050(a)(2)(C)). It is mandatory to furnish all the appropriate information requested by applications for registration, applications for permits or licenses, tax returns and other related data. Failure to provide all of the required information requested by an application for a permit or license could result in your not being issued a permit or license. In addition, the law provides penalties for failure to file a return, failure to furnish specific information required, failure to supply information required by law or regulations, or for furnishing fraudulent information.

Provisions contained in the following laws require persons meeting certain requirements to file applications for registration, applications for permits or licenses, and tax returns or reports in such form as prescribed by the State Board of Equalization: Alcoholic Beverage Tax, Sections 32001-32050; Childproof Lead Poisoning Prevention Fee, Sections 43001-43051; Health & Safety Code, Sections 105276-105310; Cigarette and Tobacco Products Tax, Sections 30001-30491; Diesel Fuel Tax, Sections 80001-80700; Emergency Telephone Users Surcharge, Sections 41001-41176; Energy Resources Surcharge, Sections 40001-40216; Hazardous Substances Tax, Sections 43001-43051; Integrated Waste Management Fee, Sections 45001-45054; International Fuel Tax Agreement, Sections 9401-9405; Motor Vehicle Fuel License Tax, Sections 7301-8405; Occupational Lead Poisoning Prevention Fee, Sections 43001-43051; Health & Safety Code, Sections 105175-105187; Oil Spill Response, Prevention, and Administration Fee, Sections 46001-46701; Government Code, Sections 8571.1-8570.52; Publicly Owned Property, Sections 1840-1841; Sales and Use Tax, Sections 6001-7270.5; State Assessed Property, Sections 721-808, 807B-808, 8011-8014; Tax on Insurers, Sections 12001-13170; Timber Yield Tax, Sections 36101-36306; Tire Recycling Fee, Sections 85001-85001; Public Resources Code, Sections 42260-42265; Underground Storage Tank Maintenance Fee, Sections 80101-80161; Health & Safety Code, Sections 82280-82289.99; Use Fuel Tax, Sections 8501-9355.

The principal purpose for which the requested information will be used is to administer the laws identified in the preceding paragraph. This includes the determination and collection of the correct amount of tax. Information you furnish to the Board may be used for the purpose of collecting any outstanding tax liability.

As authorized by law, information requested by an application for a permit or license could be disclosed to other agencies, including, but not limited to, the proper officials of the following: 1) United States governmental agencies: U.S. Attorney's Office; Bureau of Alcohol, Tobacco and Firearms; Depts. of Agriculture, Defense, Justice; Federal Bureau of Investigation; General Accounting Office; Internal Revenue Service; the Interstate Commerce Commission; 2) State of California governmental agencies and officials: Air Resources Board; Dept. of Alcoholic Beverage Control; Auctioneer Commission; Employment Development Department; Energy Commission; Exposition and Fairs; Food & Agriculture; Board of Forestry; Forest Products Commission; Franchise Tax Board; Dept. of Health Services; Highway Patrol; Dept. of Housing & Community Development; California Parent Locator Service; 3) State agencies outside of California for law enforcement purposes; and 4) city attorneys and city prosecutors; county district attorneys, sheriff departments.

As an individual, you have the right to access personal information about you in records maintained by the State Board of Equalization. Please contact your local Board office listed in the white pages of your telephone directory for assistance. If the local Board office is unable to provide the information sought, you may also contact the Disclosure Office in Sacramento by telephone at (916) 448-2618. The Board officials responsible for maintaining this information, who can be contacted by telephone at (916) 448-8484, are: Sales and Use Tax, Deputy Director, Sales and Use Tax Department, 450 N Street, SAC243, Sacramento, CA 95814; Sales Taxes, Fuel Taxes and Environmental Fees, Deputy Director, Special Taxes Department, 450 N Street, SAC31, Sacramento, CA 95814; Property Taxes, Deputy Director, Property Taxes Department, 450 N Street, SAC63, Sacramento, CA 95814.

\*All references are to the California Revenue and Taxation Code unless otherwise indicated.

STATE OF CALIFORNIA  
 DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
 ALCOHOLIC BEVERAGE LICENSE  
 ON SALE - GENERAL BEATING PEACE

EXPIRES

May 30, 2010

VALID FROM

May 01, 2010

MCKENNAS ON THE BAY LLC  
 1800 N. MARINA DR.  
 LONG BEACH, CA 90805

TYPE NUMBER/DUP

47 397734

AREA CODE

1932 08

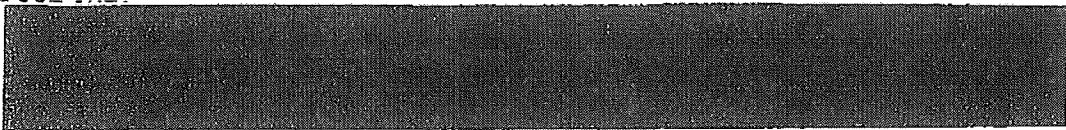
BUSINESS ADDRESS: 080A, MCKENNAS ON THE BAY  
 (IF DIFFERENT)

