



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

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

February 20, 2018

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the supporting documentation into the record, conclude the hearing, and grant an Entertainment Permit with conditions on the application of On the Rocks Bar and Grill, 5755 E. Pacific Coast Hwy., for entertainment without dancing. (District 3)

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 for your review are the departmental investigative reports, history, entertainment permit application, and floor plan. To review entertainment forms online, you may visit <http://www.longbeach.gov/finance/services-and-permits/entertainment-permit>.

The following summarizes departmental findings:

- The Police Department recommends the permit for entertainment without 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 investigative process, recommends that the permit for entertainment without 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 has been licensed as a Restaurant since November 1990. The business changed ownership to On the Rocks Bar & Grill in March 2016.

This matter was reviewed by Deputy City Attorney Amy R. Webber on February 1, 2018.

TIMING CONSIDERATIONS

The hearing date of February 20, 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 \$1,280.00 (Police Department), and 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 \$305.00 (Financial Management Department).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



JOHN GROSS
DIRECTOR OF FINANCIAL MANAGEMENT

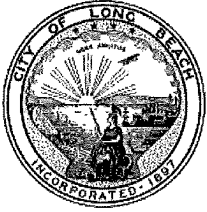
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K:\FM-ADMIN\CITY COUNCIL LETTERS\02-20-2018 CCL - ON THE ROCKS BAR GRILL - ENTERTAINMENT WITHOUT DANCING.DOCX

ATTACHMENTS

APPROVED:



PATRICK H. WEST
CITY MANAGER



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT
BUSINESS RELATIONS BUREAU

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

Recommended Conditions of Operation

On the Rocks Bar & Grill

5755 E. Pacific Coast Hwy

Application for Entertainment Without Dancing

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

I. STANDARD CONDITIONS OF OPERATION

- 1) The operation of the establishment shall be limited to those activities and elements expressly indicated on the permit application and approved by the City Council. Any change in the operation, which exceeds the conditions of the approved permit, will require that a new permit application be submitted to the City Council for their review and approval.
- 2) Unless separately applied for, reviewed, and approved, no adult entertainment, as defined by section 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 (LBMC 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) The permittee shall provide a minimum of one (1) uniformed security guard during all times that the entertainment activities are being conducted for crowds up to fifty (50) people. For crowds over fifty (50) people, the permittee shall provide a minimum of one (1) additional 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.

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) 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 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) The permittee shall not hire promoters with the intent to advertise/promote or hold any entertainment activities consistent with nightclub activities.
- 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 within ninety (90) days of an approved entertainment permit, submit proof of attending the LEAD program offered by the Department of Alcoholic Beverage Control. In the event that the LEAD program class is not offered within this ninety day period, the permittee shall attend the next available class. Proof of completion shall be submitted to the Long Beach Police Department Vice Investigations Section.
- 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 9:00 PM to 12:00 AM Friday and Saturday.**
- 2) 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.
- 3) Permittee is required to monitor the outside patio area for any nuisance activity that could disturb the surrounding neighbors. This shall be done by utilizing security guards or employees.

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 WITHOUT DANCING
ON THE ROCKS BAR & GRILL
5755 E. PACIFIC COAST HWY
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 7th 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 On the Rocks Bar & Grill. Also, attached are reports from various departments stating their recommended disposition of the subject application. These are summarized as follows:

SUBMITTED FOR CITY COUNCIL ACTION

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



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FIVE YEAR HISTORY OF BUSINESS ESTABLISHMENT 5755 E. PACIFIC COAST HWY

On the Rocks Bar & Grill
Lic # BS21701476
03/17 – Pending

Entertainment without Dancing (Alcohol)

On the Rocks Bar & Grill
Lic # BU21601708
04/16 – Current

Restaurant & Ready to Eat Foods (Alcohol)

Dream Chaser Investments
DBA: Pint's Sport Bar & Grill
Lic # BU21425690
08/14 – 03/16

Restaurant & Ready to Eat Foods (Alcohol)

John Toman
DBA: Beach Club
Lic # BU21233830
10/12 – 08/14

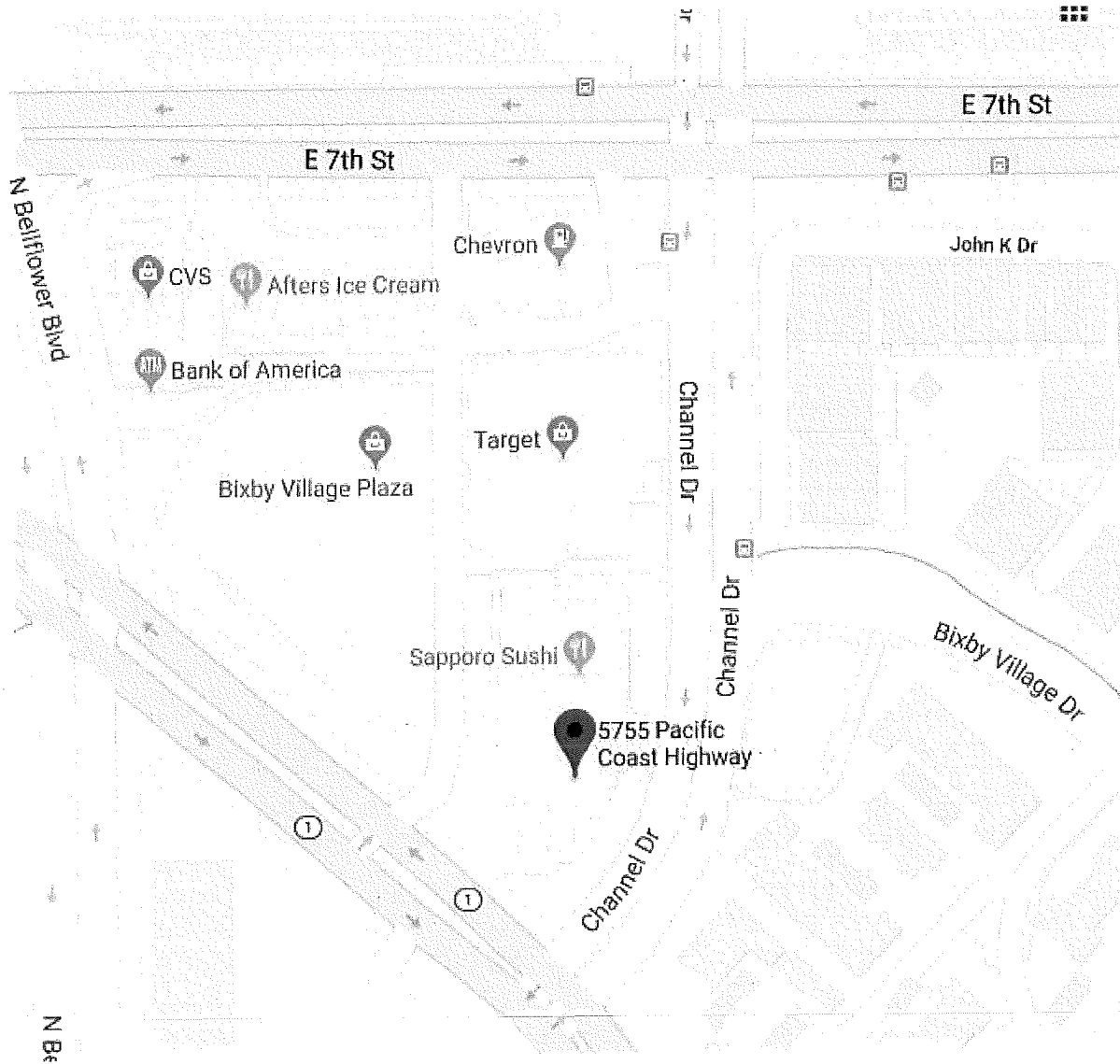
Pool Tables (2 or less)

John Toman
DBA: Beach Club
Lic # BU21233820
10/12 – 08/14

Restaurant & Ready to Eat Foods (Alcohol)

On the Rocks Bar & Grill

5755 E. Pacific Coast Hwy





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

GENERAL INFORMATION

OWNER/ENTITY NAME: Steven J. Melillo; BUSINESS NAME: On the Rocks Bar & Grill; BUSINESS ADDRESS: 5755 E. Pacific Coast Hwy; BILLING ADDRESS: 12340 Seal Beach Blvd #B625; RESIDENCE ADDRESS: [Redacted]; LIST OF PRINCIPAL OFFICERS: Steven J. Melillo, President, 100% ownership.

