

CITY OF LONG BEACH H-2

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Blvd • Long Beach, California 90802

December 3, 2013

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the supporting documentation into the record, conclude the hearing and grant a permit with conditions on the application of Kwazule Companies, Inc., DBA El Dorado Bar and Grill, 3014 Studebaker Road, Suite C, for Entertainment without Dancing by Patrons. (District 5)

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 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: 10/24/13 6:43:03

- The Police Department recommends that the permit for entertainment without dancing by patrons be approved subject to conditions. 11/26

- The Fire Department finds that the building/location meets department requirements for the proposed use.
- 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 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 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 restaurant with alcohol since June 1997.

This matter was reviewed by Deputy City Attorney Amy R. Webber on November 14, 2013.

TIMING CONSIDERATIONS

The hearing date of December 3, 2013, 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 \$22 and Zoning Review \$16 (Development Services), Police Investigation \$1,240 (Police Department), and Mailing List \$90 (Financial Management Department).

The following fees will be collected if the application is approved: Business License \$337.30 and Regulatory \$1,025 (Financial Management Department).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



JOHN GROSS
DIRECTOR OF FINANCIAL MANAGEMENT

APPROVED:



PATRICK H. WEST
CITY MANAGER



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT
BUSINESS RELATIONS BUREAU

333 WEST OCEAN BOULEVARD 7TH FLOOR • LONG BEACH, CA 90802 • (562) 570-5596

Recommended Conditions of Operation **Kwazule Companies Inc., DBA El Dorado Bar and Grill** 3014 Studebaker Road, Suite C **Application for Entertainment Without Dancing**

The Department of Financial Management recommends **approval** of the Permit subject to the following conditions:

I. STANDARD 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) The establishment shall remain in compliance with all applicable sections of the Long Beach Noise Ordinance (LBMC Chapter 8.80). If any noise or disturbance complaints can be attributed to the speaker volume, the permittee shall modify or remove existing speakers at the direction of the Chief of Police.
- 4) 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.
- 5) 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 7:00 A.M.
- 6) Deliveries to and from the premises shall be limited to the hours of 8:00 A.M. to 10:00 P.M.
- 7) 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.

- 8) 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" or something similar.
- 9) 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.
- 10) The permittee agrees to reimburse the City for all costs associated with excessive police services, as determined by the Chief of Police, required as the result of any incident or nuisance arising out of or in connection with the permittee's operations.
- 11) 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.
- 12) 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.
- 13) 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. (LBMC section 18.48.320).
- 14) 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.

- 15) 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.
- 16) 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. The permittee shall not hire promoters with the intent to advertise/promote or hold any entertainment activities consistent with nightclub entertainment.
- 17) 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.
- 18) If the permittee utilizes an independent third party event promoter to provide entertainment related services resulting in any public safety call for service, the City reserves the right to remove and/or restrict the use of independent third party promoters.
- 19) 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.
- 20) The permittee, shall, within ninety (90) days of an approved entertainment permit, submit proof of attending the TIPS or 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. The permittee shall keep employees proof of completion on file and available for inspection at any time.

II. ADDITIONAL CONDITIONS OF OPERATION

- 1) Entertainment activities indicated on page #7 of your entertainment application shall be restricted to **Sunday through Wednesday 11:00 A.M. to 10:00 P.M. and Thursday through Saturday 11:00 A.M. to 12:00 A.M. (Midnight).**
- 2) Patrons under twenty-one (21) years of age shall not be permitted to enter nor to remain on the premises after the restaurant (food service) portion of the establishment has closed, unless accompanied by a parent or legal guardian. Private functions not opened to the public are exempt from this condition.
- 3) The back door leading onto Pavo Street shall not be used by employees or customers to enter or exit the restaurant, except in cases of emergency.
- 4) The back door leading onto Pavo Street shall not be used for any type of deliveries, including loading or unloading of any performer's equipment, between the hours of 10:00 P.M. and 7:00 A.M.
- 5) 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.

- 6) The use of any amplifying system or device in the patio is prohibited.



