RESOLUTION NO. 2010-108

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN
ENTERTAINMENT LICENSE
FOR CUE & CUSHION RECREATIONAL FAMILY CENTER

WHEREAS, Arnoldo Vela, owner of Cue & Cushion Recreational Family Center, has applied for a license to provide “karaoke” singing contests with live music at Cue & Cushion Recreational Family Center, LLC, 431 S. Blosser Rd.; and

WHEREAS, the application has been reviewed by the Police, Fire, Community Development and Department of Administrative Services; and

WHEREAS, conditions have been proposed to protect the public health, welfare, and safety; and

WHEREAS, pursuant to Santa Maria Municipal Code Section 4-7.203, no license described in this chapter shall be issued until approved by the City of Santa Maria City Council at a regular, adjourned, or special meeting; and

WHEREAS, on September 1, 2010, a letter was mailed to Arnoldo Vela, notifying him that the City Council would consider his application for an entertainment license on September 21, 2010, and that City staff would recommend approval of the license;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Santa Maria, California, as follows:

That the application for an entertainment license, submitted by Arnoldo Vela, owner of Cue & Cushion Recreational Family Center, to provide “karaoke” singing contests with live music is hereby approved with the following conditions and restrictions:

1) “Karaoke” singing contests with live music would be provided during the hours of 8:00 p.m. to 12:30 a.m. on Thursday; and

2) All entertainment activity described in this resolution shall comply with the conditions and restrictions of the Police, Fire, and Community Development Departments shown in Exhibits A, B, and C attached to this resolution; and

3) This license is hereby approved for one year. Provided, however, that if the City Council amends or repeals entertainment licensing regulations in the meantime and the applicant is in compliance with the terms of this license and applicable laws, he shall receive a new permit authorizing the use to continue for the remainder of the one-year term and the license granted by this approval shall have no further force and effect.
PASSED AND ADOPTED at a regular meeting of the City Council of the City of Santa Maria, California held this 21st day of September, 2010.

ATTEST:

Chief Deputy City Clerk
Memo

To: Angie Hernandez, Finance Lead Clerk
From: Cpl. Best
Subject: Entertainment License, Cue and Cushion
Date: 07-28-10

The City of Santa Maria, California Police Department has reviewed the application for an Entertainment License for Cue and Cushion, 415 S. Blosser. The application is requesting Karaoke with live music on Thursdays from 8:00 P.M. until 12:30 A.M.

The Cue and Cushion's ABC license shows a disciplinary history for serving alcohol to a minor.

The Santa Maria Police Department frequently responds to businesses which have similar entertainment venues for reports of fights, intoxicated subjects, drunk driving, urinating in public, drug dealing and prostitution.

On behalf of the Santa Maria Police Department, I have listed the following guidelines that we believe would assist our department in dealing with potential problems from these types of entertainment venues. We believe these guidelines would benefit the safety of the patrons attending the business, as well as provide peace for neighboring businesses and residents.

Suggested Guidelines

1. No music to be heard outside of the business beyond the property line, unless prior written permission is granted from the City of Santa Maria for special events.

2. When neighboring businesses are open, no music is to be heard from outside your business or through the adjoining walls of the business.

3. No outdoor music or entertainment unless prior written permission is granted from the City of Santa Maria.

4. On nights when live band or karaoke entertainment is occurring, patrons shall be limited to 21 years of age and over.

EXHIBIT A
5. A Doorman shall be placed at each entrance to the business when live band or karaoke entertainment is occurring. The Doorman will be responsible for the accurate count of patrons inside the business, checking identifications and verifying the age of the patrons prior to admittance to the business. The Doorman will be responsible for denying access to the business by underage persons and by other persons when the maximum occupancy limit has been reached. The Doorman shall wear clothing clearly identifying him as an employee of the restaurant. The Doorman will have no other responsibilities while performing their Doorman functions.

6. At least one Licensed Uniformed Security Persons will be on premises ½ hour prior to the entertainment and ½ hour after closing on all nights when any entertainment is occurring. At least two Licensed Uniformed Security personnel will be required when there are 100 patrons or more. All Security Personnel shall wear clothing clearly identifying them as Security Personnel. They shall have no other responsibilities while performing security functions.

7. The Security Persons will be required to make periodic checks outside the business to prevent patrons from drinking, littering and urinating around the business and prevent patrons from congregating for criminal purposes in front of the business (i.e. drugs, prostitution, fighting). Security Persons shall report criminal activity to the Police Department. Exterior checks shall be conducted at a minimum of every half hour.