New Business [X] Address Change [] Ownership Change [] Secondary License [] Sole Owner [] Partnership [] Corporation [X] L.L.P. [] LLC []

BUSINESS OPERATIONS INFORMATION

START DATE: 5/18/16; NO. OF EMPLOYEES: 35; NO. OF VEHICLES: 2; FEDERAL TAX ID. NUMBER: [Redacted]; SALES & USE TAX (SELLER'S PERMIT) NO.: 101-639114; STATE LICENSE NO.: [Redacted]; CLASSIFICATION(S): [Redacted]; RENEWAL DATE: [Redacted];

FOOD / ALCOHOL / TOBACCO / ENTERTAINMENT

Do you plan to sell or serve food? [X] Y [] N; If serving food, how many seats?: 193; Do you plan to sell or serve alcoholic beverages? [X] Y [] N; ABC License number: 563810; Type: 47; Conditions Included: (If yes, please attach to application); Does your business have amusement machines, video games, vending machines, jukebox and/or pool tables? [] Y [X] N; How many: [] Type: [] Owner: []; Do you plan to sell tobacco products/paraphernalia? [] Y [X] N; Do you plan to operate a Smoking Lounge? [] Y [X] N; Will you deal with, use, store or transport Medical Marijuana? [] Y [X] N; Will you have [X] Music [X] Dancing [] Performers [] Adult Entertainment? Will you use, store, or transport chemicals (new or waste state)? [] Y [X] N

SERVICES / FUND RAISING

Will you offer massage, tanning, herbal therapy, escort or any other services that improve the health or well being of another? [] Y [X] N; Will you engage in fund raising? [X] Y [] N; Will you deal in coins, firearms, jewels or second-hand property? [] Y [X] N; Will you perform Parking Management? If so, please attach a detailed list of all activities? [] Y [X] N

BUILDING AND FACILITY INFORMATION

Property Owner's Name: Westar; Business sq. ft.: 3720; Warehouse on site? [] Y [X] N; Do you: [] Own or [X] Rent/Lease your business property?

HAZARDOUS MATERIALS / MEDICAL WASTE

Will you manage or produce bio-hazardous materials or waste? [] Y [X] N

ACKNOWLEDGMENT TO BE COMPLETED BY SOLE OWNER, PRINCIPAL OFFICERS, MEMBERS OR PARTNERS

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: [Handwritten Signature]; Date: 2-28-17; PRINT NAME/TITLE: Steven Melillo president

Inspection(s): [X] Bldg [X] Fire [X] Health [] HazMat [X] PD [X] Other; DO NOT WRITE BELOW THIS LINE; Prev Use: restaurant w/alcohol; Exp. Date: 4/18/17; PD Labels: 1,280.00; 90.00; 1.0; 33.00; 22.45; 1425.00; Total: \$ 2170470; Entered by: NL; Date: 3/8/17; Zoning Review: Y N N/A; By: [Redacted]; Date: [Redacted]; New construction [] Reuse []; Zone: [Redacted]; Comments: [Redacted]

ATTENTION LICENSE APPLICANT

Business License Required (L.B.M.C. 3.80.210)

Under the Long Beach Municipal Code (Section 3.80.210), any person operating a business in the City of Long Beach is required to obtain a business license and pay an annual business license tax, prior to the operation of that business.

Term of License (L.B.M.C. 3.80.520)

A business license is valid for one (1) year from the date of issuance (unless otherwise noted) and must be renewed each year. A renewal notice is sent to the licensee ten (10) days prior to the due date, and the licensee has thirty (30) days to pay without penalty. If a notice is not received by the licensee, he/she is still responsible for payment by the due date. If the licensee changes his/her mailing address during the year, he/she should contact the Business License Section to report the change.

Penalties (L.B.M.C. 3.80.422)

A penalty equivalent to twenty-five percent (25%) of the payment due applies to all delinquent licenses unpaid after thirty (30) days from the due date. An additional ten percent (10%) penalty is added on the first day of the calendar month following the imposition of the twenty-five percent (25%) penalty if the tax remains unpaid, up to a maximum of one hundred percent (100%) of the tax due. The postmark will govern the determination of whether or not a tax payment is delinquent. A delinquent tax will be deemed a debt to the City, and the licensee shall be liable for legal action if it remains unpaid.

Multiple Businesses at one Location (L.B.M.C. 3.80.420.6)

When more than one business activity is engaged in at the same location, and the activity falls into a classification other than that of the original license, the licensee is required to obtain an additional license for each different business activity. If the licensee has more than one business license at the same location, he/she may choose to pay for all employees on one license. If so, the licensee will pay for the employees on the license with the higher employee rate.

Definition of an Employee (L.B.M.C. 3.80.150)

For the purpose of Business License taxation in the City of Long Beach, an employee is defined as: Every person engaged in the operation or conduct of any business in Long Beach, whether as owner, member of the owner's family, partner, associate, agent, manager or solicitor, and every person employed or working in such business, whether full-time, part-time, permanent or temporary, for a wage, salary, commission or room and board. The owner of a sole proprietorship shall not be deemed to be an "employee" of the business.

Change of Location (L.B.M.C. 3.80.424)

Every person possessing a City of Long Beach Business License who changes the location of his place of business shall, prior to engaging in such a business at the new location, have the City endorse the new location on the license.

Display of License (L.B.M.C. 3.80.425.5)

Every person having a license shall prominently display the license at the place of business. If the business is operated from a vehicle, an identifying decal issued by the City shall be affixed to the vehicle, and the business license shall be carried by the licensee.

Refunds Prior to Start of Business (L.B.M.C. 3.80.427.5.F)

Any application for refund must be made by the person entitled to the money within one year after payment of the money to the City. No refund shall be made of any moneys paid for the issuance or renewal of any license unless it is determined that such licensee has not engaged in, nor held himself out as being engaged in, such business or occupation at any time after the effective date of the license. The amount of the refund shall be the full amount of the license tax paid, less an amount determined by the Director of Financial Management, which shall cover the cost of investigation and issuance of the license.

Sales or Use Tax

Sales or Use Tax may apply to your business activity. You may seek advice regarding the application of the tax to your business by writing or calling the State Board of Equalization at:

16715 Von Karman Ave Suite #200
Irvine, CA 92606
(949) 440-3473

-or-

12440 E. Imperial Hwy. Suite 200
Norwalk, CA 90651
(562) 466-1694

Inspections (The business license application must be available on site at time of inspection).

When a business license inspection is scheduled, the business must be fully prepared to operate, and the business owner or operator must be on site for the entire scheduled time of inspection. If the business owner or operator is unprepared for or misses a scheduled business license inspection without giving a minimum of 24 hours notice to the appropriate City agency, a re-inspection fee will be assessed.

I have read and understand the Inspection requirements.