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 Kwazule Companies Inc., DBA El Dorado Bar and Grill. 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	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.....	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) 570-6211 • Fax (562) 570-5099

BUSINESS RELATIONS BUREAU

FIVE YEAR HISTORY OF BUSINESS ESTABLISHMENT 3014 Studebaker Road, Suite C

Kwazule Companies Inc.
DBA: El Dorado Bar and Grill
Lic#21307570
03/13 - Pending

Restaurant with Alcohol

Kwazule Companies Inc.
DBA: El Dorado Bar and Grill
Lic#21312900
04/13 - Pending

Entertainment without Dancing

EWJJ Inc.
DBA: El Dorado Restaurant
Lic#20719130
05/07 – 05/09

Restaurant with Alcohol

EWJJ Inc.
DBA: El Dorado Restaurant
Lic#20719140
05/07 – 05/09

Entertainment with Dancing

El Dorado Restaurant & Lounge LLC
DBA: El Dorado Restaurant
Lic#20418790
04/04 – 05/07

Restaurant with Alcohol

El Dorado Restaurant & Lounge LLC
DBA: El Dorado Restaurant
Lic#20422660
05/04 – 05/07

Entertainment with Dancing

Whalen Restaurants Inc.
DBA: The El Dorado Restaurant
Lic#97026780
06/97 – 05/04

Restaurant with Alcohol

Whalen Restaurants Inc.
DBA: The El Dorado Restaurant
Lic#97026770
06/97 – 05/04

Entertainment with Dancing

Bu 21312900



Accepted By _____	Date _____
Zoning Approval By _____	Date _____

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): T. Nettmann

Business Name (DBA): Eldorado Bar & Grill Business Phone: [REDACTED]

Business Site Address: 3014 C. Studebaker Rd, LBS, CA, 90808

Date Business Proposes To Open: May 1st 2013

Days & Time Premises Are Open For Inspection: _____

Proposed Use(s):

Entertainment/Restaurant With Dancing Without Dancing Other (explain) _____

Entertainment/Tavern With Dancing Without Dancing

Entertainment/Retail Social Club Pool/Billiard Hall

Explain briefly the proposed use of the rooms within the building: _____

Contact Person(s) Name (authorized agent, manager, etc.): Trevor Nettmann

Contact Person(s) Phone Number: [REDACTED]

Type of Organization:

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

OFFICE USE ONLY

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): N/A.

Fictitious business names(s) or dba(s) used: NONE

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:

Trevor Nettmann

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

As above.

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:

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? _____

Is the location: Owned? Rented/Leased?

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

Name: Heidi A. Cortese, Trustee of the Ross W. Cortese Trust #1

Address: _____

IF APPLYING AS A CORPORATION

Check One Box: For-Profit Corporation Non-Profit Corporation

(If a Non-Profit Corporation, please attach copies of both State and federal Tax Exemption Certificates)

Name of Corporation: Kwazulu Group Companies.

Corporation Number: 3539036

Date and Place of Incorporation: 2/28/13 California.

Location Headquarters: 3014 C. Studebaker Rd, L13, CA 90808

Federal Tax ID Number: [REDACTED]

Seller's Permit Number: _____

Please attach certified copies of Articles of Incorporation and By-Laws, and all amendments thereto this application.

Name and Residence Address of Corporation Officers (members of the executive board):

Name	Title	Address	Telephone
<u>T. Nettmann</u>	<u>Owner.</u>	[REDACTED]	[REDACTED]
_____	_____	_____	() _____
_____	_____	_____	() _____
_____	_____	_____	() _____

Numbers of shares issued by Corporation: 100 000

Number of share retained by Corporation: _____

Name and addresses of shareholders, if ten (10) or less state also the number and type of shares:
NONE

Name and address of agent for service of process designated by Corporation with the Secretary of State of California:

IF APPLYING AS A CORPORATION

INFORMATION IS REQUESTED FOR POLICE DEPARTMENT IDENTIFICATION AND INVESTIGATION

CORPORATE OFFICER I

Name: Trevor J. Nettmann Title: Owner

Residence Address: [REDACTED]
Business Address: [REDACTED]

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]

CORPORATE OFFICER 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: _____

CORPORATE OFFICER 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: _____

CORPORATE OFFICER 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: _____

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

On sale beer and wine

On sale distilled spirits

still to apply

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 + Sea Food

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

3. Are non-alcoholic beverages sold?

YES NO

4. How many tables for seating?

25

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:

1

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:

1 jukebox

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:

Games for Fun

Address:

5081 Caviota Ave Encino, CA, 91436

Telephone No.

