



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Boulevard 7<sup>th</sup> Floor • Long Beach, CA 90802 • (562) 570-6200 • Fax (562) 499-1097

September 18, 2018

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Receive the supporting documentation into the record, conclude the public hearing, and grant an Entertainment Permit with conditions on the application of The Modern, LLC, dba The Modern, 2801 E. Spring Street, Suite 300, for entertainment with dancing. (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 (Permit) is granted or denied.

The LBMC also requires the City Council to approve the issuance of the 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 Financial Management Department 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 are the departmental investigative reports, history, entertainment permit application, and floor plan.

The following summarizes departmental findings:

- The Police Department recommends the permit for entertainment with dancing be approved subject to the conditions.
- The Fire Department finds the building/location meets department requirements for the proposed use.
- The Health and Human Services Department finds 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 the building/location meets department requirements for the proposed use.

The Financial Management Department, Business Services Bureau, has reviewed all submitted department documents and correspondence and, after a thorough review, recommends that the permit for entertainment with dancing 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 was previously licensed as a Restaurant with Alcohol since June 2006. The business changed ownership to The Modern, LLC, in January 2016. This location has been licensed as a Hall Rental since February 2017.

This matter was reviewed by Deputy City Attorney Amy R. Webber on August 21, 2018.

#### TIMING CONSIDERATIONS

The hearing date of September 18, 2018, 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 \$22.45 and Zoning Review \$33.00 (Development Services), Police Investigation \$1,310.00 (Police Department), Mailing List \$90.00 (Financial Management Department).

The following fees will be collected if the application is approved: Business License Annual Tax \$355.25, Employee Rate \$18.45 per employee, and Annual Entertainment Regulatory Fee \$1,080.00 (Financial Management Department).

HONORABLE MAYOR AND CITY COUNCIL  
September 18, 2018  
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SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



JOHN GROSS  
DIRECTOR OF FINANCIAL MANAGEMENT

JG:ea  
K:\FM-ADMIN\CITY COUNCIL LETTERS\BUSINESS SERVICES\2018\09-18-2018 THE MODERN.DOCX

ATTACHMENTS

APPROVED:

  
\_\_\_\_\_  
PATRICK H. WEST  
CITY MANAGER



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT  
BUSINESS SERVICES BUREAU

333 WEST OCEAN BOULEVARD 7<sup>TH</sup> FLOOR • LONG BEACH, CA 90802 • (562) 570-6211

## Recommended Conditions of Operation

The Modern, LLC. DBA The Modern

2801 E. Spring Street Suite 300

Application for Entertainment With 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 5.72.115(B) of the 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).
- 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 security personnel to monitor the area under their control and the entrances and exits for the location at all times that entertainment is provided. It shall be left to the permittee's discretion to determine the level of security necessary to prevent the violations of law and any other disturbances arising out of or in connection with its business operations. 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) Interior lighting shall be sufficient to make easily discernible the appearance and conduct of all persons and patrons inside the business.
- 9) 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.
- 10) 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 front of the establishment, the parking lot or the immediate area.
- 11) The permittee shall be responsible for maintaining free of litter the premises and the area adjacent to the licensed premises over which they have control.
- 12) 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.
- 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) The business, 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 promoter contracts, including names, addresses, and phone numbers, on file at all times, and be available for inspection at any time.
- 16) 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 persons 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.

- 17) The permittee shall ensure all employees who will be serving alcohol attend an alcohol awareness class, such as the LEAD program offered by the Department of Alcoholic Beverage Control, within the first ninety (90) days of employment. 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 kept on file at the business and be available for inspection at any time.
- 18) 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, your conditional use permit, or your Alcoholic Beverage Control license, the more stringent regulation shall apply.

## II. ADDITIONAL CONDITIONS OF OPERATION

- 1) Entertainment activities indicated on Page 9 of your entertainment application **shall be restricted to Monday through Sunday, 7:00 a.m. to 1:00 a.m.**
- 2) The permittee must provide all renters with a copy of the approved permit, which shall include a copy of the approved conditions of operation.
- 3) The permittee shall not convert the hall rental, or any portion thereof, into a public dance/night club. All entertainment activities shall be restricted to private gatherings. The permittee shall not allow anyone to rent the hall for the purpose of holding a concert, dance, or disc jockey event, which is open to the public.
- 4) Alcoholic beverages shall not be consumed on any property adjacent to the premises.
- 5) Alcoholic beverages shall not be sold on the premises without a valid license issued by the Alcoholic Beverage Control (ABC).
- 6) If any trash, noise, or disturbance complaints are located in the parking lots and/or surrounding area of the business can be attributed to the operation of said business, the Long Beach Police Department can determine and impose requirements for security officer(s) to routinely monitor and handle these problems.
- 7) The permittee shall provide waste receptacles when needed to ensure trash from events occurring at the venue is disposed of legally.

III. In the event that any of the recommended conditions attached to any permit or license is in conflict, the permittee shall adhere to the strictest of the applicable conditions. In addition, please be advised that your permit is subject to administrative review every two

RECOMMENDED CONDITIONS OF OPERATION  
APPLICATION FOR ENTERTAINMENT WITH DANCING  
THE MODERN LLC  
DBA: THE MODERN  
2801 E. SPRING STREET  
PAGE 4

years from the date this permit is issued. If grounds exist for modification, revocation, or suspension of the permit, a hearing will be held.