Signature

Date



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Boulevard, 4th Floor

Long Beach, CA 90802 333

(562) 570-6212

FAX (562) 570-6180

ADVISORY FORM AND PROBATIONARY PERMIT

The following list of conditions must be met in full to operate under a probationary permit for entertainment. (Referred to as Temporary Permit in the Long Beach Municipal Code (LBMC) Chapter 5.72)

1. A completed application for a regular entertainment or pool hall must be submitted.
2. A complete interior floor plan with dimensions indicating exits and parking areas must be submitted and approved by the Department of Long Beach Development Services.
3. Inspections by City Departments have been accomplished and no major health or safety conditions found.
4. Permittee must comply with all applicable federal, state, and local laws, including any conditions or restrictions placed upon any license issued to the permittee by the State of California Department of Alcoholic Beverage Control. If the issuance of this probationary Permit is in conflict with any other conditions or restrictions previously imposed on the activities of the business establishment by this or any other private or governmental body, this temporary permit shall be deemed void.
5. Any improvements made or any contractual agreements entered into by the permittee in anticipation of approval of a regular entertainment shall be at his/her own risk.
6. Unless specifically applied for, reviewed and approved, no adult entertainment, as defined by LBMC Sections 21.15.110 and 5.72.115 (B), shall be conducted on the premises.
7. Permittee shall employ their own discretion in determining the level of security necessary to prevent violation of law and any other disturbances arising out of or in connection with their business operations. If there is a substantial increase in complaints/calls for service, the permittee shall increase security as directed by the Chief of Police.
8. The establishment must remain in compliance with the all applicable sections of the Long Beach City Noise Ordinance (LBMC Chapter 8.80).

I have read the above stated conditions of operations under a probationary permit, and I agree to comply with these conditions.

If all conditions have been met, a probationary permit will be mailed in two (2) weeks.

BUSINESS NAME:

On the Rocks Bar & Grill Inc.

BUSINESS ADDRESS:

5755 E PCH. Long Beach, CA 90803

NAME:

Steven Melitto

TITLE:

President

SIGNATURE:

[Signature]

DATE:

3-8-17

*****OFFICE USE ONLY*****

Accepted By: _____

Date: _____

REGULAR PERMIT APPLICATION

PROBATIONARY PERMIT

Application Complete? YES NO

Approved By: _____

Floor Plan Submitted? YES NO

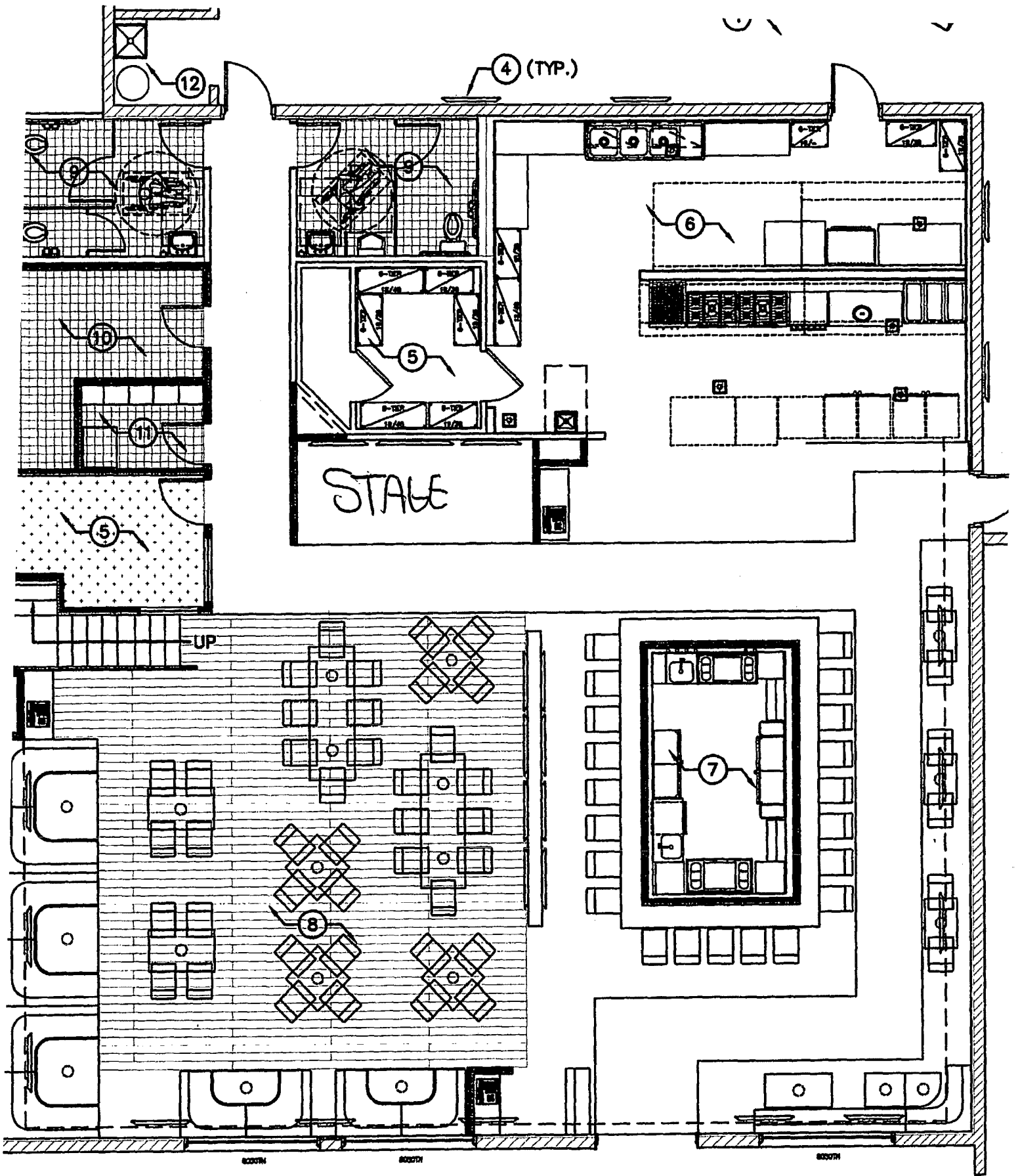
Date Approved: _____

Zoning Approved? YES NO

PERMIT VALID FOR 90 DAYS OR UNTIL REGULAR PERMIT IS APPROVED OR DENIED BY CITY COUNCIL, WHICHEVER COMES FIRST.

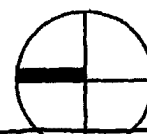
Departmental Inspections? YES NO

Comments: _____



ENLARGED SITE PLAN

1/8" = 1'-0"



NORTH



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

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Long Beach, CA 90802 333

(562) 570-6212

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ADVISORY FORM AND PROBATIONARY PERMIT

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5. Any improvements made or any contractual agreements entered into by the permittee in anticipation of approval of a regular entertainment shall be at his/her own risk.
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8. The establishment must remain in compliance with the all applicable sections of the Long Beach City Noise Ordinance (LBMC Chapter 8.80).

I have read the above stated conditions of operations under a probationary permit, and I agree to comply with these conditions.

If all conditions have been met, a probationary permit will be mailed in two (2) weeks.

BUSINESS NAME:

On the Rocks Bar & Grill

BUSINESS ADDRESS:

5755 E. Pacific Coast Hwy, Long Beach 90803

NAME:

Steven J. Melillo

TITLE:

Owner

SIGNATURE:

DATE:

3-3-17

*****OFFICE USE ONLY*****

Accepted By: _____

Date: _____

REGULAR PERMIT APPLICATION

PROBATIONARY PERMIT

Application Complete?