RENEWAL

COMPETITORS

OWNERS: MCKENNAS ON THE BAY LLC





# APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): McKenna's on the Bay, LLC

Business Name (DBA): \_\_\_\_\_ Business Phone: 562-342-9411

Business Site Address: 190 Marina Dr Long Beach CA 90803

Date Business Proposes To Open: Existing Business

Days & Time Premises Are Open For Inspection: 10 am to 5 pm Daily

### 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, Lounge, Bar & Dance Area

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

Contact Person(s) Phone Number:

### 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 basis for denial  Police Department finds basis for denial

Police Department finds no basis for denial with conditions

Conditions or Basis for Denial: \_\_\_\_\_

By: [Signature] Title: POLICE CHIEF Date: 7-21-11





**Date:** July 22, 2010  
**To:** Erik Sund, Bureau Manager, Business Relations Bureau  
**From:** Jim McDonnell, Chief of Police *Jim McDonnell*  
**Subject:** **APPLICATION FOR ENTERTAINMENT WITH DANCING AT MCKENNA'S ON THE BAY – 190 MARINA DRIVE**

---

In response to your request for a recommendation regarding the above named permit application for Entertainment With Dancing, the Police Department recommends **approval** of a **One-Year Short-Term Entertainment with Dancing Permit**, subject to the following nineteen(19) conditions.

Mckenna's on the Bay is a restaurant located in the Alamitos Bay Marina. The establishment serves American and seafood cuisine for lunch and dinner and offers entertainment during the evening hours. The business is owned and operated by Nicholas Limer who also holds a Type 47 (On Sale General Eating Place) Alcoholic Beverage Control license. On May 6, 2011, McKenna's on the Bay applied for an Entertainment with Dancing Permit requesting live amplified music, a disc jockey, and karaoke music.

Based upon the Vice Section's investigation, and the East Division Patrol Commander's recommendation, the Long Beach Police Department has determined the public 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 a One-Year Short-Term Entertainment with Dancing Permit would be in the best interests of 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 void the existing permit, and 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 the hours of **10:00 AM** and **1:30 AM** each day of the week.

ENTERTAINMENT WITH DANCING AT MCKENNA'S ON THE BAY  
190 MARINA DRIVE  
Page 2

- 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, unless accompanied by a parent or legal guardian. Private functions not open to the public are exempt from this condition.
- 5) This Entertainment Permit is accessory to the primary business, which is a restaurant. The premises must possess working refrigeration, cooking equipment, utensils, menus, and enough food to make substantial meals. The business must offer substantial sales of meals, during the normal meal hours that the business is open. Fast food, snacks, and hors d'oeuvres shall not constitute a substantial meal. Normal meal hours are: Breakfast 6:00 a.m. – 9:00 a.m., Lunch 11:00 a.m. – 2:00 p.m., and Dinner 6:00 p.m. – 9:00 p.m.  
  
If the business does not open by 6:00 p.m., complete and substantial meals shall be offered the entire time the business is open, or for a minimum of three hours. In the event the primary business ceases operations or fails to comply with this condition, the entertainment permit becomes null and void.
- 6) Noise emanating from the permittee's premises shall not be audible beyond 50 feet from the exterior of the premises. The permittee shall be responsible for determining how to best meet this requirement, such as keeping doors and windows closed, limiting hours of entertainment, or by offering non-amplified entertainment, or by whatever means are necessary.
- 7) 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.
- 8) 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 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) 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. This information shall be provided to public safety personnel upon request.

ENTERTAINMENT WITH DANCING AT MCKENNA'S ON THE BAY  
190 MARINA DRIVE

Page 3

- 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 while open for business. This should be done by utilizing security guards and signage with verbiage such as, "Please respect our neighbors," or something similar.
- 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 parking lot or the immediate area.
- 12) The permittee agrees to reimburse the City of Long Beach whenever excessive police services, as determined by the Chief of Police, are required as the result of any incident or nuisance arising out of, or in connection with the permittee's operations.
- 13) All promoters must have or obtain a City of Long Beach Business License prior to conducting entertainment activities governed by this permit. The permittee shall be responsible for all entertainment activities at the location, including those conducted by promoters.
- 14) The permittee must provide all promoters hired to conduct entertainment activities with a copy of the approved permit, which shall include a copy of the approved conditions of operation.
- 15) McKenna's on the Bay, or its agents, shall not distribute any advertising matter such as signs, posters, or promotional cards, in or upon any public property, any vehicle or in any other such place in the City of Long Beach. Distribution of any advertising matter upon private property shall adhere to the following guidelines: By placing the same matter in a receptacle, clip, or other device designed or intended to receive advertising matter. The permittee shall keep all promoter contracts, including names, addresses, and phone numbers, on file at all times, and be available for inspection at any time.
- 16) 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.
- 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.

