

H-13

November 19, 2019

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 LBC Restaurant Group, LLC, dba Jade Restaurant, at 6380 E. Pacific Coast Hwy., Suite A, for entertainment with dancing. (District 3)

DISCUSSION

The Long Beach Municipal Code (LBMC) requires an application be filed and a public hearing be held before the City Council whenever entertainment 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) nor 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. The departmental investigative reports, history, entertainment permit application, and floor plan are attached.

The following summarizes departmental findings:

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

The Financial Management Department, Business Services Bureau, has thoroughly reviewed all submitted department documents and correspondence and recommends the permit for entertainment with dancing be approved subject to conditions (Attachment).

In the event that any of the recommended conditions are in conflict with other permits or licenses, the permittee must adhere to the strictest of the applicable conditions. This location has been licensed as a Restaurant with Alcohol since March 1998. The business changed ownership to LBC Restaurant Group, LLC, in March 2019.

This matter was reviewed by Deputy City Attorney Amy R. Webber on October 17, 2019.

TIMING CONSIDERATIONS

The hearing date of November 19, 2019 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 \$1,359.00 (Police Department), Mailing List \$90.00, and Temporary Entertainment Permit \$415.00 (Financial Management Department).

The following fees will be collected if the application is approved: Business License Annual Tax \$379.07, Employee Rate \$19.68 per employee, and Annual Entertainment Regulatory Fee \$1,162.00 (Financial Management Department).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



JOHN GROSS
DIRECTOR OF FINANCIAL MANAGEMENT

ATTACHMENT

JG:EA

APPROVED:



THOMAS B. MODICA
ACTING CITY MANAGER



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT
BUSINESS SERVICES BUREAU

411 WEST OCEAN BOULEVARD 6TH FLOOR • LONG BEACH, CA 90802 • (562) 570-6211

Recommended Conditions of Operation

LBC Restaurant Group LLC DBA Jade Restaurant

6380 E. Pacific Coast Hwy. Suite A

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) 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 (LMBC Chapter 8.80).
- 4) This Entertainment Permit is accessory to the primary business. The authorization to provide entertainment on-site is subject to the use remaining 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 operation, 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.

- 5) 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.
- 6) 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.

- 7) Deliveries to and from the premises shall be limited to the hours of 8:00 A.M. to 10:00 P.M.
- 8) During all times that the entertainment activities are being conducted, the permittee shall provide an adequate security staff to supervise patrons inside the establishment. For crowds up to fifty (50) people, the permittee shall provide a minimum of one (1) uniformed security guard. For crowds over fifty (50) people, the permittee shall provide a minimum of one (1) additional security guard per fifty (50) people.

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.

- 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) 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.
- 11) 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.
- 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 and provide that information to public safety personnel upon request. (LBMC section 18.48.320).
- 13) 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.
- 14) 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.

- 15) 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.
- 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 that all employees attend an alcohol awareness class such as TIPS or LEAD, 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 shall 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 from 12:00 PM to 12:00 AM, Monday through Sunday.**
- 2) The permittee shall not convert the restaurant, or any portion thereof, into a dance/night club. All entertainment activities shall be conducted in conjunction with regular dining or pre-planned banquet activities. A banquet is defined as a function held at a bona fide eating place wherein complete and substantial meals are provided to the persons in attendance by the management of the restaurant where the function is being held. Fast food, snacks, and hors d'oeuvres shall not constitute a complete and substantial meal. The permittee shall not hire promoters with the intent to advertise/promote or hold any entertainment activities consistent with nightclub activities.
- 3) There shall be no live entertainment or dancing permitted on the patio at any time.
- 4) The permittee shall not hire promoters with the intent to advertise/promote or hold any entertainment activities consistent with nightclub entertainment.

- 5) The permittee shall develop and maintain a plan to address neighborhood concerns related to the operation of Jade Restaurant. (i.e. newsletter, meetings, etc.).
- 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 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

411 West Ocean Boulevard 6th 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 LBC Restaurant Group LLC DBA Jade Restaurant. 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

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FIVE YEAR HISTORY OF BUSINESS ESTABLISHMENT 6380 PACIFIC COAST HWY. SUITE A

LBC Restaurant Group LLC
DBA: Jade Restaurant
Lic # BS21902015
02/19 – Pending

Entertainment with Dancing (Alcohol)

LBC Restaurant Group LLC
DBA: Jade Restaurant
Lic # BU21900882
03/19 – Current

Restaurant & Ready to Eat Foods (Alcohol)