YES

NO

Approved By: _____

Floor Plan Submitted?

YES

NO

Date Approved: _____

Zoning Approved?

YES

NO

PERMIT VALID FOR 90 DAYS OR UNTIL REGULAR PERMIT IS APPROVED OR DENIED BY CITY COUNCIL, WHICHEVER COMES FIRST.

Departmental Inspections?

YES

NO

Comments: _____



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): Steven J. Melillo
 Business Name (DBA): On the Rocks Bar & Grill Business Phone: (562) 375-7979
 Business Site Address: 5755 E. Pacific Coast Hwy. Long Beach, CA 90803
 Date Business Proposes To Open: April 2016
 Days & Time Premises Are Open For Inspection: Sun - Sat 2PM - 9PM

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.): Steven J. Melillo
 Contact Person(s) Phone Number: (714) 357-6998

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:

Steven Melillo -
12340 Seal Beach Blvd #B625
Seal Beach, CA 90740

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

Steven Melillo - Same as above

State whether you are licensed by any governmental agency to engage in any business. If so, list each such license held, the city in which held, and expiration date thereof:

CA - Garden Grove

Is this applicant a subsidiary of a present corporation or business?
If yes, explain:

YES NO

How long has the corporation or business been in operation? 2010

Is the location: Owned? Rented/Leased?

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

Name: Wistar

Address: 2925 Bristol St.

Costa Mesa, CA 92626-5991

IF APPLYING AS A CORPORATION

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

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

Name of Corporation: On the Rocks Bar & Grill

Corporation Number: C3288665

Date and Place of Incorporation: 2010


Location Headquarters: Garden Grove

Federal Tax ID Number: 

Seller's Permit Number: 101-639114

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

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

Name	Title	Address	Telephone
<u>Steven J. Melillo</u>	<u>Pres.</u>		<u>()</u>
_____	_____	_____	<u>()</u>
_____	_____	_____	<u>()</u>
_____	_____	_____	<u>()</u>

Numbers of shares issued by Corporation: 1000

Number of share retained by Corporation: 99,000

Name and addresses of shareholders, if ten (10) or less state also the number and type of shares:

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

Steven J. Melillo

IF APPLYING AS A CORPORATION



INFORMATION IS REQUESTED FOR POLICE DEPARTMENT IDENTIFICATION AND INVESTIGATION

CORPORATE OFFICER I

Name: Steven J. Melido Title: President

Residence Address: [REDACTED]

Business Address: _____ Phone: _____

Race: [REDACTED] Sex: [REDACTED] Hair: [REDACTED] Eyes: [REDACTED] Height: [REDACTED] Weight: [REDACTED]

Date of Birth (mm/dd/yyyy): [REDACTED] Place of Birth: [REDACTED]

Driver's License Number: [REDACTED] Issuing State: [REDACTED]

CORPORATE OFFICER II

Name: _____ Title: _____

Residence Address: _____ Phone: _____

Business Address: _____ Phone: _____

Race: _____ Sex: _____ Hair: _____ Eyes: _____ Height: _____ Weight: _____

Date of Birth (mm/dd/yyyy): _____ Place of Birth: _____

Driver's License Number: _____ Issuing State: _____

CORPORATE OFFICER III

Name: _____ Title: _____

Residence Address: _____ Phone: _____

Business Address: _____ Phone: _____

Race: _____ Sex: _____ Hair: _____ Eyes: _____ Height: _____ Weight: _____

Date of Birth (mm/dd/yyyy): _____ Place of Birth: _____

Driver's License Number: _____ Issuing State: _____

CORPORATE OFFICER IV

Name: _____ Title: _____

Residence Address: _____ Phone: _____

Business Address: _____ Phone: _____

Race: _____ Sex: _____ Hair: _____ Eyes: _____ Height: _____ Weight: _____

Date of Birth (mm/dd/yyyy): _____ Place of Birth: _____

Driver's License Number: _____ Issuing State: _____

GENERAL OPERATING CONDITIONS

Complete Each Question

ALCOHOL/FOOD/ADDITIONAL BUSINESSES

1. Will liquor be sold or consumed on the premises? YES NO

a. If Yes, complete the following box:

Check one box to indicate License Type	Alcohol Beverage Control License No.	Premises Type: (Club (restaurant) or Commercial (store))
On sale beer <input type="checkbox"/>	_____	_____
On sale beer and wine <input type="checkbox"/>	_____	_____
On sale distilled spirits <input checked="" type="checkbox"/>	<u>563810</u>	<u>restaurant</u>

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: American 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? 22

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: N/A

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: 1-2

12. Is any other type of security provided? YES NO

a. If yes, describe type of security: Cameras (12 for surveillance)
alarm system monitored by Security Bud

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

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours of	N/A	N/A	N/A	N/A	8P-1A 7-8P	8P-1A	N/A
Security							

13. Will a private security firm be used? YES NO

a. If yes, provide the following information of the contracted security firm:

Name: MP Security Protection City Business License No.: 16757

Address: 9151 Atlanta Ave # 7243 Telephone No.: (714) 404-6666
Huntington Beach, CA 92615

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	2 PM	2 PM	2 PM	2 PM	Noon	Noon	10 AM
Close	10 PM	11 PM	11 PM	11 PM	1 AM	1 AM	9 PM

PROXIMITY OF BUSINESSES AND RESIDENCES

19. Are there surrounding businesses? YES NO

a. What type? bank, food

20. Are there surrounding residences? YES NO

a. Approximately how close? 500 ft.

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	ALL			AVAILABLE			

d. How many individual parking spaces (approximately)? 0

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 *no.*
- 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. Light music

Describe entertainment by performers: _____

Dance Floor? Y N

Stage? Y N

If yes, provide dimensions and type of material of dance floor. L 15' X W 8' = _____ sq ft.

If yes, provide dimensions and type of material of stage. L 15' W 8' H 6"

Describe floor material and surface type: HARDWOOD & TILE

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	NA	NA	NA	NA	CASUAL DINNER AAA LOUNGE LISTENING	CASUAL DINNER LOUNGE LISTENING	NA
Start Time					9pm	9pm	
End Time					12 AM	12 AM	

RELEASE FORM


The undersigned, on behalf of (applicant) Steven J. Melillo, 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) On the Rocks Bar & Grill 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.

<u></u> (SIGNATURE OR AUTHORIZED AGENT)	<u>President</u> (TITLE)	<u>3-3-17</u> (DATE)
<u>U2006940</u> DRIVER'S LICENSE OR ID CARD NUMBER	<u>CA</u> STATE	

_____ ACCEPTED BY (CITY STAFF)	_____ TITLE	_____ DATE
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CITY OF LONG BEACH

DEPARTMENT OF HEALTH AND HUMAN SERVICES

100 W BROADWAY STE 400 | LONG BEACH, CA 90802 | 562-570-8513 FAX 562-570-8930

ENVIRONMENTAL HEALTH
NOISE OFFICE

DEPARTMENT OF HEALTH AND HUMAN SERVICES ENTERTAINMENT PERMIT APPLICATION REQUIREMENTS

Date: 2/28/17

Name of Business (DBA): On the Rocks Bar & Grill

Name of Business Owner: Steven J. Melillo

Business Address: 5755 E. Pacific Coast Hwy
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) 

Title Owner

Phone # 714 3576998

FAX # 714 896-9020

Sales and Use Tax Permit Verification

Permit Number 101639114 is Valid

Owner Name: ON THE ROCKS BAR & GRILL

Business Name:

Address: 12762 VALLEY VIEW ST
GARDEN GROVE
CA

Start Date: 10/01/2010

This seller's permit has multiple locations. Only the permit's main address is displayed.