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Boulevard 7<sup>th</sup> Floor • Long Beach, CA 90802 • (562) 570-6200 • Fax (562) 499-1097

## SUMMARY OF APPLICATION FOR ENTERTAINMENT PERMIT

Attached for your review and action is an application for The Modern, LLC. DBA The Modern. 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

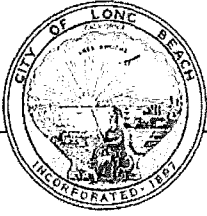
	<u>Without Concern</u>	<u>With Conditions</u>	<u>With Concerns</u>
Police Department		X	
Fire Prevention Bureau	X		
Health and Human Services Department/Noise Control		X	
Development Services Department	X		

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 Department.....	570-6623

Compiled by: Department of Financial Management  
Business Services Bureau





# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Boulevard 7<sup>th</sup> Floor • Long Beach, CA 90802 • (562) 570-6200 • Fax (562) 499-1097

## FIVE YEAR HISTORY OF BUSINESS ESTABLISHMENT 2801 E. SPRING STREET #300

The Modern, LLC.  
DBA: The Modern  
Lic # BS21801678  
03/18 – Pending

Entertainment with Dancing (No Alcohol)

The Modern, LLC.  
DBA: The Modern  
Lic # BU21600444  
02/17 – Current

Hall Rental

Cyclo, LLC.  
DBA: La Lune Palace  
Lic # BU21214830  
05/12 – 02/15

Entertainment with Dancing (Alcohol)

Cyclo, LLC.  
DBA: La Lune Palace  
Lic # BU21211520  
05/12 – 05/15

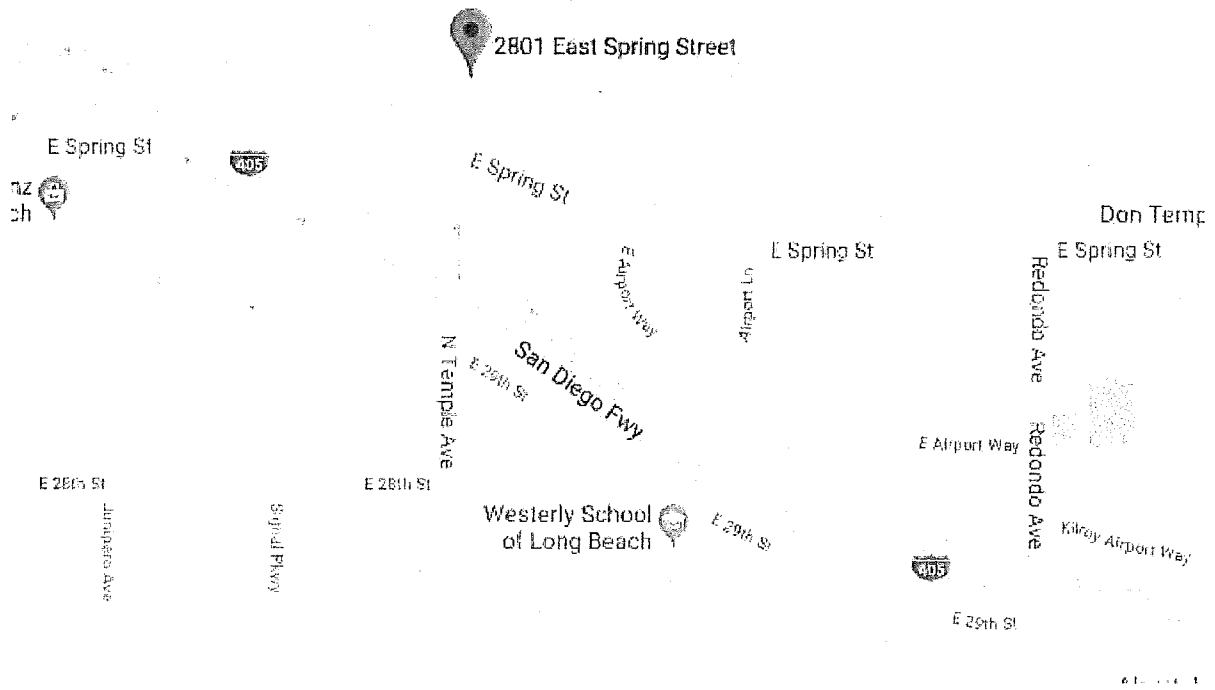
Restaurant & Ready to Eat Foods (Alcohol)

Stefano's Davinci Ristorante, LLC.  
Lic # BU20631750  
06/06 – 07/11

Restaurant & Ready to Eat Foods (Alcohol)