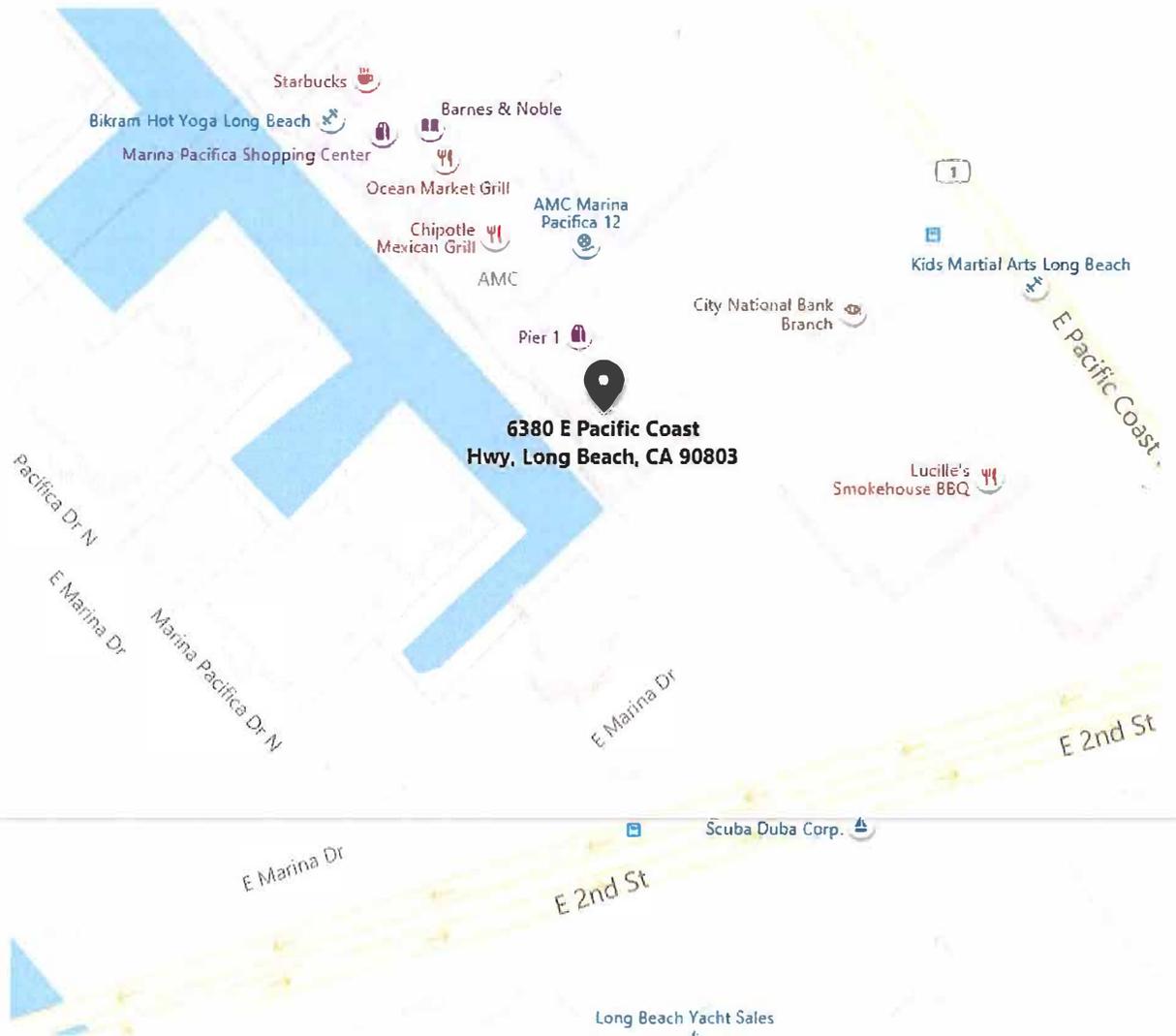
Forbidden City Resort & Casino LLC
DBA: Forbidden City Restaurant
Lic # BS21309340
03/13 – 03/19

Entertainment with Dancing (Alcohol)

Forbidden City Resort & Casino LLC
DBA: Forbidden City Restaurant
Lic # BU21017460
05/10 – 06/18

Restaurant & Ready to Eat Foods (Alcohol)