Verification is available to help you determine if a seller's permit account number included on your customer's resale certificate is currently valid. As a seller, you are responsible for ensuring the resale certificate is properly completed. Please refer to Regulation 1668, Resale Certificates

(<http://www.boe.ca.gov/lawguides/business/current/btlg/vol1/sutr/1668.html>) .

[Back to Query Page \(/boewebseervices/verification.jsp?action=SALES\)](#)

DISPLAY CONSPICUOUSLY AT PLA

CALIFORNIA STATE BOARD OF EQUALIZATION

SELLER'S PERMIT

ACCOUNT NUMBER

04/01/2016 SR YEA 101-639114 00002 AA

ON THE ROCKS BAR & GRILL
ON THE ROCKS BAR & GRILL
5755 E PACIFIC COAST HWY
LONG BEACH, CA 90803-4901

IS HEREBY AUTHORIZED PURSUANT TO SALES AND USE TAX LAW TO ENGAGE IN THE
BUSINESS OF SELLING TANGIBLE PERSONAL PROPERTY AT THE ABOVE LOCATION.
THIS PERMIT IS VALID ONLY AT THE ABOVE ADDRESS.

THIS PERMIT IS VALID UNTIL REVOKED OR CANCELED AND IS NOT TRANSFERABLE. IF YOU
OR DROP OUT OF A PARTNERSHIP, NOTIFY US OR YOU COULD BE RESPONSIBLE FOR S
OWED BY THE NEW OPERATOR OF THE BUSINESS.

For general tax questions, please call our Customer Service
For information on your rights, contact the Taxpayers' Rights

BOE-442-R REV. 16 (11-14)

A MESSAGE TO OUR

STATE OF CALIFORNIA
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
ALCOHOLIC BEVERAGE LICENSE
ON-SALE GENERAL EATING PLACE

VALID FROM

Mar 02, 2016

EXPIRES

Feb 28, 2017

ON THE ROCKS BAR & GRILL
12340 SEAL BEACH BLVD
B625
SEAL BEACH, CA 90740

TYPE NUMBER DUP

47 563810

AREA CODE:

1932 03

PER From:
47-546468

BUSINESS ADDRESS
(IF DIFFERENT)

DBA: ON THE ROCKS BAR & GRILL
5755 E PACIFIC COAST HWY
LONG BEACH, CA 90803-4901

CONDITIONS

OWNERS: ON THE ROCKS BAR & GRILL

7



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

IN THE MATTER OF THE APPLICATION OF

ON THE ROCKS BAR & GRILL
DbA: ON THE ROCKS BAR & GRILL
5755 E PACIFIC COAST HWY
LONG BEACH, CA 90803-4901

} FILE 47-563810

}

} 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 5776.02 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 privilege conveyed with the applied-for license requires that the petitioner(s) operate(s) the premises, in good faith, as a Bona Fide Public Eating Place; 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:

- 1 The use of any amplifying system or device is prohibited on the patio as shown in the ABC-257 dated 9/21/15 after 6:00 p.m. The use of any such system or device inside the premises shall not be audible outside the premises.



Initials

- 2 Entertainment provided shall not be audible beyond the area under the control of the licensee(s) as defined on the ABC-257 dated 9/21/15 and ABC-253 dated 9/21/15.
- 3 Live entertainment provided shall be limited to no more than four (4) live musicians. No noise from said entertainment shall be heard beyond the exterior of the premises in any direction.
- 4 The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. The licensee shall at all times maintain records which reflect separately the gross sale of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the Department on demand.
- 5 The sale of alcoholic beverages for consumption off the premises is strictly prohibited.
- 6 Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 6:00 a.m. and 12:30 a.m. each day of the week.
- 7 Sales, service and consumption of alcoholic beverages shall be permitted in the patio area only between the hours of 6:00 a.m. and 10:30 p.m. each day of the week.
- 8 Petitioner(s) shall not acquire the service of promoters at any time.

This petition for conditional license is made pursuant to the provisions of Sections 23800 through 23805 of the Business and Professions Code and will be carried forward in any transfer at the applicant-premises.

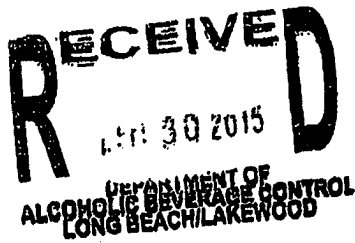
Petitioner(s) agree(s) to retain a copy of this petition on the premises at all times and will be prepared to produce it immediately upon the request of any peace officer.

The petitioner(s) understand(s) that any violation of the foregoing condition(s) shall be grounds for the suspension or revocation of the license(s).

DATED THIS 22th DAY OF Dec., 2015.

[Signature]
Applicant/Petitioner

Steven Melillo
Applicant/Petitioner



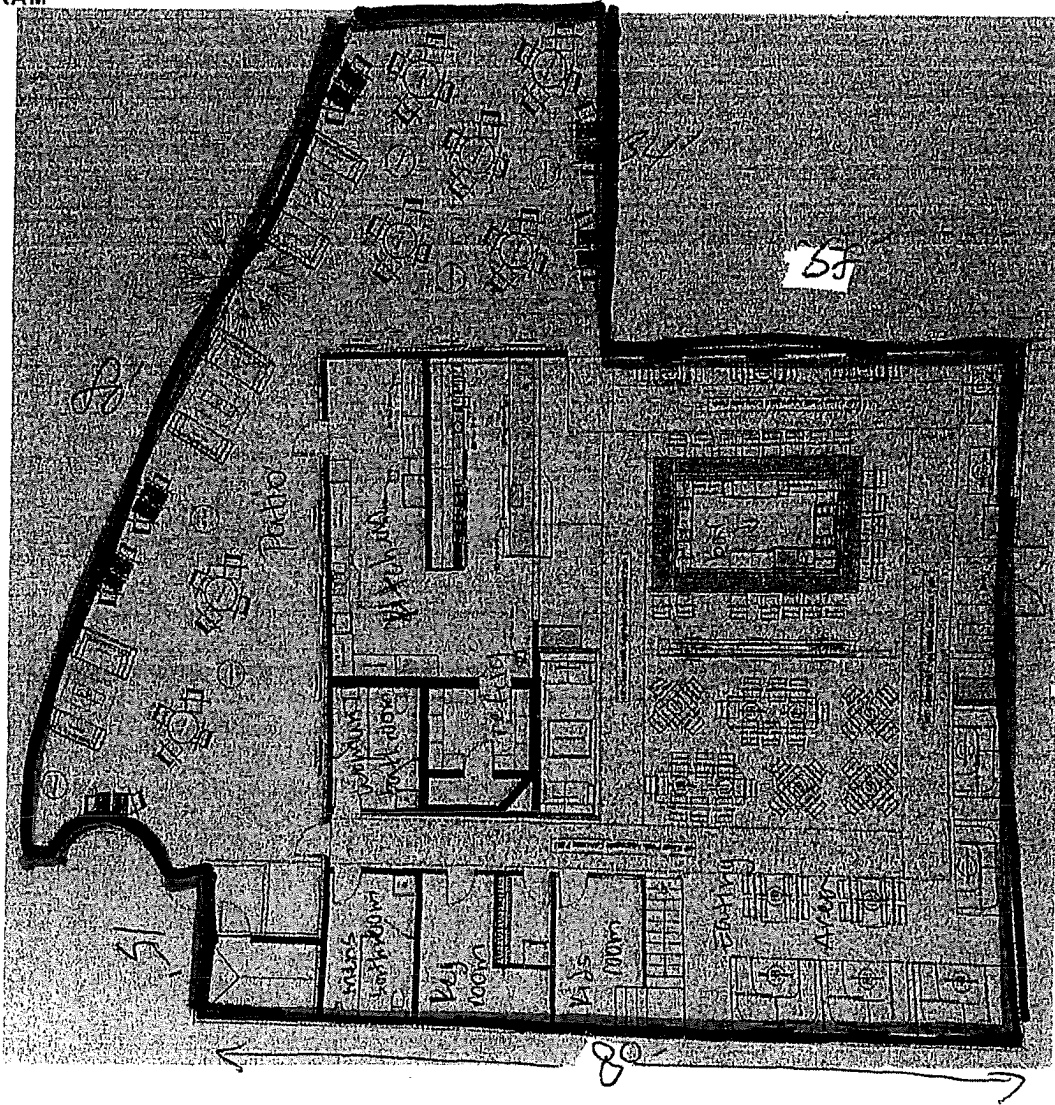
Department of Alcoholic Beverage Control
LICENSED PREMISES DIAGRAM (RETAIL)

