



## Legislation Text

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**File #:** 16-1143, **Version:** 1

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Recommendation to refer to a Hearing Officer the business license revocation appeal by Enaid's Way, Inc., dba Miko's Sports Lounge, located at 710 West Willow Street, Long Beach, for business license numbers BU21338610, BU21338620, and BU21338630; and

Refer to a Hearing Officer the business license revocation appeal by Mark, Ronald, and Colleen Mackey, for the commercial/industrial license number BU90057720, for the property located at 710-714 West Willow Street. (District 7)

On June 15, 1995, Mark, Ronald, and Colleen Mackey were granted a Conditional Use Permit (CUP) and a Standards Variance for the property at 710-714 W. Willow Street (Property). Over the past few years, the Property has been subject to numerous complaints and violations related to the CUP, including lack of security, lack of parking, construction work without permits, and public nuisance activities. There have also been numerous complaints regarding the operation of a business located at the property.

In December 2013, Enaid's Way, Inc., dba Miko's Sports Lounge (Miko's), was issued a business license to operate a bar at the Property. This license was first issued conditionally for a period of six months, and subsequently the regular license was issued. Since issuance of the regular business license, there have been numerous nuisance activities, as well as approximately 250 calls for service between January 2014 and May 2016, and entertainment activities conducted without issuance of the required Entertainment Permits. The Departments of Development Services and Police recommended the revocation of the CUP and the business licenses associated with the Property based on continued violations of the terms of the CUP and business license.

On August 9, 2016, the City Council referred to the Planning Commission the consolidated public revocation hearing of the CUP and the business licenses issued to Mark, Ronald, and Colleen Mackey and Enaid's Way, Inc., dba Miko's Sports Lounge.

On November 3, 2016, the Planning Commission voted to revoke the CUP associated with the Property, as well as the business licenses issued to the property owner and the business owner.

On November 10, 2016, Enaid's Way, Inc., filed an appeal of the business license revocations (Attachment A). On November 14, 2016, Mark, Ronald, and Colleen Mackey filed an appeal of the commercial/industrial business license revocation (Attachment B).

Pursuant to Long Beach Municipal Code (LBMC) Section 3.80.429.5, any licensee whose

business license is revoked shall have the right to appeal such revocation to the City Council.

Whenever it is provided that a hearing shall be heard by the City Council, the City Council may, in its discretion, conduct the hearing itself or refer it to a hearing officer, in accordance with LBMC 2.93.050(A).

This matter was reviewed by Deputy City Attorney Art D. Sanchez on December 12, 2016.

If referred, upon selection of a hearing officer, the matter will be heard not less than thirty (30) days thereafter pursuant to LBMC 3.80.429.5.

There is no fiscal or local job impact associated with this recommendation.

Approve recommendation.

JOHN GROSS  
DIRECTOR OF FINANCIAL MANAGEMENT

APPROVED:

PATRICK H. WEST  
CITY MANAGER