**The Modern, LLC.**  
**DBA: The Modern**  
**2801 E. Spring Street #300**

Long Beach  
Airport





**CITY OF LONG BEACH BUSINESS LICENSE APPLICATION**  
 Fourth Floor, City Hall  
 333 W. Ocean Boulevard, Long Beach, CA 90802

www.longbeach.gov  
LBBIZ@LongBeach.gov  
 (562) 570-6211

OWNER/ENTITY NAME <b>The MODERN, LLC</b>	DRIVER'S LICENSE NO.	STATE	SOCIAL SECURITY NO.	HOME OCCUPATION <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
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BUSINESS NAME (D.B.A.)	TYPE OF BUSINESS (BE SPECIFIC) <b>Hall Rental- Events Ent w/ dancing</b>	EMAIL <b>scb@themodernlb.com</b>
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BUSINESS ADDRESS <b>2801 E. Spring St, 3rd Fl / Suite 300</b>	STREET	CITY <b>Long Beach</b>	STATE <b>CA</b>	ZIP <b>90806</b>	AREA CODE/TELEPHONE <b>562-528-8394</b>
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BILLING ADDRESS (if same write SAME) <b>230 Pine Avenue</b>	STREET	CITY <b>Long Beach</b>	STATE <b>CA</b>	ZIP <b>90802</b>	AREA CODE/TELEPHONE <b>562-528-8394</b>
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RESIDENCE ADDRESS (if same write SAME)	STREET	CITY	STATE	ZIP	AREA CODE/TELEPHONE
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LIST OF PRINCIPAL OFFICERS, MEMBERS, PARTNERS AND RESIDENTIAL ADDRESSES (IF MORE, PLEASE ATTACH A LIST)		TITLE	% OWNERSHIP
<b>Mary J. Lallande</b>		<b>President</b>	<b>50</b>
<b>M. Lawrence Lallande</b>		<b>Secretary</b>	<b>50</b>

New Business  Address Change  Ownership Change  Secondary License  Sole Owner  Partnership  Corporation  L.L.P.  L.L.C.

START DATE <b>01/21/16</b>	NO. OF EMPLOYEES <b>4</b>	NO. OF VEHICLES <b>1</b>	FEDERAL TAX ID. NUMBER [REDACTED]	SALES & USE TAX (SELLER'S PERMIT) NO.
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DOES YOUR BUSINESS HAVE A CALIFORNIA STATE LICENSE? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	STATE LICENSE NO.	CLASSIFICATION(S)	RENEWAL DATE
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HAVE YOU EVER HAD A BUSINESS LICENSE/PERMIT REVOKED OR SUSPENDED? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	LICENSE/PERMIT NO.	ISSUING AGENCY	CLASSIFICATION & DATE OF SUSPENSION/REVOCATION
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Do you plan to sell or serve food? (Includes pre-packaged)  Y  N  
 If serving food, how many seats? \_\_\_\_\_  
 Do you plan to sell or serve alcoholic beverages?  Y  N  
**All Alcohol & Food is provided by third party vendors**  
 ABC License number: \_\_\_\_\_ Type: \_\_\_\_\_  
 Conditions included: (If yes, please attach to application)  Y  N  
 Will you offer massage, tanning, herbal therapy, escort or any other services that improve the health or well being of another?  Y  N  
 Will you engage in fund raising?  Y  N  
 Will you deal in coins, firearms, jewels or second-hand property?  Y  N  
 Will you perform Parking Management? If so, please attach a detailed list of all activities?  Y  N  
 Does your business have amusement machines, video games, vending machines, jukebox and/or pool tables?  Y  N  
 How many: \_\_\_\_\_ Type: \_\_\_\_\_ Owner: \_\_\_\_\_  
 Do you plan to sell tobacco products/paraphernalia?  Y  N  
 Do you plan to operate a Smoking Lounge?  Y  N  
 Will you deal with, use, store or transport Medical Marijuana?  Y  N  
 Will you manage or produce bio-hazardous materials or waste?  Y  N  
 Will you have  Music  Dancing  Performers  Adult Entertainment? Will you use, store, or transport chemicals (new or waste state)?  Y  N

I understand that before I can operate my business in Long Beach, my establishment must comply with applicable City departmental laws and regulations completely and I must obtain a business license and all necessary Federal State and local permits or I will be in violation of L. B. M. C Chapter 3.80 I declare that I am authorized to complete this application and that the information and statements provided are true and correct. SIGN and return this statement with your remittance. Make checks payable to City of Long Beach.

Signature Mary J. Lallande Date 3/15/18 PRINT NAME/TITLE MARY LALLANDE / PRESIDENT  
 Signature \_\_\_\_\_ Date \_\_\_\_\_ PRINT NAME/TITLE \_\_\_\_\_

**DO NOT WRITE BELOW THIS LINE**

Inspection(s): <input type="checkbox"/> Bldg <input type="checkbox"/> Fire <input type="checkbox"/> Health <input type="checkbox"/> HazMat <input type="checkbox"/> PD <input type="checkbox"/> Other	Prev Use: <u>Hall Rental</u> Exp. Date: <u>2/9/19</u>
Basic Tax # _____ @ \$ _____ = _____	Prev Lic: _____ Exp Date: _____
Employees # _____ @ \$ _____ = _____	District: _____
Vehicles # _____ @ \$ _____ = _____	CRT: _____
Other # _____ @ \$ _____ = _____	SIC: _____
PIA _____	NAICS: _____
PIA Employees # _____ @ \$ _____ = _____	Entered by: <u>ML</u> Date: <u>3/21/18</u>
Regulatory Investigation	Date: <u>3/21/18</u>
Misc. Fees <u>1,310.00</u>	Zone: _____
Sub Total <u>90.00</u>	Comments: _____
Zoning <u>33.00</u>	
Building Review <u>22.45</u>	
Total <u>\$ 1,455.45</u> BY <u>21801478</u>	



