



Legislation Text

File #: 07-1164, **Version:** 1

Recommendation to receive supporting documentation into the record, conclude the hearing and grant a One-Year Short-Term Permit, with or without conditions, or deny the Permit on the application of Queens Seaport Development, Inc., dba Queen Mary, 1126 Queens Highway South, for a Permit for Entertainment With Dancing by Patrons.

(District 2)

The Queens Seaport Development, Inc., (QSDI) has applied for an entertainment permit with dancing by patrons for the Seawall area and parking lots. This application is only for off-ship entertainment and does not include entertainment in the Dome or the Events Park. The RMS Foundation, Inc., has an entertainment permit for on-ship activities since 1993, the Dome is not part of this application, and any entertainment on the publicly owned Events Park requires a Special Events Permit from the Office of Special Events and Filming.

This application is unique when compared to other entertainment permit applications in that each event could have a different entertainment venue configuration, and have different parking, security, traffic, food service, alcohol, and outreach requirements. Each event will require separate permits from Building and Fire officials. Staff recommends that each event authorized by this entertainment permit be treated as a Special Event. For each event, QSDI shall submit an application for event approval to the Office of Special Events and Filming no less than 60 days prior to the scheduled event. Each event application shall include plans for parking, security, traffic, food service, alcohol, and outreach specific to the event. QSDI shall reimburse the City for City services required to support an event.

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 a license or permit is granted or denied.

The LBMC also requires that the City Council make a determination that the application is complete and truthful; the applicant, the person interested in the ownership and operation of the entity, 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 the public peace, welfare, and safety will not be impaired. If this is so, the application shall be approved; if not, it shall be denied.

Attached for your review is the application from QSDI. Also attached are reports from various departments and a summary of those reports, as well as the license history of the establishment.

City departments have conducted their investigation in accordance with the LBMC. The following summarizes their findings:

. The Police Department recommends that the permit for entertainment with dancing by patrons be approved with conditions, which include a tiered structure that modifies the conditions of

the entertainment permit should QSDI not comply with the terms of the permit or other laws and regulations. The Police Department in conjunction with the Office of Special Events and Filming feel that a one-year shortterm permit would better serve the community and the City of Long Beach.

. The Fire Department recommends that the permit for entertainment with dancing by patrons be approved 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 remain in compliance with the Long Beach Noise Ordinance (LBMC Chapter 8.80).

. The Planning and Building Department recommends that the permit for entertainment with dancing by patrons be approved with conditions.

In the event that any of the recommended conditions attached to any permit or licenses are in conflict, QSDI shall adhere to the strictest of the applicable conditions.

Entertainment Permits are not transferable. Any change in ownership shall require a new permit.

This matter was reviewed by Deputy City Attorney Charles Parkin on September 27, 2007.

The hearing date of October 9,2007, has been posted on the business location, with the applicant and property owners within 300 feet notified by mail. QSDI is operating on a One-Year Short-Term Permit that expires on October 10, 2007.

The following fees were collected with the application: Building Inspection \$290 and Zoning Review \$14 (Planning and Building Department), Police Investigation \$1,000 (Police Department), Labels \$90 (Financial Management Department), and Health/Noise Control \$94 (Health and Human Services Department).

The following fees will be collected if the application is approved: Business License \$299.88 and Regulatory \$825 (Financial Management Department).

Approve recommendation.

LORI ANN FARRELL
ACTING DIRECTOR OF FINANCIAL MANAGEMENT

NAME
TITLE

APPROVED:

PATRICK H. WEST
CITY MANAGER