LBC Restaurant Group LLC
DBA: Jade Restaurant
6380 E. Pacific Coast Hwy. Suite A





Accepted By: EMILY ARMSTRONG Date: 4/29/19
 Zoning Approval By: _____ Date: _____

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): LBC RESTAURANT GROUP LLC
 Business Name (DBA): JADE RESTAURANT EB Business Phone: (562) 650-4988
 Business Site Address: 6380 PACIFIC COAST HIGHWAY #A
 Date Business Proposes To Open: 3/1/2019
 Days & Time Premises Are Open For Inspection: 8am-4pm

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.): RONEY FRUNTIVO
 Contact Person(s) Phone Number: (562) 650-4988 Contact Person(s) Email: RFRUN@YAHOO.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): _____

Fictitious business names(s) or dba(s) used: JADE RESTAURANT ~~DB~~

Place and date of filing fictitious business name statement: _____

County(ies) in which fictitious name statement is (are) filed: Los Angeles

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:

Ruoney Frontino, [REDACTED]

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

Ruoney Frontino, 5816 Appian Way, Long Beach, CA 90803

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? DEC 2018

Is the location: Owned? Rented/Leased?

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

Name: MARINA PACIFICA LLC

Address: 6272 PACIFIC COAST HIGHWAY
LONG BEACH, CA 90803

IF APPLYING AS A PARTNERSHIP

Check One Box:

- General Partnership Limited Partnership LLC (Limited Liability Co.)

Name of Partnership: LBC RESTAURANT Group LLC

Federal Tax ID Number: 

Seller's Permit Number: 221-963008

Percentage of Partnership

Name and residence addresses of **General Partners**:

Interest:

ROONEY FRONTINO 50 %

%

%

%

Names and residence addresses of **Limited Partners**:

Interest:

DAVID SPARKS  16 %

TOM BENNETT  8 %

RICK BENNETT,  8 %

%

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

5816 APPIAN WAY, LONG BEACH, CA 90803

12/10/2018

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: ROONEY FRONTINO Title: MANAGING PARTNER
Residence Address: [REDACTED] Phone: [REDACTED]
Business Address: 6380 PACIFIC COAST HIGHWAY, LB 90803 Phone: 562-650-4988
Race: [REDACTED] Sex: [REDACTED] Hair: [REDACTED] Eyes: B Height: [REDACTED] Weight: [REDACTED]
Date of Birth: [REDACTED] Place of Birth: [REDACTED]
Driver's License Number: [REDACTED] Issuing State: [REDACTED]

PRINCIPAL PARTNER 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: _____

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 <input type="checkbox"/>	_____	_____
On sale beer and wine <input type="checkbox"/>	_____	_____
On sale distilled spirits <input checked="" type="checkbox"/>	47-531888	RESTAURANT

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: ASIAN CUISINE

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

3. Are non-alcoholic beverages sold? YES NO

4. How many tables for seating? 50

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: _____

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: 2

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					8pm	8pm	
Security					2Am	2Am	

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	9Am	9Am	9Am	9Am	9Am	9Am	9Am
Close	2Am	2Am	2Am	2Am	2Am	2Am	2Am

PROXIMITY OF BUSINESSES AND RESIDENCES

19. Are there surrounding businesses? YES NO

a. What type? RESTAURANTS AND RETAIL

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:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
From							
To		24 hour parking					

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

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 20' x W 20' = 400 sq ft.

If yes, provide dimensions and type of material of stage. L _____ W _____ H _____

Describe floor material and surface type: Tile Ceramic

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	Live	Live	Live	Live	Live	Live	Live
Start Time	12pm	12pm	12pm	12pm	12pm	12pm	12pm
End Time	12Am	12Am	12Am	12Am	12Am	12Am	12Am

RELEASE FORM

The undersigned, on behalf of (applicant) LBC RESTAURANT Group 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) JADE RESTAURANT LB 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.

[Signature] MANAGING member 1/28/2019
(SIGNATURE OR AUTHORIZED AGENT) (TITLE) (DATE)

[Redacted] [Redacted]
DRIVER'S LICENSE OR ID CARD NUMBER STATE

Emily Armstrong Admin. Analyst III 2/25/2019
ACCEPTED BY (CITY STAFF) 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: 1/28/2019

Name of Business (DBA): JADE RESTAURANT LB

Name of Business Owner: Rodney FRONTINO

Business Address: 6380 PACIFIC COAST Highway
Long Beach, CA 90803

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) *[Signature]*

Title MANAGING PARTNER

Phone # 562-650-4988

FAX # _____



Secretary of State
Articles of Organization
Limited Liability Company (LLC)

LLC-1

201834810193

IMPORTANT — Read instructions before completing this form.