State of California

1. APPLICANT NAME (Last, first, middle) On The Rocks Bar & Grill	2. LICENSE TYPE 47
3. PREMISES ADDRESS (Street number and name, city, zip code) 5755 E. Pacific Coast Hwy., Long Beach, CA 90803	4. NEAREST CROSS STREET Channel Dr.

The diagram below is a true and correct description of the entrances, exits, interior walls and exterior boundaries of the premises to be licensed, including dimensions and identification of each room (i.e., "storeroom", "office", etc.).

DIAGRAM



It is hereby declared that the above-described boundaries, entrances and planned operation as indicated on the reverse side, will not be changed without first notifying and securing prior written approval of the Department of Alcoholic Beverage Control. I declare under penalty of perjury that the foregoing is true and correct.

APPLICANT SIGNATURE (Only one signature required) <i>[Signature]</i>	DATE SIGNED 9-21-15
FOR ABC USE ONLY	
CERTIFIED CORRECT (Signature) <i>[Signature]</i>	INSPECTION DATE Sept 24th on 9/25/16
PRINTED NAME Annex Ch	

Department of Alcoholic Beverage Control
PLANNED OPERATION (RETAIL)

SECTION I - FOR ALL RETAIL APPLICANTS

1. APPLICANT NAME(S) On The Rocks Bar & Grill	2. LICENSE TYPE(S) 47
---	---------------------------------

3. PREMISES ADDRESS (Street number and name, city, zip code) 5755 E. Pacific Coast Hwy., Long Beach, CA 90803	4. NEAREST CROSS STREET Channel Dr.
---	---

5. TYPE OF BUSINESS (Choose one that best describes the planned operation)

<input checked="" type="checkbox"/> Full Service Restaurant	<input type="checkbox"/> Cafeteria/Hofbrau	<input type="checkbox"/> Cocktail Lounge	<input type="checkbox"/> Private Club
<input type="checkbox"/> Deli or Specialty Restaurant	<input type="checkbox"/> Comedy Club	<input type="checkbox"/> Night Club	<input type="checkbox"/> Veterans Club
<input type="checkbox"/> Cafe/Coffee Shop	<input type="checkbox"/> Brew Pub	<input type="checkbox"/> Tavern	<input type="checkbox"/> Fraternal Club
<input type="checkbox"/> Bed & Breakfast	<input type="checkbox"/> Theater	<input type="checkbox"/> Wine Tasting Room	

<input type="checkbox"/> Supermarket	<input type="checkbox"/> Membership Store	<input type="checkbox"/> Service Station	<input type="checkbox"/> Swap Meet/Flea Market
<input type="checkbox"/> Liquor Store	<input type="checkbox"/> Department Store	<input type="checkbox"/> Convenience Market	<input type="checkbox"/> Drive-in Dairy
<input type="checkbox"/> Variety/Drug Store	<input type="checkbox"/> Gift Shop/Florist	<input type="checkbox"/> Convenience Market w/Gasoline	
<input type="checkbox"/> Other - describe: _____			

6. PATRON CAPACITY aprox 160	7. SURROUNDING AREA <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Rural <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Other	8. PREMISES IS LOCATED IN <input type="checkbox"/> Free Standing Building <input checked="" type="checkbox"/> Shopping Center (Name): <u>Biggy Village Plaza</u> <input checked="" type="checkbox"/> 10 Units or Less <input type="checkbox"/> More than 10 Units
--	--	---

9. FOOD SERVICE <input type="checkbox"/> None <input type="checkbox"/> Minimal <input checked="" type="checkbox"/> Full Meals	10. PARKING LOT? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	11. PATIO? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	12. WILL YOU HIRE A MANAGER? (Rule 57.5) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	13. WILL YOU HAVE A FOOD LESSEE? (Rule 57.7) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	---	---	---	---

14. MEAL TYPE <input checked="" type="checkbox"/> Dinner House <input type="checkbox"/> Seafood <input type="checkbox"/> Fast Food/Deli <input type="checkbox"/> Other: <input type="checkbox"/> Pizza/Pasta	15. TYPE OF FOOD <input checked="" type="checkbox"/> American <input type="checkbox"/> Greek <input type="checkbox"/> Indian <input type="checkbox"/> French <input type="checkbox"/> Chinese <input type="checkbox"/> Korean <input type="checkbox"/> Italian <input type="checkbox"/> Thai <input type="checkbox"/> Japanese <input type="checkbox"/> Other: _____	16. HOURS OF FOOD SERVICE BREAKFAST HOURS From: 09:00 To: 11:00 LUNCH HOURS From: 11:00 To: 05:00 DINNER HOURS From: 05:00 To: 1:00
---	---	---

17. OPERATING HOURS

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Opening Time	09:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	10:00 AM
Closing Time	10:00 PM	11:00 PM	11:00 PM	11:00 PM	12:00 AM	2:00 AM	2:00 AM

18. ENTERTAINMENT (One or more may apply. Please describe any entertainment with an asterisk (*) below)

<input type="checkbox"/> None	<input checked="" type="checkbox"/> *Amplified Music	<input checked="" type="checkbox"/> Patron Dancing	<input type="checkbox"/> Card Room
<input checked="" type="checkbox"/> Recorded Music	<input type="checkbox"/> *Live Entertainment	<input type="checkbox"/> Bikini/Topless/Exotic	<input type="checkbox"/> Movies
<input type="checkbox"/> Juke Box	<input type="checkbox"/> *Floor/Stage Shows	<input type="checkbox"/> Pool/Billiard Tables	<input type="checkbox"/> *Hot Spot*/Lottery
<input type="checkbox"/> *Other	<input type="checkbox"/> Karaoke	<input type="checkbox"/> *Amateur/Pro Sports Events	<input type="checkbox"/> Video/Coin-Operated Games

*Description: _____

19. PREMISES IS LOCATED ON <input checked="" type="checkbox"/> Major Thoroughfare <input type="checkbox"/> Secondary Street <input type="checkbox"/> Other	20. TYPE OF STRUCTURE <input checked="" type="checkbox"/> Single Story <input type="checkbox"/> Two-Story <input type="checkbox"/> Multi-Story - Number of stories: _____
--	---

21. PASS-THROUGH WINDOW? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	22. FIXED BARS? <input checked="" type="checkbox"/> Yes - how many: 1 <input type="checkbox"/> No	23. WHAT PERCENTAGE OF YOUR TOTAL SALES WILL BE ALCOHOLIC BEVERAGES? 10%
---	---	--