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): The MODERN, LLC

Business Name (DBA): \_\_\_\_\_ Business Phone: ( 562 ) 528-8394

Business Site Address: 2801 E. Spring Street, 3rd Fl., Long Beach, CA 90806

Date Business Proposes To Open: Opened Feb. 2017

Days & Time Premises Are Open For Inspection: Most Mondays - Fridays: 9 am - 4 pm with Notice

**Proposed Use(s):**

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

Explain briefly the proposed use of the rooms within the building: Hall Rental / Offices

Contact Person(s) Name (authorized agent, manager, etc.): Shannon Bratton / Mary Lallande

Contact Person(s) Phone Number: ( 562 ) 528-8394 Contact Person(s) Email: scb@themodernlb.com

**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 basis for denial  Police Department finds basis for denial

Police Department finds no 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): Same

Fictitious business names(s) or dba(s) used: N/A

Place and date of filing fictitious business name statement: N/A

County(ies) in which fictitious name statement is (are) filed: N/A

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:

**Mary Lallande**

**Shannon Bratton**

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

**M. Lawrence Lallande: 232 Pine Avenue, Long Beach, CA 90802**

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:

**Yes; City of Long Beach; Business Type: Hall Rental; Expiration: 02/09/19; Account #BU21600444**

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? February 2017

Is the location: Owned?  Rented/Leased?

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

Name: Courtney Dubar // White Buffalo Holdings, LLC

Address: P.O. Box 1267

Sunset Beach, CA 90742

**IF APPLYING AS A PARTNERSHIP**

Check One Box:

General Partnership

Limited Partnership

LLC (Limited Liability Co.)

Name of Partnership: The MODERN, LLC

Federal Tax ID Number: [REDACTED]

Seller's Permit Number: \_\_\_\_\_

**Percentage of Partnership**

Name and residence addresses of *General Partners*:

Interest:

Mary Lallande: [REDACTED] 50 %

M. Lawrence Lallande: [REDACTED] 50 %

\_\_\_\_\_  
%

\_\_\_\_\_  
%

Names and residence addresses of *Limited Partners*:

Interest:

\_\_\_\_\_  
%

\_\_\_\_\_  
%

\_\_\_\_\_  
%

\_\_\_\_\_  
%

Place and date of filing Articles or Certificate of Partnership or Limited Partnership:

State of California; November 18, 2015

**Please Note:**

**Attach certified copies of *Articles of Partnership or Limited Partnership*, or other written evidence of partnership status and all amendments thereto this application.**

## IF APPLYING AS A PARTNERSHIP

INFORMATION IS REQUESTED FOR POLICE DEPARTMENT IDENTIFICATION AND INVESTIGATION

### PRINCIPAL PARTNER I

Name: Mary Lallande Title: President  
Residence Address: [REDACTED] Phone: [REDACTED]  
Business Address: 2801 E. Spring Street, Long Beach, CA 90806 Phone: 562-528-8394  
Race: \_\_\_\_\_ 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]

### PRINCIPAL PARTNER II

Name: M. Lawrence Lallande Title: Secretary  
Residence Address: [REDACTED] Phone: [REDACTED]  
Business Address: 232 Pine Avenue, Long Beach, CA 90802 Phone: 562-436-8800  
Race: \_\_\_\_\_ 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]

### PRINCIPAL PARTNER 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: \_\_\_\_\_

### PRINCIPAL PARTNER 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: \_\_\_\_\_

\*Attach a list for additional partners\*

# 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

Alcohol will be provided by third party vendors

On sale beer and wine

Alcohol will be provided by third party vendors

On sale distilled spirits

Alcohol will be provided by third party vendors

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: \_\_\_\_\_

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

3. Are non-alcoholic beverages sold?  YES  NO

4. How many tables for seating? None

5. Are other types of businesses conducted on the premises?  YES  NO

a. If yes, list type(s): First and Second Floor has business offices

6. Are pool tables provided?  YES  NO

a. If yes, indicate number: \_\_\_\_\_

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: \_\_\_\_\_ 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: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No. ( ) \_\_\_\_\_



# GENERAL OPERATING CONDITIONS (continued)

Complete Each Question

## SECURITY

11. Will security officers be provided?  YES  NO  
a. If yes, number of security officers: Not specifically by TM and depends on event
12. Is any other type of security provided?  YES  NO  
a. If yes, describe type of security: For events over 150 we require the client to hire  
a third party security company

Days and hours security officers or other security will be provided (fill out completely):

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours of	Depends on Events scheduled						
Security	Depends on Events scheduled						

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: Every event is for the exclusive use of the client and their guests
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):