Filing Fee — \$70.00

Copy Fees — First page \$1.00; each attachment page \$0.50;
Certification Fee — \$6.00

Note: LLCs may have to pay minimum \$300 tax to the California Franchise Tax Board each year. For more information, go to <https://www.ftb.ca.gov>.

FILED
Secretary of State
State of California

DEC 10 2018

This Space For Office Use Only

1. Limited Liability Company Name (See Instructions — Must contain an LLC ending such as LLC or L.L.C. "LLC" will be added, if not included.)

LBC Restaurant Group LLC

2. Business Addresses

a. Initial Street Address of Designated Office in California - Do not enter a P.O. Box	City (no abbreviations)	State	Zip Code
5816 E. Applan Way	Long Beach	CA	90803
b. Initial Mailing Address of LLC, if different than Item 2a	City (no abbreviations)	State	Zip Code

3. Service of Process (Must provide either Individual OR Corporation.)

INDIVIDUAL — Complete items 3a and 3b only. Must include agent's full name and California street address.

a. California Agent's First Name (if agent is not a corporation)	Middle Name	Last Name	Suffix
Andrew	Y	Prochnow	
b. Street Address (if agent is not a corporation) - Do not enter a P.O. Box	City (no abbreviations)	State	Zip Code
3146 Red Hill Avenue, Suite 200	Costa Mesa	CA	92626

CORPORATION — Complete Item 3c. Only include the name of the registered agent Corporation.

c. California Registered Corporate Agent's Name (if agent is a corporation) — Do not complete Item 3a or 3b

4. Management (Select only one box)

The LLC will be managed by:

One Manager More than One Manager All LLC Member(s)

5. Purpose Statement (Do not alter Purpose Statement).

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.

6. The information contained herein, including in any attachments, is true and correct.

Organizer sign here

Andrew Y Prochnow

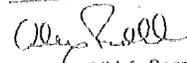
Print your name here



I hereby certify that the foregoing
transcript of _____ page(s)
is a full, true and correct copy of the
original record in the custody of the
California Secretary of State's office.

DEC 17 2018

Date: _____


ALEX PADILLA, Secretary of State



**Secretary of State
Statement of Information
(Limited Liability Company)**

LLC-12

19-B77970

FILED

In the office of the Secretary of State
of the State of California

MAY 04, 2019

This Space For Office Use Only

IMPORTANT — Read instructions **before completing this form.**

Filing Fee – \$20.00

Copy Fees – First page \$1.00; each attachment page \$0.50;
Certification Fee - \$5.00 plus copy fees

1. Limited Liability Company Name (Enter the exact name of the LLC. If you registered in California using an alternate name, see instructions.)
LBC RESTAURANT GROUP LLC

2. 12-Digit Secretary of State File Number
201834810193

3. State, Foreign Country or Place of Organization (only if formed outside of California)
CALIFORNIA

4. Business Addresses

a. Street Address of Principal Office - Do not list a P.O. Box 5816 E APPIAN WAY	City (no abbreviations) Long Beach	State CA	Zip Code 90803
b. Mailing Address of LLC, if different than Item 4a 5816 E APPIAN WAY	City (no abbreviations) Long Beach	State CA	Zip Code 90803
c. Street Address of California Office, if Item 4a is not in California - Do not list a P.O. Box 5816 E APPIAN WAY	City (no abbreviations) Long Beach	State CA	Zip Code 90803

If no managers have been appointed or elected, provide the name and address of each member. At least one name and address must be listed. If the manager/member is an individual, complete Items 5a and 5c (leave Item 5b blank). If the manager/member is an entity, complete Items 5b and 5c (leave Item 5a blank). Note: The LLC cannot serve as its own manager or member. If the LLC has additional managers/members, enter the name(s) and addresses on Form LLC-12A (see instructions).