(213) 434-8966

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	6 AM	6 AM	6 AM	6 AM	6 AM	6 AM	6 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? Liquor Store, Gas Station

20. Are there surrounding residences? YES NO

a. Approximately how close? 500ft

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)

All parking is available to the business.

c. Days and hours parking facility will be available:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
From	6 AM	6 AM	6 AM	6 AM	6 AM	6 AM	6 AM
To	6 AM	6 AM	6 AM	6 AM	6 AM	6 AM	6 AM

d. How many individual parking spaces (approximately)? 60

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: _____

Dance Floor? Y N

Stage? Y N

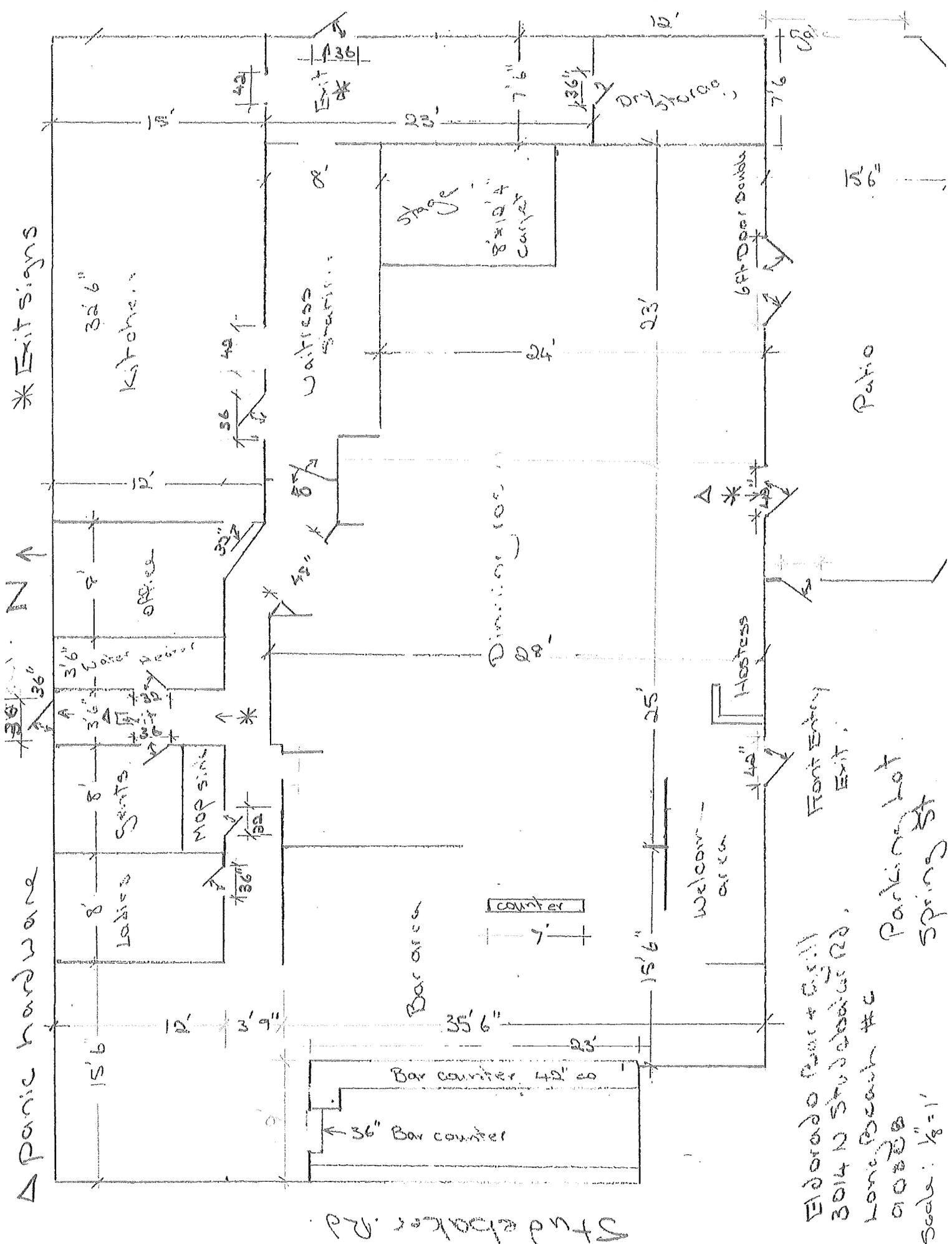
If yes, provide dimensions and type of material of dance floor. L _____ X W _____ = _____ sq ft.

