



# CITY OF LONG BEACH

# H-2

DEPARTMENT OF FINANCIAL MANAGEMENT

411 West Ocean Boulevard 6<sup>th</sup> Floor • Long Beach, CA 90802 • (562) 570-6200 • Fax (562) 499-1097

September 10, 2019

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 Promenade Hospitality Group, LLC, dba The Ordinarie, at 210 The Promenade North, for entertainment with dancing. (District 2)

## 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) 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. Attached are the departmental investigative reports, history, entertainment permit application, and floor plan.

The following summarizes departmental findings:

- The Police Department recommends the permit for entertainment with dancing be approved subject to 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 (attached).

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 June 1992. The business changed ownership to Promenade Hospitality Group, LLC, in October 2018.

This matter was reviewed by Deputy City Attorney Amy R. Webber on August 12, 2019.

#### TIMING CONSIDERATIONS

The hearing date of September 10, 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 \$1,310.00 (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 \$379.07, Employee Rate \$19.68 per employee, and Annual Entertainment Regulatory Fee \$1,120.00 (Financial Management Department).

HONORABLE MAYOR AND CITY COUNCIL  
September 10, 2019  
Page 3

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



JOHN GROSS  
DIRECTOR OF FINANCIAL MANAGEMENT

JG:ea  
K:\FM-ADMIN\CITY COUNCIL LETTERS\BUSINESS SERVICES\2019\09-10-16 CCL - PROMENADE HOSPITALITY DBA THE ORDINAIRE.DOCX

ATTACHMENTS

APPROVED:



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PATRICK H. WEST  
CITY MANAGER



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT  
BUSINESS SERVICES BUREAU

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

## **Recommended Conditions of Operation** **Promenade Hospitality Group LLC DBA The Ordinarie** **210 The Promenade North** **Application for Entertainment With Dancing**

The Department of Financial Management recommends **approval** of the Permit subject to the following conditions associated with the Downtown Dining and Entertainment District:

“Entertainment” as used here shall have the same definition as “entertainment activity” contained in LBMC Section 5.72.115:

- A. “Entertainment activity” means any activity conducted for the primary purpose of diverting or entertaining a clientele in a premises open to the general public. Said activity shall include, but shall not be limited to, dancing, whether by performers or patrons of the establishment, live musical performances, instrumental or vocal, when carried on by more than two (2) persons or whenever amplified; musical entertainment provided by a disc jockey or karaoke, or any similar entertainment activity involving amplified, reproduced music.

Permittee understands and agrees that the conditions attached here are in addition to the requirements of LBMC Sections 5.72 and 21.115.110. In the event of a conflict between the permittee’s ABC license and this permit, or between a conditional use permit and this permit, the more stringent conditions shall apply.

Permittee understands and agrees that he or she is excused from complying with the Tiered Conditions so long as his or her operation complies with all of the conditions in this permit as well as all other applicable laws and regulations. Failure to comply will result in the enforcement of increasingly more stringent Tiered Conditions and may result in a decision to suspend or revoke the Entertainment Permit.

This permit does not modify or limit in any way the authority of the Chief of Police to enforce Penal Code Section 415 (disturbing the peace) against any person or entity, or of the Chief of Police or the Fire Marshal to immediately take action in the event of an imminent threat to public health or safety.

### **CONDITIONS OF OPERATION**

1. Individuals and business entities who apply for and obtain entertainment permits (“Permittees”) shall comply with all applicable laws, regulations, ordinances and stated conditions. If Permittee fails to comply with the conditions of this permit, or if his or her operations result in excessive police service as defined below, Permittee will be required to operate under the more restrictive conditions described in Paragraph C, “Tiered Conditions,” without further hearing.
2. When the Chief of Police determines that excessive police services are required as the result of any incident or nuisance arising out of or in connection with Permittee's operations, the cost of such services shall be billed to Permittee as an expense of an emergency response. “Expense of an emergency response” means those costs incurred

by the City of Long Beach in making any appropriate emergency response to the incident, and shall be comprised of all costs directly arising because of the response to the particular incident, including, but not limited to, the costs of providing police, firefighting, rescue, and emergency medical services at the scene of the incident, as well as the salaries of the personnel responding to the incident.