5. Manager(s) or Member(s)

a. First Name, if an individual - Do not complete Item 5b Rod	Middle Name	Last Name Frontino	Suffix
b. Entity Name - Do not complete Item 5a			
c. Address 5816 E APPIAN WAY	City (no abbreviations) Long Beach	State CA	Zip Code 90803

6. Service of Process (Must provide either Individual OR Corporation.)

INDIVIDUAL – Complete Items 6a and 6b only. Must include agent's full name and California street address.

a. California Agent's First Name (if agent is not a corporation) Andrew	Middle Name Y	Last Name Prochnow	Suffix
b. Street Address (if agent is not a corporation) - Do not enter a P.O. Box 3146 Red Hill Avenue, Suite 200	City (no abbreviations) Costa Mesa	State CA	Zip Code 92626

CORPORATION – Complete Item 6c only. Only include the name of the registered agent Corporation.

c. California Registered Corporate Agent's Name (if agent is a corporation) – Do not complete Item 6a or 6b

7. Type of Business

a. Describe the type of business or services of the Limited Liability Company
Restaurant and Bar

8. Chief Executive Officer, if elected or appointed

a. First Name	Middle Name	Last Name	Suffix
b. Address	City (no abbreviations)	State	Zip Code

9. The information contained herein, including any attachments, is true and correct.

05/04/2019

Andrew Y Prochnow

Attorney

Date

Type or Print Name of Person Completing the Form

Title

Signature

Return Address (Optional) (For communication from the Secretary of State related to this document, or if purchasing a copy of the filed document enter the name of a person or company and the mailing address. This information will become public when filed. SEE INSTRUCTIONS BEFORE COMPLETING.)

Name: []

Company:

Address:

City/State/Zip: []

**BEFORE THE
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
OF THE STATE OF CALIFORNIA**

IN THE MATTER OF THE APPLICATION OF

LBC RESTAURANT GROUP LLC
JADE RESTAURANT
6380 E PACIFIC COAST HWY
A
LONG BEACH, CA 90803

} FILE 47-605629

} REG.

} PETITION FOR CONDITIONAL
} LICENSE

For Issuance of an On-Sale General Eating Place - License

Under the Alcoholic Beverage Control Act

WHEREAS, petitioner(s) has/have filed an application for the issuance of the above-referred-to license(s) for the above-mentioned premises; and,

WHEREAS, pursuant to Section 23958 of the Business and Professions Code, the Department may deny an application for a license where issuance would result in or add to an undue concentration of licenses; and,

WHEREAS, the proposed premises are located in Census Tract 5776.04 where there presently exists an undue concentration of licenses as defined by Section 23958.4 of the Business and Professions Code; and,

WHEREAS, the petitioner(s) stipulate(s) that by reason of the aforementioned over-concentration of licenses, grounds exist for denial of the applied-for license(s); and,

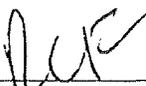
WHEREAS, the proposed premises is located within the immediate vicinity of a residential area; and,

WHEREAS, petitioner(s) proposed plan of operation is that of a full service restaurant with an outdoor dining area; and,

WHEREAS, petitioner(s) intend to exercise privileges of the license in an exterior patio area; and,

WHEREAS, the issuance of an unrestricted license would be contrary to public welfare and morals;

NOW, THEREFORE, the undersigned petitioner(s) do/does hereby petition for a conditional license as follows, to-wit:



Initials



Menu

[Home](#) [Verify a permit, license or account](#)

Search Criteria

Which taxable activity type information are you searching for?

Sellers Permit

Identification Number

221963008

Search

This is a valid Sellers Permit.