<b>Day</b>	<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>	<b>Saturday</b>	<b>Sunday</b>
<b>Open</b>	No Established Hours						
<b>Close</b>							

**PROXIMITY OF BUSINESSES AND RESIDENCES**

19. Are there surrounding businesses?  YES  NO

a. What type? Commercial

20. Are there surrounding residences?  YES  NO

a. Approximately how close? \_\_\_\_\_

**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) \_\_\_\_\_

c. Days and hours parking facility will be available:

	<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>	<b>Saturday</b>	<b>Sunday</b>
<b>From</b>	24/7	24/7	24/7	24/7	24/7	24/7	24/7
<b>To</b>							

d. How many individual parking spaces (approximately)? 200

**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: Cultural Dancers for Certain Weddings

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 \_\_\_\_\_ W \_\_\_\_\_ H \_\_\_\_\_

Describe floor material and surface type: \_\_\_\_\_

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	<b>Mostly Weddings and some Corporate Events</b>						
Start Time	<b>Earliest time it can start: 7 am</b>						
End Time	<b>Latest time it can end: 1 am</b>						

RELEASE FORM


The undersigned, on behalf of (applicant) The MODERN, LLC, hereby authorizes the City of Long Beach, by and through its appropriate officers, agents and employees to verify and confirm the information contained in this application, and to conduct such other investigations as may be reasonably required by the City of Long Beach, its officers, agents and employees for the purpose of determining the capability, fitness and capacity of:



(DBA) The MODERN, LLC to obtain the entertainment permit.

The applicant by signing this application consents service of any notice required or provided for by the laws, rules, regulations, or ordinances of the City of Long Beach upon the person at the address designated in this application as the business address, will constitute sufficient and legal notice. Any change in the person or the address listed in the application may be made only in writing to the Director of Financial Management.

The applicant consents and agrees full compliance will be made with all applicable State laws and City ordinances governing the conduct of the particular type of business activity for which a business license or permit is requested. **The applicant by signing this application understands any incomplete or false information may constitute grounds for denial.**

I swear under penalty of perjury I have read the forgoing application and all information and statements made by the undersigned/applicant regarding this applicant are true and correct.

      Manager      03/08/18  
(SIGNATURE OR AUTHORIZED AGENT)      (TITLE)      (DATE)

        
DRIVER'S LICENSE OR ID CARD NUMBER      STATE

\_\_\_\_\_  
ACCEPTED BY (CITY STAFF)      TITLE      DATE

## **TM Entertainment License**

1. Complete interior floor plan to include the following info:
  - a. Dimensions of interior floor plan / Floor Plan Attached
  - b. Indicate location of all exit doors, widths of doors and panic hardware
  - c. All fixed seating throughout
    - N/A- No fixed seating
  - d. Dance floor dimensions and type of flooring materials used
    - N/A- No dance floor needed. Concrete floors throughout
  - e. If a stage is to be added, give exact measurements including height, location and materials used.
    - N/A- No stage
  
2. Copy of your Alcoholic Beverage Control license with conditions
  - N/A- Do not have one
  
3. Copy of your Sellers Permit
  - N/A- Do not have one
  
4. Copy of you Fictitious Name Filing, if applicable.
  - N/A- Do not have one
  
5. Corporation, Limited Liability Companies, Limited Liability Partnerships:
  - a. Copy of your Articles of Incorporation
    - Attached
  - b. Copy of your Statement of Information
    - Attached
  
6. Occupant Load:
  - 469 / Certificate Attached
  
7. These additional requirements may be applicable:
  - a. Handicapped requirements may apply // Already in compliance
  - b. All Fire Department approvals to be obtained // Already been done.
  - c. Electrical plan check and permit may be required for exit path illumination // Already been done.





# Certificate of Occupancy

City of Long Beach  
Department of Development Services  
Building and Safety Bureau

This certificate is issued pursuant to the requirements of Chapter 18.08 of the Long Beach Municipal Code (L.B.M.C.) certifying that at the time of issuance this building or structure, or portion thereof, was in compliance with the provisions of Title 18 of the L.B.M. other ordinances of the City or laws and statutes of the State regulating building construction or use for the following:

Permit No.: BRMD190691  
Permit Address: 2801 E SPRING ST  
Name of Owner: WHITE BUFFALO HOLDINGS LLC  
Address of Owner: PO BOX 1267  
SUNSET BEACH, CA 90742

**Portion of Building:**

**Work Description:** Tenant improvement (apx. 5,750 sq ft work related) and change of use/occupancy from office to assembly center "The Modern Event Center" at 3rd floor: remove/add demishing walls, upgrade (2) existing restrooms add new suspended ceiling, construct new steel stair from third floor to mezzanine, install new spiral stair to

**Use:** EVENT CENTER  
**Occupancy Type:** A-2, A-3, & B  
**Type of Construction:** II-A  
**Max. Occupancy Load:** 469  
**Sprinkler Required:** NFPA13  
**Edition of the Code:** CBC 2013

Any special stipulations or conditions:

Building Official

09/29/2016

Date Permit Issued

07/24/2017

Date Certificate Issued

**POST IN A CONSPICUOUS AT OR NEAR THE BUILDING ENTRANCE**

Issuance of a Certificate of Occupancy shall not be construed as an approval of a violation of the provision of this title, municipal code or other ordinance of the City or laws and statutes of the State.