8. The Entertainment License may be revoked per Section 4-7.204 of the Santa Maria Municipal Code for reasons including, "The operation of the establishment will be or has been a nuisance to the surrounding properties;" and "That there is or has been illegal activity upon or adjacent to the premises related to the conduct of the licensed activity which the licensee has permitted or was negligent in allowing."
# SANTA MARIA FIRE DEPARTMENT
## ENTERTAINMENT LICENSE APPLICATION

<table>
<thead>
<tr>
<th>APPLICATION DATE: 07/14/10</th>
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<tbody>
<tr>
<td>BUSINESS NAME: Cue &amp; Cushion Rec. Center</td>
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<tr>
<td>BUSINESS ADDRESS: 415 S. Blosser Rd.</td>
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<td>BUSINESS PHONE: 805-720-2589</td>
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<td>OWNER: Arnoldo Vela PHONE: Same</td>
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<td>HOURS OF OPERATION: 8:00 PM to 12:30 PM</td>
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The following Fire Department conditions apply to this application:

1. The occupant load as determined by the Building Official shall be posted.
2. **The posted occupant load shall not be exceeded.**
3. All exiting shall meet the requirements of the California Building and Fire Codes.
4. All exits shall be maintained operational and unobstructed at all times while the building is occupied.
5. No candles, burners or other open-flame devices shall be permitted.
6. All electrical connections shall comply with the Building Code. The use of extension cords or multi-plug adapters is not permitted.
7. A minimum of one - 2A 10BC rated fire extinguisher shall be provided in the facility.
8. All decorative materials shall be made of flame-retardant materials or be flame retardant treated.
9. The Fire Department shall be permitted to inspect the occupancy at any time upon request.

**Fire Prevention Officer** 07/23/10

<table>
<thead>
<tr>
<th>EMILIANO ENRIQUEZ</th>
<th>DATE</th>
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Signed original on file in the Santa Maria Fire Administration Office, 314 W. Cook St. #8.  

EXHIBIT B
MEMORANDUM

August 30, 2010

TO: Angie Hernandez
   Administrative Services

FROM: Lawrence W. Appel
   Director of Community Development

SUBJECT: ENTERTAINMENT LICENSE APPLICATION FOR CUE & CUSHION ENTERTAINMENT, EP-2010-006

Cue & Cushion Entertainment is located within a 60-foot by 80-foot part of a long-established pool hall located in a strip shopping center located at the southwest corner of Blosser and Cook Streets. An existing bar is located at the south end of the pool hall. An elevated stage was built along the west wall of the floor and will be used for live music and the floor space in front of the stage will be used for dancing. Thirteen pool tables will be dispersed along the north, east and south walls. Normal business hours are indicated below:

<table>
<thead>
<tr>
<th>Day</th>
<th>Time</th>
<th>Location</th>
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<tbody>
<tr>
<td>Monday</td>
<td>11:00 a.m. to 2:00 a.m.</td>
<td>Pool Hall/Bar</td>
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<tr>
<td>Tuesday</td>
<td>11:00 a.m. to 2:00 a.m.</td>
<td>Pool Hall/Bar</td>
</tr>
<tr>
<td>Wednesday</td>
<td>11:00 a.m. to 2:00 a.m.</td>
<td>Pool Hall/Bar</td>
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<tr>
<td>Thursday</td>
<td>11:00 a.m. to 2:00 a.m.</td>
<td>Pool Hall/Bar</td>
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<tr>
<td>Friday</td>
<td>11:00 a.m. to 2:00 a.m.</td>
<td>Pool Hall/Bar</td>
</tr>
<tr>
<td>Saturday</td>
<td>11:00 a.m. to 2:00 a.m.</td>
<td>Pool Hall/Bar</td>
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The applicant has requested to add the types and hours of entertainment as follows:

Thursday 8:00 p.m. to 12:30 a.m. “Karaoke” Singing Contest with live music

The site is located in an area of high traffic. Land uses in the vicinity of the site are predominately retail and service commercial. Because of the distance to any residences, noise is not considered a significant issue.

Diagonal parking is located in front of the center. Parking demand will likely be similar to that of the pool hall.

The type of entertainment and days/hours of operation are compatible with surrounding land uses. The Community Development Department recommends approval of an entertainment license for Cue & Cushion Entertainment subject to the conditions listed below:

1. The type of entertainment, days of the week and allowed time periods shall be limited to that which was requested by the applicant (listed above).

2. All entertainment shall be conducted indoors.
3. During periods of entertainment, all exterior doors shall be closed (but not locked) to lessen the transmission of noise.

4. All required exit doors shall not be locked during business hours.

5. All City of Santa Maria Police Department and Fire Department conditions of approval shall be adhered to.

6. All adopted City of Santa Maria building codes shall be adhered to.

7. Exit corridors and doors shall not be blocked, to allow unimpeded exiting.

8. Restaurant shall, at all times, comply with the Americans with Disabilities Act (ADA).

9. At no time shall the occupant load of any room be exceeded.

10. Noise shall not exceed a level of 65 dBA at property line.

LAWRENCE W. APPEL
Director of Community Development