If yes, provide dimensions and type of material of stage. L 12 W 8 H 9"

Describe floor material and surface type: Carpet

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	Karaoke DJ Band. Music	" "	" "	" "	" "	" "	" "
Start Time	6am	" "	" "	" "	" "	" "	" "
End Time	2am	" "	" "	" "	" "	" "	" "



Studebaker Rd.

Eldorado Park & Grill
 3014 N Studebaker Rd.
 Lone Beach #6
 010828
 Scale: 1/8" = 1'
 Parking Lot
 Springs St



Bu 21312900

Accepted By: _____ Date: _____
 Zoning Approval By: _____ Date: _____

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): T. Netmann

Business Name (DBA): Eldorado Bar & Grill Business Phone: [REDACTED]

Business Site Address: 3014C Studebaker Rd, HB, CA, 90808

Date Business Proposes To Open: May 1st 2013

Days & Time Premises Are Open For Inspection: _____

Proposed Use(s):

Entertainment/Restaurant ¹¹¹¹ With Dancing Without Dancing Other (explain) _____
 Entertainment/Tavern With Dancing Without Dancing
 Entertainment/Retail Social Club Pool/Billiard Hall

Explain briefly the proposed use of the rooms within the building: _____

Contact Person(s) Name (authorized agent, manager, etc.): Trevor Netmann

Contact Person(s) Phone Number: [REDACTED]

Type of Organization:

Corporation Partnership Individual Unincorporated Association or Club
 Trust LLC Other, explain: _____

OFFICE USE ONLY

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

SEE ATTACHMENT
 By: [Signature] Title: CHIEF OF POLICE Date 11-5-13



Date: October 29, 2013

To: Dennis Strachota, Bureau Manager, Business Relations Bureau

From: Jim McDonnell, Chief of Police 

Subject: **APPLICATION FOR AN ENTERTAINMENT WITHOUT DANCING PERMIT AT EL DORADO BAR AND GRILL – 3014 STUDEBAKER ROAD #C**

In response to your request for a recommendation regarding the above named permit application for an Entertainment without Dancing Permit, the Police Department recommends **approval** of an **Entertainment without Dancing Permit**, subject to the conditions that follow.

El Dorado Bar and Grill is a restaurant/bar located on northeast corner of Spring Street and Studebaker Road. The establishment shares the same address with a liquor store and gas station. The last owner was operating on a conditional business license, which expired on February 5, 2013. Kwazulu Companies, Inc. was issued a business license in March 2013. El Dorado Bar and Grill will serve breakfast, lunch, and dinner every day. The establishment will specialize in South African cuisine. The business currently has a pending Type 47 (On-Sale General Eating Place) Alcoholic Beverage Control license, which was approved by City Council on July 9, 2013. On March 8, 2013, El Dorado Bar and Grill applied for an Entertainment without Dancing Permit, requesting live music by more than two performers, live and recorded amplified music, a disc jockey, and karaoke.