LLC-1

Articles of Organization of a Limited Liability Company (LLC)

201532810119

To form a limited liability company in California, you can fill out this form, and submit for filing along with:

- A \$70 filing fee.
- A separate, non-refundable \$15 service fee also must be included, if you drop off the completed form.

Important! LLCs in California may have to pay a minimum \$800 yearly tax to the California Franchise Tax Board. For more information, go to https://www.ftb.ca.gov.

LLCs may not provide "professional services," as defined by California Corporations Code sections 13401(a) and 13401.3.

Note: Before submitting the completed form, you should consult with a private attorney for advice about your specific business needs.

FILED Secretary of State State of California

NOV 18 2015

This Space For Office Use Only

For questions about this form, go to www.sos.ca.gov/business/be/filing-tips.htm.

LLC Name (List the proposed LLC name exactly as it is to appear on the records of the California Secretary of State.)

1 The Modern, LLC

Proposed LLC Name

The name must include: LLC, L.L.C., Limited Liability Company, Limited Liability Co., Ltd. Liability Co. or Ltd. Liability Company; and may not include: bank, trust, trustee, incorporated, inc., corporation, or corp., insurer, or insurance company.

Purpose

2 The purpose of the limited liability company is to engage in any lawful act or activity for which a limited liability company may be organized under the California Revised Uniform Limited Liability Company Act.

LLC Addresses

3 a. 230 Pine Avenue Long Beach CA 90802

Initial Street Address of Designated Office in CA - Do not list a P.O. Box City (no abbreviations) State Zip

b. Initial Mailing Address of LLC, if different from 3a City (no abbreviations) State Zip

Service of Process (List a California resident or a California registered corporate agent that agrees to be your initial agent to accept service of process in case your LLC is sued. You may list any adult who lives in California. You may not list an LLC as the agent. Do not list an address if the agent is a California registered corporate agent as the address for service of process is already on file.)

4 a. M. Lawrence Lallande, Sr.

Agent's Name

b. 232 Pine Avenue Long Beach CA 90802

Agent's Street Address (if agent is not a corporation) - Do not list a P.O. Box City (no abbreviations) State Zip

Management (Check only one.)

- 5 The LLC will be managed by:
[X] One Manager
[ ] More Than One Manager
[ ] All Limited Liability Company Member(s)

This form must be signed by each organizer. If you need more space, attach extra pages that are 1-sided and on standard letter-sized paper (8 1/2" x 11"). All attachments are made part of these articles of organization.

Organizer - Sign here (with signature)

Mary Lallande Print your name here

Make check/money order payable to: Secretary of State
Upon filing, we will return one (1) uncertified copy of your filed document for free, and will certify the copy upon request and payment of a \$5 certification fee.

By Mail Secretary of State Business Entities, P.O. Box 944228 Sacramento, CA 94244-2280

Drop-Off Secretary of State 1500 11th Street, 3rd Floor Sacramento, CA 95814





State of California  
Secretary of State

L

STATEMENT OF INFORMATION  
(Limited Liability Company)

Filing Fee \$20.00. If this is an amendment, see instructions.

IMPORTANT — READ INSTRUCTIONS BEFORE COMPLETING THIS FORM

FILED  
Secretary of State  
State of California

JAN 28 2016

This Space For Filing Use Only

1. LIMITED LIABILITY COMPANY NAME

The Modern, LLC

File Number and State or Place of Organization

2. SECRETARY OF STATE FILE NUMBER

201332810119

3. STATE OR PLACE OF ORGANIZATION (If formed outside of California)

No Change Statement

4. If there have been any changes to the information contained in the last Statement of Information filed with the California Secretary of State, or no Statement of Information has been previously filed, this form must be completed in its entirety.

If there has been no change in any of the information contained in the last Statement of Information filed with the California Secretary of State, check the box and proceed to Item 15.

Complete Addresses for the Following (Do not abbreviate the name of the city. Items 5 and 7 cannot be P.O. Boxes.)

5. STREET ADDRESS OF PRINCIPAL OFFICE CITY STATE ZIP CODE  
230 Pine Avenue Long Beach CA 90802

6. MAILING ADDRESS OF LLC, IF DIFFERENT THAN ITEM 5 CITY STATE ZIP CODE

7. STREET ADDRESS OF CALIFORNIA OFFICE CITY STATE ZIP CODE  
230 Pine Avenue Long Beach CA 90802

Name and Complete Address of the Chief Executive Officer, If Any

8. NAME ADDRESS CITY STATE ZIP CODE

Name and Complete Address of Any Manager or Managers, or if None Have Been Appointed or Elected, Provide the Name and Address of Each Member (Attach additional pages if necessary.)

9. NAME ADDRESS CITY STATE ZIP CODE  
Mary Lallande 230 Pine Avenue Long Beach CA 90802

10. NAME ADDRESS CITY STATE ZIP CODE

11. NAME ADDRESS CITY STATE ZIP CODE

Agent for Service of Process If the agent is an individual, the agent must reside in California and Item 13 must be completed with a California address, a P.O. Box is not acceptable. If the agent is a corporation, the agent must have on file with the California Secretary of State a certificate pursuant to California Corporations Code section 1505 and Item 13 must be left blank.