FOR ABC USE ONLY

24. INFORMATION GIVEN (R-27, R-107, Sec. 25612.5, Sec. 23760.6, etc.)	25. DATE ENTERED INTO CABIN
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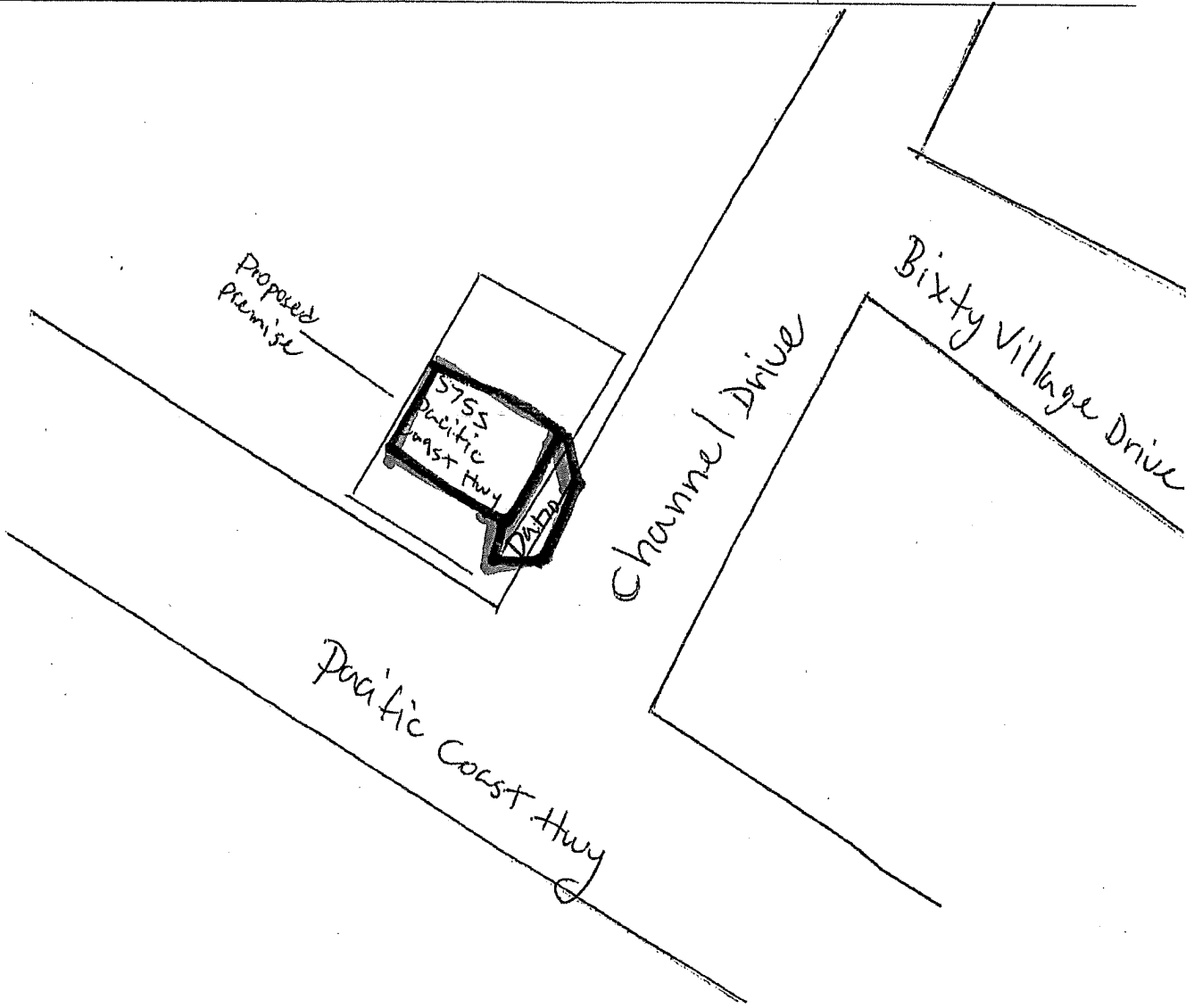
SUPPLEMENTAL DIAGRAM

Instructions to Applicant:

Draw a sketch of the area on which the licensed premises is or will be located. Show adjacent structures and nearest cross streets. *If this is an event for a daily license, catering authorization or miscellaneous use, show the area where sales and consumption of alcoholic beverages will occur. Post a copy of this diagram with Daily License, Catering Authorization or Event Authorization where the event is held. Sales and consumption of alcoholic beverages must be confined to the area designated in the diagram and supervised to prevent violations of the Alcoholic Beverage Control Act.*

1. APPLICANT NAME (Last, first, middle) On The Rocks Bar & Grill	2. LICENSE TYPE 47
3. PREMISES ADDRESS (Street number and name, city, zip code) 5755 E. Pacific Coast Hwy., Long Beach, CA 90803	4. NEAREST CROSS STREET Channel Dr.

DIAGRAM



I have read the above instructions and I declare under penalty of perjury that the above diagram is true and correct.

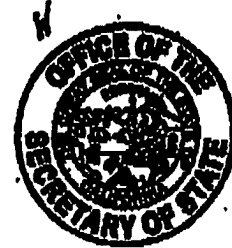
APPLICANT SIGNATURE <i>[Signature]</i>	DATE SIGNED 9-21-15
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FOR ABC USE ONLY

CERTIFIED CORRECT (Signature) <i>[Signature]</i>	PRINTED NAME Ann Marie Cho	INSPECTION DATE Cyrl & out on 9/25/16
---	--------------------------------------	---

3288665

**State of California
Secretary of State**



I, DEBRA BOWEN, Secretary of State of the State of California, hereby certify:

That the attached transcript of 1 page(s) is a full, true and correct copy of the original record in the custody of this office.



IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of

APR 27 2010

A handwritten signature in cursive script that reads "Debra Bowen".

DEBRA BOWEN
Secretary of State

3288665

ARTICLES OF INCORPORATION
OF
ON THE ROCKS BAR & GRILL

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

APR 26 2010

ARTICLE I

The name of this corporation is: **ON THE ROCKS BAR & GRILL**

ARTICLE II

The purpose of the corporation is to engage in any lawful act or activity for which a corporation may be organized under the General Corporation Law of California other than the banking business, the trust company business or the practice of a profession permitted to be incorporated by the California Corporations Code.

ARTICLE III

The name and address in the State of California of the corporation's initial agent for the service of process is: **STEVEN MELILLO, 2508 Holly Lane, Newport Beach, CA 92663**

ARTICLE IV

This corporation is authorized to issue only one class of shares of stock, which shall be designated "Common Shares," and the total number of shares which the corporation is authorized to issue is One Hundred Thousand (100,000).

ARTICLE V

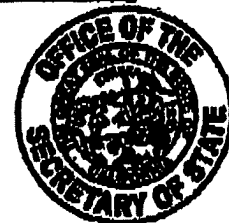
The liability of the directors of the corporation for monetary damages shall be eliminated to the fullest extent permissible under California law.

ARTICLE VI

The corporation is authorized to provide indemnification of agents (as defined in section 317 of the California Corporations Code) for breach of duty to the Corporation and its shareholders through bylaw provisions or through agreements with such agents, or both, in excess of the indemnification otherwise permitted by section 317 of the California Corporations Code, subject to the limits on such excess indemnification set forth in section 204 of the California Corporations Code.

IN WITNESS WHEREOF, the undersigned Incorporator has executed the foregoing Articles of Incorporation this 26th day of April 2010.


MARLA MERHAB ROBINSON



STATEMENT of INFO.