Based upon the Vice Section's investigation, East Division Patrol Commander's recommendation, residential contacts, and the crime analysis, the Long Beach Police Department has determined the public's 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 approval of an Entertainment without Dancing Permit.

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 5.72.115(B) LBMC, shall be conducted on the permitted premises.

October 29, 2013

El Dorado Bar and Grill – 3014 Studebaker Road, #C

Page 2

- 3) Entertainment activities indicated on page #7 of your entertainment application **shall be restricted Sunday through Wednesday 11:00 A.M. to 10:00 P.M. and Thursday through Saturday 11:00 A.M. to 12:00 A.M.**
- 4) Due to the proximity of neighboring residences, all door(s) and window(s) shall be kept closed at all times during any entertainment, except in cases of emergency, and to permit deliveries. Said door(s) and window(s) shall not 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.**
- 5) The back door leading onto Pavo Street shall not be used by employees or customers to enter or exit the restaurant, except in cases of emergency.
- 6) The back door leading onto Pavo Street shall not be used for any type of deliveries, including loading or unloading of any performer's equipment, between the hours of 10:00 P.M. and 7:00 A.M.
- 7) 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.
- 8) The use of speakers to provide amplified sound on the patio shall be prohibited at all times. This restriction shall not apply to a self contained unit, such as a portable radio, so long as the speaker size does not exceed six (6) inches, and the sound cannot be heard more than 50 feet from the patio
- 9) El Dorado employees shall be encouraged to park on the west curb of Lees Avenue, adjacent to the parking lot. Employees shall also be reminded to respect the neighborhood when returning to their cars and leaving work.
- 10) El Dorado Bar and Grill, 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 agent contracts, including names, addresses, and phone numbers, on file at all times, and have this information available for inspection at any time.

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El Dorado Bar and Grill – 3014 Studebaker Road, #C

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- 11) Patrons under twenty-one (21) years of age shall not be permitted to enter nor to remain on the premises after the restaurant (food service) 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.
- 12) 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 7:00 A.M.
- 13) The permittee shall be responsible for maintaining adequate staff during any entertainment activity, to supervise patrons inside the establishment, and those waiting to enter. Staff members must be identifiable as "El Dorado Bar and Grill" employees. Should the permittee's operations give rise to a substantial increase in complaints/calls for service, or trash found in the parking lot or neighborhood, the permittee shall increase staff, or employ uniformed licensed security guards, as directed by the Chief of Police.
- 14) The permittee shall ensure an employee monitors the parking lot, Lees Avenue east of the establishment, and Pavo Street on an hourly basis after 8:00 PM, each night of the week. Employees shall maintain order and prevent the unlawful consumption of alcohol. Employees shall prevent any activity that would interfere with the quiet enjoyment of any nearby residential property. Employees must be identifiable as "El Dorado Bar and Grill" employees.
- 15) At the conclusion of each night, 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. This information shall be provided to public safety personnel upon request.
- 17) 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.
- 18) The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. The permittee shall keep separate records that reflect the sales of food and alcohol. These records shall be kept for a minimum of two (2) years, and shall be made available to the City upon demand.

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El Dorado Bar and Grill – 3014 Studebaker Road, #C

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- 19) 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.

- 20) The permittee shall not hire any promoters with the intention of holding nightclub activities.
- 21) The permittee shall be responsible for all entertainment activities at the location, including those conducted by promoters. Each permittee and promoter conducting business within the City of Long Beach must have a business license prior to entertainment activities governed by this permit. The permittee shall provide all promoters and agents hired to conduct entertainment activities with a copy of the approved permit, which shall include a copy of the approved conditions of operation.
- 22) 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.
- 23) 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.
- 24) 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.

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El Dorado Bar and Grill – 3014 Studebaker Road, #C

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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.

- 25) The permittee shall ensure that all employees attend an alcohol awareness class such as TIPS or LEAD, within the first ninety (90) days of employment. The permittee shall keep employee's proof of completion on file, and be available for inspection at any time.