ENTERTAINMENT WITH DANCING AT MCKENNA'S ON THE BAY  
190 MARINA DRIVE

Page 4

- 18) 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.
  
- 19) 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

JM:CNA:cna  
AppvlCondMckenna's



FIRE #164954

### APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): McKenna's on the Bay, LLC

Business Name (DBA): \_\_\_\_\_ Business Phone: (562)-342-9411

Business Site Address: 190 Marina Dr Long Beach CA 90803

Date Business Proposes To Open: Existing Business

Days & Time Premises Are Open For Inspection: 10 am to 5pm Daily

#### 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, Lounge, Bar & Dance Area

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

Contact Person(s) Phone Number: \_\_\_\_\_

#### Type of Organization:

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

Building  Fire  Health (Check Inspecting Department) Date Received: 2/14/11

Building/Location meets Department Requirements for the proposed use.

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

SUBJECT PLANS SHOWING DANCE FLOOR AND REVERSE CIRCULAR LOTS COMPLETED BY A LICENSED ARCHITECT.

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

Inspection Completed On (date): 2/14/11 By: \_\_\_\_\_

#### POLICE DEPARTMENT

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

Police Department finds no 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 | 562-570-8513 FAX 562-570-8830

ENVIRONMENTAL HEALTH  
NOISE OFFICE

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

Date: 9-29-11

Name of Business (DBA): McKenna's on the Bay

Name of Business Owner: Nick Limer

Business Address: 190 Marina Dr  
Long Beach CA 90803

Dear New Business Owners:

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

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

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

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

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

Owner or Authorized Agent Signature(s) 

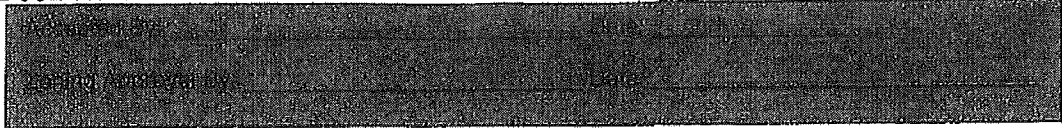
Title Managing Member

Phone # 562-280-0477

FAX # 562-280-0484



OFFICE USE ONLY



### APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): McKenna's on the Bay, LLC

Business Name (DBA): \_\_\_\_\_ Business Phone: (562) 342-9411

Business Site Address: 190 Marina Dr Long Beach CA 90803

Date Business Proposes To Open: Existing Business

Days & Time Premises Are Open For Inspection: 10 am to 5 pm Daily

**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, Lounge, Bar & Dance Area

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

Contact Person(s) Phone Number:

**Type of Organization:**

Corporation  Partnership  Individual  Unincorporated Association or Club


Trust  LLC  Other, explain: \_\_\_\_\_

<input checked="" type="checkbox"/> Building	<input type="checkbox"/> Fire	<input type="checkbox"/> Health	(Check Inspecting Department)	Date Received: <u>5-6-11</u>
<input checked="" type="checkbox"/> Building/Location meets Department Requirements for the proposed use.				
<input type="checkbox"/> Building/Location meets Department Requirements for the proposed use subject to the following conditions:				
_____				
<input type="checkbox"/> Building/Location does not meet Department requirements for the proposed use.				
Inspection Completed On (date): <u>5-6-11</u> By: <u>PXW</u>				
<b>POLICE DEPARTMENT</b>				
<input type="checkbox"/> Police Department finds no basis for denial		<input type="checkbox"/> Police Department finds basis for denial		
<input type="checkbox"/> Police Department finds no basis for denial with conditions		_____		
Conditions or Basis for Denial: _____				
_____				
By: _____	Title: _____	Date: _____		



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

**Memorandum**

**Date:** June 3, 2011  
**To:** Erik Sund, Manager of Business Relations Bureau  
**From:** Derek Burnham, Planning Administrator   
**Subject:** REVIEW OF ENTERTAINMENT LICENSE REQUEST

**Site Address:** 190 Marina Drive  
Long Beach, Ca 90803

**Applicant:** McKenna's on the Bay LLC.

**Zoning District:** PD-4 (Long Beach Marina Planned Development District)

**Proposed Use:** Entertainment with Dancing

The Planning Bureau of the Department of Development Services has the following comments:

No CUPs or AUPs were found for the subject site.

The subject property is located within the Long Beach Marina Planned Development District (PD-4). Entertainment, including dancing by patrons is permitted in this zone as an accessory use to a restaurant. Based on the submitted floor plan no extra parking is required.

Planning Bureau recommends that the entertainment permit with dancing for "McKenna's on the Bay" be approved.

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