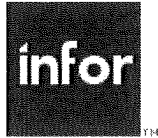
Results Detail

Last statement filed on: 11/19/2015

Corporation		
ON THE ROCKS BAR & GRILL		
Number: C3288665	Incorporation Date: 4/26/2010	Status: Active
Jurisdiction: CA	Type: Domestic Stock	
Address		
12752 VALLEY VIEW, STES V & W, GARDEN GROVE, CA 92845		
Agent For Service Of Process		
STEVE MELILLO 12752 VALLEY VIEW STREET, STE V, GARDEN GROVE, CA 92845		

Please review this information to determine if you have located the correct corporation.
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Search Results	Continue Filing	New Search
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1/30/2018 08:52

INFORMATION - LICENSE # BS21701476

License Type BS
Application Type Secondary Business License
Description
Primary Applicant
Primary Applicant Last Name ON THE ROCKS BAR & GRILL
Address 5755 E PACIFIC COAST HWY LONG BEACH CA 90803
Location
 License is Pending.
 Current milestone is Council Approval.
 Current unpaid amount of \$0.00.
 Account: BS21701476

License Description

Status Dates

Processed Date 3/8/2017 16:08
by Nadia Lopez
Start Date 5/18/2016 00:00
by Nadia Lopez
Inactive Date
by
Last Renewal
by
Next Renewal
Expires
Grace Exp
End Date

License Description

Property Type COM
License Category 300508
Business Name ON THE ROCKS BAR & GRILL
DBA Name
 Detailed Description of Business Activities
 ENTERTAINMENT WITHOUT DANCHING (ALCOHOL)
Application Reason NEWLICENSE
Description Entertainment Without Dancing (Alcohol)

License Details
(Tab Not Loaded)

Endorsements
(Tab Not Loaded)

Reviews

Record Results

Review #	Review Type	Add #	Add Date	Result	Comments	Result By	Completed	Completed By	Review Description	Started	Started By	Due Date
37590	BUSLIC	1	3/8/2017	APPROVED		EMARMST	1/30/2018 08:52	EMARMST	Business License			6/1/201
37591	BUILDING	1	3/8/2017	APPROVED	Approval for the business, no change on egress	TAVU	1/4/2018 11:52	TAVU	Building Dept Review			4/19/20

ID	Category	Count	Date	Status	System	Time	Person	Action	Due Date
37592	FIRE	1	3/8/2017	INSPECT	SYSTEM	3/8/2017 16:13		Fire Dept Review	6/1/2018
37593	HEALTH	1	3/8/2017	INSPECT	SYSTEM	3/8/2017 16:13		Health Dept Review	6/1/2018
37594	POLICE	1	3/8/2017	APPRWCOND	SYSTEM	5/15/2017 10:02	JEARZOL	Police Dept Review	6/1/2018
37595	PLANNING	1	3/8/2017	APPROVED	JORAMIR	1/4/2018 13:26	JORAMIR	Planning Dept Review	4/19/2018
48326	COUNCIL	1	1/30/2018					Council	
48327	HEARINGPRE	1	1/30/2018					Hearing Prep	

Inspections

Record Results

Add Date	Inspection #	Inspection Type	Inspection Description	#	Result	Comments	Resulted By	Completed	Call	Due Date	Time Preference
1/4/2018	62617	FIRE	Fire	1	APPROVED	Approved per email from Dave Zinnen. Since entertainment without dancing, no change to occupancy. ENTERTAINMENT LICENSE APPROVED PROVIDED ALL PROVISIONS OF THE CITY'S NOISE ORDINANCE, LONG BEACH MUNICIPAL CODE 8.80, ARE ABIDED BY.	EMARMST	1/30/2018 08:51		4/2/2018 00:00	
1/4/2018	62618	HEALTH	Health	1	APPROVED	THE CITY'S NOISE ORDINANCE, LONG BEACH MUNICIPAL CODE 8.80, ARE ABIDED BY.	MIYAMAD	1/11/2018 08:35		4/2/2018 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: June 1, 2017

To: Sandy Palmer, Bureau Manager, Business Services Bureau

From: Robert G. Luna, Chief of Police

Subject: **APPLICATION FOR AN ENTERTAINMENT WITHOUT DANCING PERMIT AT ON THE ROCKS BAR & GRILL - 5755 EAST PACIFIC COAST HIGHWAY**

In response to your request for a recommendation regarding the above-named application for Entertainment without Dancing Permit, the Police Department recommends **approval** of an Entertainment without Dancing Permit, subject to the following 17 conditions of operation:

On the Rocks Bar & Grill is a restaurant located on the northwest corner of Pacific Coast Highway and Channel Drive. This establishment was previously Pints Sports Bar & Grill. In November 2015, Steven Melillo purchased the business and renamed it On the Rocks Bar & Grill. The establishment currently has an active Type 47 (On-Sale General for Bona Fide Public Eating Place) Alcoholic Beverage Control (ABC) license, with conditions.

On April 18, 2017, On the Rocks Bar & Grill applied for an Entertainment without Dancing Permit, allowing live music by more than two performers, amplified music (live) and a disc jockey. On May 29, 2009, the City Council approved the Type 47 license.

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'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.

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) Entertainment activities indicated on Page 9 of the entertainment application shall be restricted from 9:00 p.m. to 12:00 a.m. Friday and Saturday.

- 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) "Meals" means the usual assortment of foods commonly ordered at various hours of the day; the service of such food only as sandwiches or salads shall not be deemed compliant with this requirement. Meals must consist of food prepared on the premises. Hours of sales of alcohol shall be limited to the hours when meals are available.

The premises must be equipped and maintained in good faith. The premises must possess working refrigeration, cooking equipment, utensils, menus and enough food to make substantial meals.

In the event the primary business ceases operations, fails to operate as a bona fide eating place, fails to serve actual and substantial meals or otherwise fails to comply with this condition, the Entertainment Permit becomes null and void.

- 5) 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. "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.
- 6) 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) 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, permittee's operations.
- 8) 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-way and any parking lot under the control of 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, permittee may be required to add additional video cameras.
- 9) Any graffiti painted or marked upon the premises or on any adjacent area under the control of permittee shall be removed or painted over within 24 hours of being applied.
 - 10) Permittee shall ensure that all employees attend an alcohol awareness class, such as TIPS or LEAD, within the first 90 days of employment. Permittee shall keep employee's proof of completion on file and available for inspection at any time.
 - 11) Permittee shall maintain full compliance with all applicable laws, ABC laws, ordinances and stated conditions. In the event of a conflict with the requirements of this permit, the more stringent regulation shall apply.
 - 12) Noise emanating from permittee's premises shall not be audible beyond 50 feet from the property line of the premises. Permittee shall be responsible for determining how to best meet this requirement, either by keeping doors and windows closed, limiting hours of entertainment or by offering non-amplified entertainment.
 - 13) Permittee is required to monitor the outside patio area for any nuisance activity that could disturb the surrounding neighbors. This shall be done by utilizing security guards or employees.
 - 14) Entertainment is permitted until midnight on holidays that fall on a Friday and Saturday.
 - 15) Permittee shall employ his own discretion in determining the level of security necessary to prevent violations of law and any other disturbances arising out of, or in connection with, business operations. Should permittee's operations give rise to a substantial increase in complaints/calls for police service or trash left in the parking lot, 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 deems necessary to protect the safety of the public.
 - 16) At the conclusion of each event, 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.
 - 17) The business, its promoters or agents shall not distribute any advertising matter, such as signs, posters or promotional cards, in or upon any public

On the Rocks Bar & Grill
5755 E. Pacific Coast Highway
Entertainment with Dancing Permit
Page 4

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. Permittee shall keep all agent's and promoter's contracts, including names, addresses and phone numbers, on file at all times and must make them available for inspection at any time.

RGL:JJA:jja
AppvlCondOntheRocks