Start Date

23-Jan-2019

Owner Name

LBC RESTAURANT GROUP LLC

DBA Name

JADE RESTAURANT

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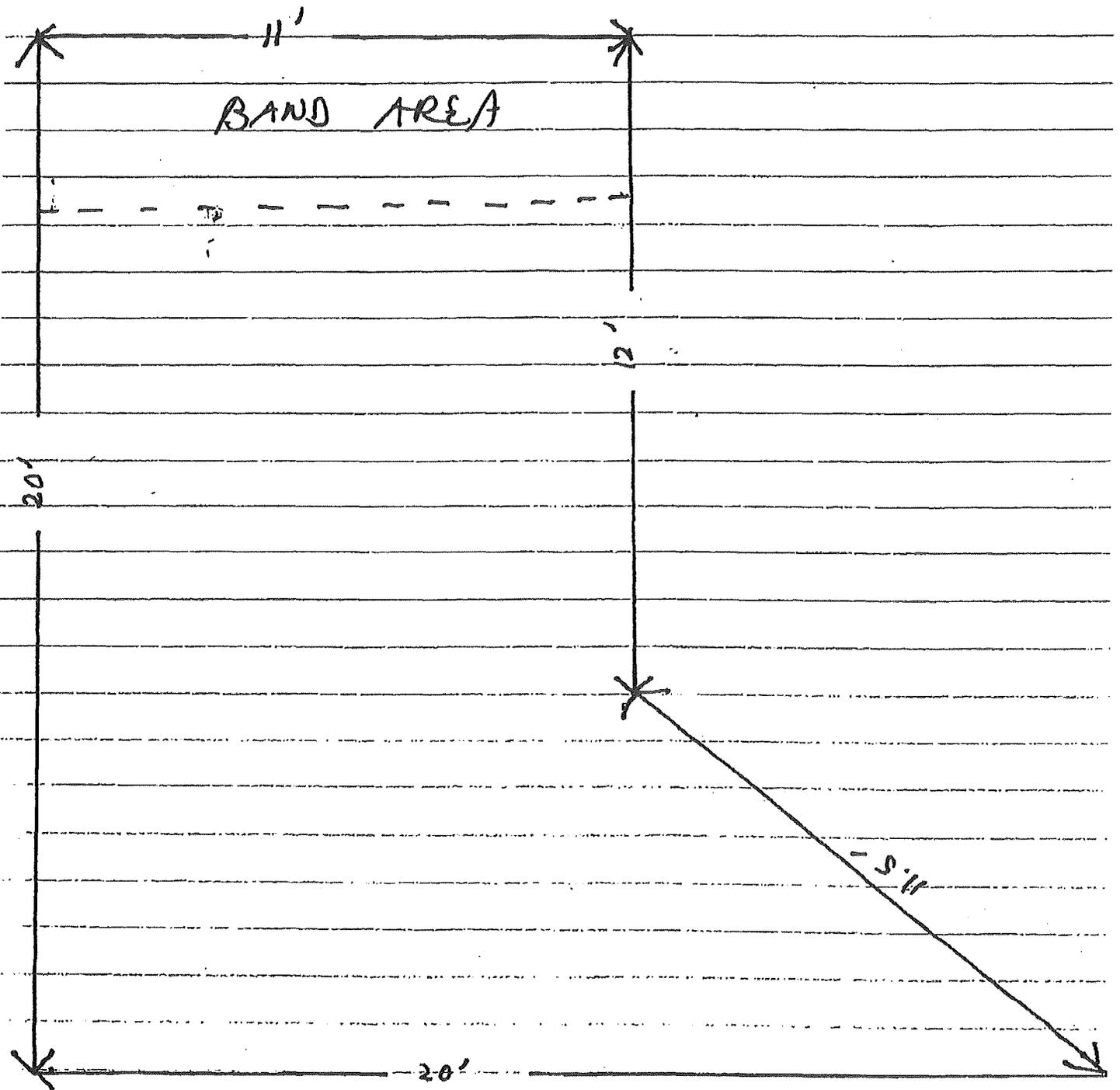
[Email CDTFA](#)

Contact Number: 1-800-400-1111



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State of California

DANCE FLOOR INCLUDES BAND AREA





9/20/2019 14:07

INFORMATION - LICENSE # BS21902015

License Type BS
Application Type Secondary Business License
Description
Primary Applicant
Primary Applicant Last Name LBC RESTAURANT GROUP LLC
Address 6380 E PACIFIC COAST HWY A LONG BEACH CA 90803
Location
 License is Pending.
 Current milestone is Council Approval.
 Current unpaid amount of \$0.00.
 Account: BS21902015

License Description

Status Dates

Processed Date 2/25/2019 13:20
by EMILY ARMSTRONG
Start Date 3/1/2019 00:00
by EMILY ARMSTRONG
Inactive Date
by
Last Renewal
by
Next Renewal
Expires
Grace Exp
End Date
by EMARMST
Last Modified 9/19/2019 10:52

License Description

Property Type COM
License Category 300507
Business Name LBC RESTAURANT GROUP LLC
DBA Name JADE RESTAURANT
 Detailed Description of Business Activities
 Entertainment with dancing Restaurant
Application Reason CHANGE OWN
Description Entertainment With Dancing (Alcohol)
HH/MH: Total #
Units 0
Census Tract 0
Council District 3

License Details

(Tab Not Loaded)

Endorsements

(Tab Not Loaded)