12. NAME OF AGENT FOR SERVICE OF PROCESS

M. Lawrence Lallande

13. STREET ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL CITY STATE ZIP CODE  
232 Pine Avenue Long Beach CA 90802

Type of Business

14. DESCRIBE THE TYPE OF BUSINESS OF THE LIMITED LIABILITY COMPANY

Event Hall- Special Events & Weddings

15. THE INFORMATION CONTAINED HEREIN, INCLUDING ANY ATTACHMENTS, IS TRUE AND CORRECT.

01/21/16

Shannon Bratton

Administrator

DATE

TYPE OR PRINT NAME OF PERSON COMPLETING THE FORM

TITLE

SIGNATURE



6/5/2018 08:49

INFORMATION - LICENSE # BS21801678												
<i>License Type</i>	BS											
<i>Application Type</i>	Secondary Business License											
<i>Description</i>	Secondary Business License											
<i>Primary Applicant</i>	THE MODERN LLC											
<i>Primary Applicant Last Name</i>	THE MODERN LLC											
<i>Address</i>	2801 E SPRING ST 300 LONG BEACH CA 90806											
<i>Location</i>	License is Pending. Current milestone is Council Approval. Current unpaid amount of \$0.00. Account: BS21801678											
<b>License Description</b>												
(Tab Not Loaded)												
<b>License Details</b>												
(Tab Not Loaded)												
<b>Endorsements</b>												
(Tab Not Loaded)												
<b>Reviews</b>												
Record Results												
<b>Reviews</b>												
Review #	Review Type	#	Add Date	Result	Comments	Result By	Completed	Completed By	Review Description	Started	Started By	Due Date
49930	BUSLIC	1	3/21/2018	APPROVED		EMARMST	6/5/2018 08:49	EMARMST	Business License			6/13/2018
49936	BUILDING	1	3/21/2018	APPROVED	Approved under building permit BRMD190691 for the business "The Modern Event Center"	TAVU	5/17/2018 15:07	TAVU	Building Dept Review			5/2/2018
49937	FIRE	1	3/21/2018	INSPECT		SYSTEM	3/21/2018 11:01		Fire Dept Review			6/13/2018
49938	HEALTH	1	3/21/2018	INSPECT		SYSTEM	3/21/2018 11:01		Health Dept Review			6/13/2018
49939	POLICE	1	3/21/2018	INSPECT		SYSTEM	3/21/2018 11:01		Police Dept Review			6/13/2018
49940	PLANNING	1	3/21/2018	APPROVED		JORAMIR	3/22/2018 14:10	JORAMIR	Planning Dept Review			5/2/2018
52245	COUNCIL	1	6/5/2018						Council			
52246	HEARINGPRE	1	6/5/2018						Hearing Prep			
<b>Inspections</b>												
Record Results												
<b>Inspections</b>												
Add Date	Inspection #	Inspection Type	Inspection Description	#	Result	Comments	Resulted By	Completed	Call	Due Date	Time Preference	Assign To
5/17/2018	66372	FIRE	Fire	1	APPROVED		dazine	5/23/2018 06:55		8/9/2018 00:00		JOVANI
5/17/2018	66373	HEALTH	Health	1	APPROVED		MIYAMAD	5/18/2018 07:36		8/9/2018 00:00		MIYAMA
ENTERTAINMENT LICENSE APPROVED												

PROVIDED ALL PROVISIONS OF THE CITY'S NOISE ORDINANCE, LONG BEACH MUNICIPAL CODE 8.80, ARE ABIDED BY.

5/17/2018 66374 POLICE Police 1 APPROVED Approved per memo from PD EMARMST 6/5/2018 08:48

**Periodic Inspection Schedules**  
(No Data)

**Conditions**  
(Tab Not Loaded)

**Fees**  
(Tab Not Loaded)

**Applicants**  
(Tab Not Loaded)

**Sites**  
(Tab Not Loaded)

**Employees**  
(Tab Not Loaded)

**Related Records**  
(Tab Not Loaded)

**Logs**  
(Tab Not Loaded)

**Attachments**  
(Tab Not Loaded)



**Date:** May 21, 2018  
**To:** Sandy Tsang-Palmer, Purchasing and Business Services Manager  
**From:** Robert G. Luna, Chief of Police  
**Subject:** **APPLICATION FOR AN ENTERTAINMENT WITH DANCING PERMIT AT THE MODERN – 2801 EAST SPRING STREET**

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In response to your request for a recommendation regarding the above-named permit application for Entertainment with Dancing, the Police Department recommends **approval** of an Entertainment with Dancing Permit, subject to the following conditions:

The Modern is a private hall rental located in the Daugherty Sky Harbor Plaza of the Long Beach Airport. The location is a first class hanger facility with office space, conference rooms, and a day spa.

