



Legislation Text

File #: 13-0217, **Version:** 1

Recommendation to receive supporting documentation into the record, conclude the hearing and grant a Permit with conditions on the application of Shoreline Village Enterprises LLC, dba Shoreline Village, located at 429 Shoreline Village Drive No. P, for Entertainment Without Dancing by Patrons. (District 2)

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.

Shoreline Village desires to conduct a variety of outdoor entertainment activities such as the Pirate Festival, Snow Day and similar events. In order to accommodate this request, the Department of Financial Management recommends that the conditions include a two-part floor plan for the outdoor space. A standard event floor plan is recommended for approval (attached). Shoreline Village will be required to submit for Fire Department review and approval a special events floor plan for any activities that will increase occupancy, which the Fire Department may deny or approve with additional conditions.

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

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

City departments have conducted their investigations in accordance with the LBMC. Attached for your review are the departmental investigative reports, history, entertainment permit application and floor plan. To review all supportive documents, as well as the documents included in this report, you may visit www.longbeach.gov/finance/business_relations/entertainment.asp.

The following summarizes departmental findings:

- The Police Department recommends that the permit for entertainment without dancing by patrons be approved subject to conditions.

- The Fire Department finds that the building/location meets department requirements for the proposed use subject to 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 remain in compliance with the Long Beach Noise Ordinance (LBMC Chapter 8.80).

The Department of Financial Management, Business Relations Bureau, has reviewed all submitted department documents and correspondence and, after a thorough investigative process, recommends that the permit for entertainment without dancing by patrons be approved 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 commercial industrial space rental since December 2001.

This matter was reviewed by Deputy City Attorney Amy R. Webber on March 1, 2013.

The hearing date of March 19, 2013, has been posted on the business location, with the applicant and property owners within 300 feet notified by mail.

The following fees were collected with the application: Police Investigation \$1,218 (Police Department), and Labels \$90 (Financial Management Department).

The following fees will be collected if the application is approved: Business License \$330.57 and Regulatory \$1,006 (Financial Management Department).

Approve recommendation.

JOHN GROSS
DIRECTOR OF FINANCIAL MANAGEMENT

APPROVED:

PATRICK H. WEST
CITY MANAGER