Reviews

Record Results

Reviews

#	Result	Comments	Completed	Started
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Review #	Review Type	Add Date	Result	By	Completed By	Review Description	Started By	Due Date
62294	BUSLIC	1 2/25/2019	APPROVED	EMARMST	9/19/2019 10:52	EMARMST	Business License	5/20/2019
62394	BUILDING	1 2/27/2019	APPROVED	TAVU	6/5/2019 09:31	TAVU	Building Dept Review	4/10/2019
62395	FIRE	1 2/27/2019	INSPECT	SYSTEM	2/27/2019 12:31		Fire Dept Review	5/22/2019
62396	HEALTH	1 2/27/2019	INSPECT	SYSTEM	2/27/2019 12:31		Health Dept Review	5/22/2019
62397	POLICE	1 2/27/2019	INSPECT	SYSTEM	2/27/2019 12:31		Police Dept Review	5/22/2019
62398	PLANNING	1 2/27/2019	APPROVED	JORAMIR	6/5/2019 10:56	JORAMIR	Planning Dept Review	4/10/2019
68808	COUNCIL	1 9/19/2019					Council	
68809	HEARINGPRE	1 9/19/2019					Hearing Prep	

Inspections

Record Results

Inspections

Add Date	Inspection #	Inspection Type	Inspection Description	#	Result	Comments	Resulted By	Completed	Call	Due Date	Time Preference
6/5/2019	77635	FIRE	Fire	1	APPROVED		brweidm	8/7/2019 13:04		8/4/2019 00:00	
						ENTERTAINMENT LICENSE APPROVED PROVIDED ALL PROVISIONS OF THE CITY'S NOISE ORDINANCE, LONG BEACH MUNICIPAL CODE 8.80, ARE ABIDED BY.					
6/5/2019	77636	HEALTH	Health	1	APPROVED		MIYAMAD	6/6/2019 07:22		8/4/2019 00:00	
6/5/2019	77637	POLICE	Police	1	APPRWCOND		JEARZOL	9/10/2019 14:08		8/4/2019 00:00	

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: August 31, 2019
To: Sandy Palmer, Bureau Manager, Business Relations Bureau
From: Robert G. Luna, Chief of Police *R. Luna*
Subject: **APPLICATION FOR AN ENTERTAINMENT WITH DANCING PERMIT AT
JADE RESTAURANT – 6380 EAST PACIFIC COAST HIGHWAY, #A**

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

Jade Restaurant is a restaurant/bar located in the eastern end of the Marina Pacifica Mall. The business currently holds a Type 47 (On-Sale General Eating Place) Alcoholic Beverage Control license. The establishment serves Chinese and Japanese cuisine for lunch and dinner. On January 29, 2019, Jade Restaurant applied for an Entertainment with Dancing Permit, requesting dancing by patrons and performers, live and recorded amplified music, a disc jockey and karaoke.

East Division Patrol Commander Pat O'Dowd was contacted for an opinion regarding the issuance of this permit. Commander O'Dowd advised the establishment is located primarily in a commercial/business district. Commander O'Dowd said patrol has not had any problems with the establishment, and he is not opposed to the issuance of an Entertainment with Dancing Permit.

Based upon the Vice Section's investigation and the East Division Patrol Commander's recommendation, 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 an Entertainment with Dancing Permit would be in the best interests of the surrounding community and the City of Long Beach.

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.

ENTERTAINMENT WITH DANCING PERMIT
JADE RESTAURANT – 6380 E. PACIFIC COAST HIGHWAY
Page 2

- 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) 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.
- 4) Entertainment activities indicated on page #9 of your entertainment application shall be restricted to 12:00 PM to 12:00 AM, Monday through Sunday.
- 5) This Entertainment Permit is an 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 bonafide 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 operation, fails to operate as a bonafide 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 permittee shall not convert the restaurant, or any portion thereof, into a dance/night club. All entertainment activities shall be conducted in conjunction with **regular dining or pre-planned banquet activities**. A banquet is defined as a function held at a bonafide eating place wherein complete and substantial meals are provided to the persons in attendance by the management of the restaurant where the function is being held. Fast food, snacks, and hors d'oeuvres shall not constitute a complete and substantial meal
- 7) The establishment shall remain in compliance with all applicable sections of the Long Beach Noise Ordinance (LBMC Chapter 8.80).