On February 20, 2018, the City Council approved the request to file a protest regarding the application based on the fact that licensing the premises would be contrary to the City of Long Beach zoning ordinances, since a Conditional Use Permit (CUP) is required. The City Council also approved the City Manager to withdraw the protest if the City's Planning Commission approves the CUP. The business currently has a pending Type 47 (On-Sale General – Eating Place) Alcoholic Beverage Control license.

On March 15, 2018, The Modern, LLC applied for an entertainment with dancing permit requesting dancing by patrons, dancing by performers, live music by more than two performers, amplified music (live), amplified music (recorded), and a disc jockey. The entertainment is for mostly weddings and some corporate events. The hours of entertainment will be Monday through Sunday, 7:00 a.m. to 1:00 a.m.

Based upon the crime analysis, Vice Section's investigation and the East Division Patrol Commander's recommendation, the Long Beach Police Department has determined the public 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 with 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 its 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) Entertainment activities, as indicated on Page 9 of your Entertainment Application shall be restricted to Monday through Sunday, 7:00 a.m. to 1:00 a.m.

- 4) The establishment shall remain in compliance with all sections of the Long Beach Noise Ordinance (LBMC Chapter 8.80).
- 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) The permittee shall be responsible for maintaining free of litter the premises and the area adjacent to the licensed premises, over which he has control.
- 7) The permittee must provide all renters with a copy of the approved permit, which shall include a copy of the approved conditions of operation.
- 8) The permittee shall provide security personnel to monitor the area under their control and the entrances and exits for the location at all times that entertainment is provided.
- 9) It shall be left to the permittee's discretion to determine the level of security necessary to prevent the violations of law and any other disturbances arising out of or in connection with its business operations. Should the permittee's operations give rise to a substantial increase in complaints/calls for service, the permittee shall increase security as directed by the Chief of Police.
- 10) The permittee shall not convert the hall rental, or any portion thereof, into a public dance/night club. All entertainment activities shall be restricted to private gatherings. The permittee shall not allow anyone to rent the hall for the purpose of holding a concert, dance, or disc jockey event, which is open to the public.
- 11) If any trash, noise, or disturbance complaints are located in the parking lots and/or surrounding area of the business can be attributed to the operation of said business, the Long Beach Police Department can determine and impose requirements for security officer(s) to routinely monitor and handle these problems.
- 12) 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.
- 13) 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.
- 14) Alcoholic beverages shall not be consumed on any property adjacent to the premises.
- 15) Alcoholic beverages shall not be sold on the premises without a valid license issued by the Alcoholic Beverage Control.
- 16) The Modern, 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 promoter contracts, including names, addresses, and phone numbers, on file at all times, and be available for inspection at any time.

- 17) The permittee shall maintain full compliance with all applicable 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.
- 18) 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-way's, 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. 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
- 19) 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.
- 20) The permittee shall ensure that all employees attend an alcohol awareness class, such as TIPS or LEAD, within the first 90 days of employment. The permittee shall keep employee's proof of completion on file and be available for inspection at any time.



**Date:** May 21, 2018  
**To:** Robert G. Luna, Chief of Police  
**From:** Richard Conant, Deputy Chief, Investigations Bureau  
**Subject:** **APPLICATION FOR AN ENTERTAINMENT WITH DANCING PERMIT AT THE MODERN – 2801 EAST SPRING STREET**

---

The Police Department recommends **approval** of the application for an Entertainment with Dancing Permit, at The Modern, LLC, dba The Modern, located at 2801 East Spring Street, Suite #300, subject to the conditions provided in the attached memorandum.

### **Background**

The Modern is a private hall rental located in the Daugherty Sky Harbor Plaza of the Long Beach Airport. The location is a first class hanger facility with office spaces, conference rooms, and a day spa.

On March 15, 2018, The Modern, LLC applied for an entertainment with dancing permit to include dancing by patrons and performers, live music by more than two performers, live and recorded amplified music, and a disc jockey. The proposed use for the rental hall is for special events such as weddings and corporate events. The business currently has a pending Type 47 (On-Sale General – Eating Place) Alcoholic Beverage Control license.

### **Crime Analysis**

As part of the investigation, Vice detectives examined calls for service, crime reports, and arrests for a two-year period from March 15, 2016 to March 15, 2018. The report shows there have been no calls for service, crime reports, or arrests attributable to the business.

### **Vice Investigations**

As part of this investigation, Vice Detectives went to the location and observed no residence within 100 feet.

Vice detectives met with the owner at the establishment. They discussed the proposed entertainment activities, where entertainment activities will take place and the conditions the Police Department will recommend for the Entertainment with Dancing Permit.

Vice Detectives did not visit the location in an undercover capacity.

**Patrol Division**

East Division Patrol Commander Erik Herzog was contacted for an opinion regarding the issuance of this permit. He advised there have not been any issues of concern with this location. Commander Herzog does not foresee the approval of an entertainment permit having a negative impact on patrol resources and recommends approval of an Entertainment with Dancing Permit at The Modern so long as the appropriate conditions are in place.

**Recommendation**

Based upon the crime analysis, Vice Section's investigation, and the East Division Patrol Commander's recommendation, the Long Beach Police Department has determined the public 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 with Dancing Permit.

RC:JJA:jjja  
AppvlTheModern