JM:LBB:bb
AppvlCondElDorado

Bu 21312900



Accepted By: _____	Date: _____
Zoning Approval By: _____	Date: _____

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): T. Nettmann

Business Name (DBA): Eldorado Bar & Grill Business Phone: [REDACTED]

Business Site Address: 3014 C. Studebaker Rd, HB, CA, 90808

Date Business Proposes To Open: May 1st 2013

Days & Time Premises Are Open For Inspection: _____

Proposed Use(s):

Entertainment/Restaurant With Dancing Without Dancing Other (explain) _____

Entertainment/Tavern With Dancing Without Dancing

Entertainment/Retail Social Club Pool/Billiard Hall

Explain briefly the proposed use of the rooms within the building:

Contact Person(s) Name (authorized agent, manager, etc.): Trevor Nettmann

Contact Person(s) Phone Number: [REDACTED]

Type of Organization:

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

OFFICE USE ONLY	
<input type="checkbox"/> Building	<input checked="" type="checkbox"/> Fire
<input type="checkbox"/> Health	(Check Inspecting Department) Date Received: _____
<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>11-19-13</u>	By: <u>[Signature]</u>
POLICE DEPARTMENT	
<input type="checkbox"/> Police Department finds no for basis for denial	<input type="checkbox"/> Police Department finds basis for denial
<input type="checkbox"/> Police Department finds no for basis for denial with conditions	
Conditions or Basis for Denial: _____	
By: _____ Title: _____ Date: _____	

Bu 21312900



Accepted By: _____	Date: _____
Zoning Approval By: _____	Date: _____

APPLICATION FOR ENTERTAINMENT PERMIT
 (Please Print All Information -- Incomplete Applications Will Not Be Accepted)

Applicant's Name (Legal Ownership Structure): T. Nettmann
 Business Name (DBA): Eldorado Bar & Grill Business Phone: [REDACTED]
 Business Site Address: 3014 C. Studebaker Rd, LB, CA, 90808
 Date Business Proposes To Open: May 1st 2013
 Days & Time Premises Are Open For Inspection: _____

Proposed Use(s):

- Entertainment/Restaurant With Dancing Without Dancing Other (explain)
 Entertainment/Tavern With Dancing Without Dancing
 Entertainment/Retail Social Club Pool/Billiard Hall

Explain briefly the proposed use of the rooms within the building:

Contact Person(s) Name (authorized agent, manager, etc.): Trevor Nettmann
 Contact Person(s) Phone Number: [REDACTED]

Type of Organization:

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

OFFICE USE ONLY	
<input checked="" type="checkbox"/> Building <input type="checkbox"/> Fire <input type="checkbox"/> Health (Check Inspecting Department)	Date Received: <u>5-20-13</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>7-1-13</u>	By: <u>DN</u>
POLICE DEPARTMENT	
<input type="checkbox"/> Police Department finds no for basis for denial	<input type="checkbox"/> Police Department finds basis for denial
<input type="checkbox"/> Police Department finds no for 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 | 562-570-6513 FAX 562-570-6930

ENVIRONMENTAL HEALTH
NOISE OFFICE

DEPARTMENT OF HEALTH AND HUMAN SERVICES ENTERTAINMENT PERMIT APPLICATION REQUIREMENTS

Date: 3/8/13

Name of Business (DBA): Eldorado Bar & Grill

Name of Business Owner: Trevor J. Nettmann

Business Address: 3014 E. Studebaker, Long Beach, CA
90808

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) Trevor J. Nettmann

Title Owner

Phone [REDACTED]

FAX # _____



City of Long Beach
Working Together to Serve

Memorandum

Date: May 21, 2013
To: Erik Sund, Manager of Business Relations Bureau
From: Derek Burnham, Planning Administrator *DB*
Subject: REVIEW OF ENTERTAINMENT LICENSE REQUEST *For*

Site Address: 3014 Studebaker Road
Long Beach, Ca 90808

Applicant: Kwazula Companies, Inc
DBA El Dorado Bar and Grill

Zoning District: CNA (Community Automobile-Oriented District)

Proposed Use: Entertainment without Dancing

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

A review of the permit history for 3014 Studebaker Road, indicates there have been no CUPs or AUPs approved for the subject property.