ENTERTAINMENT WITH DANCING PERMIT
JADE RESTAURANT – 6380 E. PACIFIC COAST HIGHWAY
Page 3

- 8) Due to the proximity of neighboring businesses and residences, all door(s) and window(s) shall be kept closed at all times during any musical 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.**
- 9) There shall be no live entertainment or dancing permitted on the patio at any time.
- 10) 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.
- 11) The permittee shall provide a minimum of one (1) uniformed security guard during all times that entertainment activities are being conducted for crowds up to fifty people. For crowds over fifty people, the permittee shall provide a minimum of one (1) additional uniformed security guard per fifty (50) people. Patrons awaiting entry in a defined queue shall be counted toward the calculation of required security staffing levels.

Security guards must be identifiable as Jade Restaurant employees. Should the permittee's operations give rise to a substantial increase in complaints/calls for police service, the permittee may be required to 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.

- 12) 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.
- 13) 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.
- 14) 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.

ENTERTAINMENT WITH DANCING PERMIT
JADE RESTAURANT – 6380 E. PACIFIC COAST HIGHWAY
Page 4

- 15) 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.
- 16) 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.
- 17) The permittee shall not hire promoters with the intent to advertise/promote or hold any entertainment activities consistent with nightclub entertainment.
- 18) Jade Restaurant, 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 be available for inspection at any time.
- 19) 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.
- 20) 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. 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.

ENTERTAINMENT WITH DANCING PERMIT
JADE RESTAURANT – 6380 E. PACIFIC COAST HIGHWAY
Page 5

- 21) 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 employees' proof of completion on file, and have it available for inspection at any time.
- 22) The permittee shall develop and maintain a plan to address neighborhood concerns, related to the operation of Jade Restaurant. (i.e. newsletter, meetings, etc.)

RL:JJA:jjj
AppvlCondJade



Date: August 31, 2019
To: Robert G. Luna, Chief of Police
From: Richard Conant, Deputy Chief, Investigations Bureau
Subject: **APPLICATION FOR AN ENTERTAINMENT WITH DANCING PERMIT AT
JADE RESTAURANT – 6380 EAST PACIFIC COAST HIGHWAY #A**

The Long Beach Police Department recommends **approval** of the application for an Entertainment with Dancing Permit, at LBC Restaurant Group, LLC, dba Jade Restaurant, located at 6380 East Pacific Coast Highway #A, subject to the conditions provided in the attached memorandum.

Background

Jade Restaurant is a restaurant/bar located in the eastern end of the Marina Pacifica Mall. The business currently holds a Type 47 (On-Sale General Eating Place) Alcoholic Beverage Control license. The establishment serves Chinese and Japanese cuisine for lunch and dinner. The business had a valid entertainment license since May 2013 and was required to reapply because of new ownership. On January 29, 2019, Jade Restaurant applied for an Entertainment with Dancing Permit, requesting outdoor dancing by patrons and performers, live and recorded amplified music, a disc jockey and karaoke.

Crime Analysis

As part of the review process by the Long Beach Police Department, calls for service, crime reports, and arrests were evaluated at the above location for a two-year period between August 8, 2017 and August 8, 2019. There were seven calls for service, zero incidents reported, and zero arrest attributable to the business. There were two calls for reports of loud music. There were three dispute calls between the owner and a former employee and two customer disputes.

Patrol Division

East Division Patrol Commander Pat O'Dowd was contacted for an opinion regarding the issuance of this permit. Commander O'Dowd advised the establishment is located primarily in a commercial/business district. Commander O'Dowd said patrol has not had any problems with the establishment, and he is not opposed to the issuance of an Entertainment with Dancing Permit.

Vice Investigation

As part of this investigation, Vice Detectives went to the location and observed no residences within 100 feet. Vice Detectives met with Rodney Frontino, the co-owner of Jade Restaurant, and discussed the proposed entertainment permit conditions. Mr. Frontino explained the establishment will provide live entertainment ranging from live and recorded music. Detectives also went to this location in an undercover capacity on two separate occasions.

On Thursday, August 15, 2019, at approximately 1930 hours, detectives went to the location. There were approximately 20 patrons inside the business dining and drinking alcoholic and non-alcoholic beverages. There was no entertainment provided and no violations were observed.

On Tuesday, August 22, 2019, at approximately 2030 hours, detectives went to the location. There were approximately 40 patrons inside the business dining, drinking alcoholic and non-alcoholic beverages, and listening to music. The lone musician was playing an amplified guitar inside the business, the music was low enough to enjoy a conversation. No violations were observed

Recommendation

Based upon the Vice Section's investigation, East Division Patrol Commander's recommendation, 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 with Dancing Permit.

RC:JJA:jjj
AppvlMemoJade