The applicant is seeking to obtain a permit for entertainment without dancing. An entertainment permit without dancing is allowed as an accessory use to a bar and Grill in the CNA zone. No extra parking is required.

Planning Bureau recommends that the entertainment permit without dancing for "El Dorado Bar and Grill" be approved.

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



Diane Stewart <direne1@aol.com>

11/13/2013 09:27 AM

H-2 Correspondence - D&S Stewart

To lbbiz@longbeach.gov

cc district8@longbeach.gov

Subject Fwd: Public Hearing - November 19,
2013

City of Long Beach

Attn: Dennis Strachota, Interim Assistant Director of Business Services

Ladies & Gentlemen:

We are property owners of an office building located at 4940 Long Beach Boulevard, and we received the Public Notice concerning the issuance of a permit for "Entertainment without Dancing Patrons."

We operate our engineering/structural steel detailing corporation out of this location, and we have been in this location since 1974. We are located directly across the street from the establishment requesting this permit. When we saw the line "Entertainment without Dancing Patrons" we thought it was a euphemism for something unseemly. When we called the City of Long Beach for clarification we discovered it was a request for amplified music or two or more people performing.

Our experience of the new bar across the street requesting this permit is that it has attracted all the wrong clientele. We often see two hookers cruising the area, noise in the parking lot, a known drug dealer working the area, and it is common to see fighting in the parking lot. This "Entertainment without Dancing Patrons" can only add to the chaos.

We are committed to the neighborhood and we have watched the City of Long Beach invest in the new center dividers, encourage property owners to come into compliance with better signage and other improvements, and we have been very encouraged that the neighborhood is on the upswing. This will not help the City's efforts to upgrade our District 8.

We are sure that you are aware of the close proximity of two preschools. The preschool next door to us, Dorothy Ahrens Nursery School, is approximately 300 feet from the bar, and the preschool on the corner of Long Beach Boulevard and 49th Street is approximately 30 feet from the parking lot. This should be taken into consideration when making your decision.

Thank you for your consideration.

Diane Rene Stewart
Stephen R. Stewart
4940 Long Beach Boulevard
562 428 7521



SHIELD OF FAITH CHRISTIAN CENTER

4934 Long Beach Blvd.

Long Beach, CA 90805

(562) 422-7890

BISHOP ARLING M. ALEXANDER, DD, PASTOR

November 17, 2013

City of Long Beach
Department of Financial Management
333 West Ocean Blvd.
Long Beach, CA 90802

RE: Issuance of a Permit for Entertainment without Dancing by Patrons at Paradise LB at 4911 Long Beach Blvd.

Dear Mr. Dennis Strachota:

As a church in the Long Beach area, I am writing to you to express my grave concern and strong opposition to the proposed issuance of a permit for Entertainment without Dancing by Patrons at Paradise LB at 4911 Long Beach Blvd. The location of this business is in close proximity to our neighborhood and if allowed to have Entertainment without Dancing by Patrons will have severe consequences for the economic and social well-being of surrounding neighborhoods and undermine and destabilize the quality of life of our community.

Shield of Faith Christian Center is recommending a **DENIAL** of a permit for Entertainment without Dancing by Patron requested by Quyen T. Seaman, DBA Paradise LB, 4911 Long Beach Blvd., Long Beach, CA 90805. This denial recommendation is based on the following reasons:

- A sexually oriented business locating near schools or churches.
 - Shield of Faith is located across the street from the establishment.
 - Two preschool locations within 50 ft of the establishment.
 - A public school located in the next block
- Increase in traffic due to increase in patrons.
- Increase in Police activities such as calls-for-service, incident reports, and arrests
- There will be an increase in noise pollution due to loud music.
- There will be crowd disturbances due to loud patrons, disputes, and fights.

Please consider all the relevant impacts that this type of permit will have on our community, our neighborhoods, and most importantly, our children. I firmly and expressly oppose the operation of this type of entertainment in our community.

Respectively Yours

Bishop Arling M. Alexander D.D, Pastor
& the Shield of Faith Church Family