3. Indoor entertainment and outdoor Ambient Music that otherwise conforms with the requirements of state and local laws and regulations may be offered until 2 a.m., seven (7) days a week.
4. Outdoor Amplified Music, including entertainment activity on rooftop patios or areas with sidewalk-occupancy permits, must be applied for and will be considered separately from indoor entertainment. Outdoor amplified entertainment, if permitted, will be subject to the following restrictions: a) sound amplifying equipment may be used only between 10 a.m. and 10 p.m. Sunday through Thursday, and 10 a.m. and midnight Friday and Saturday; b) in conjunction with an Occasional Event Permit, pursuant to Long Beach Municipal Code section 5.72.130; or c) in conjunction with a special events permit. Permittee agrees that the following standard is reasonable: Noise emanating from Permittee's premises shall not be unreasonably loud or disturbing in light of the facts and circumstances then prevailing within fifty feet (50') of the perimeter of the premises in all directions.
5. Permittees shall place or post conditions on the premises in a place easily accessible by City staff, including law enforcement personnel.
6. Each holder of an existing entertainment permit within the DDED and each new applicant for a DDED, including an applicant who acquires an existing business through a change of ownership, shall, within ninety (90) days of application, be required to acknowledge that he or she has read, understood and agreed to the conditions of the permit. Each new applicant for a DDED permit, including an applicant who acquires an existing business through a change of ownership, shall, within ninety (90) days of application, submit proof of attending the LEAD program offered by the Department of Alcoholic Beverage Control.
7. Permittees shall be responsible for all entertainment activities at the location, including those conducted by promoters. Each Permittee and promoter conducting business within the City of Long Beach shall obtain a City of Long Beach Business License prior to conducting entertainment activities governed by a DDED permit. Permittee shall provide all promoters and agents hired to conduct entertainment activities with a copy of the approved permit, which shall include a copy of the approved conditions of operation. In addition, promoters must have or obtain a Promoter's License. Once the Promoter's License has been approved, the promoter will be added to a list of approved promoters in the City of Long Beach.
8. If Permittee utilizes an independent third party event promoter to provide entertainment related services resulting in any public safety call for service, the City reserves the right to remove and/or restrict the use of independent third party promoters.
9. The operation of the establishment shall be limited to those activities expressly indicated on the entertainment permit application and approved by the City Council. Any change in the operation that exceeds the conditions of the approved permit will require approval by City Council.

10. Permittee shall conduct all aspects of his or her operation, including before- and after-hours deliveries and maintenance, in consideration of residences located nearby.
11. Permittee agrees that the following standard is reasonable: Noise emanating from Permittee's premises shall not be unreasonably loud or disturbing in light of the facts and circumstances then prevailing within fifty feet (50') of the perimeter of the premises in all directions. Sound and amplification equipment shall be monitored during business hours to ensure that audible noise remains at acceptable levels in accordance with Long Beach Municipal Code Chapter 8.80.
12. On and after the date this ordinance takes effect, applicants for new entertainment permits in the DDED must cause an acoustical study to be prepared by a qualified, certified acoustical engineer, hired by the applicant and acceptable to the City, which shall demonstrate the sound emanating from the applicant's establishment meets the sound standards described in Long Beach Municipal Code Chapter 8.80. The study shall be reviewed and confirmed by the Health Department and the Development Services Department during their review of the permit application.
13. A new applicant for an entertainment permit in the DDED, including an applicant who acquires an existing business through a change of ownership, may be eligible to request a waiver of the requirement to conduct a sound study if the applicant meets one of the following criteria:
  - a. The location had an entertainment permit, and no more than twelve (12) months have elapsed since the permitted entertainment at that location ceased; or
  - b. Verifiable evidence that best sound mitigation practices were used in the construction or retrofitting of the location.
14. The waiver request shall be presented to a committee comprised of representatives of the City's noise office, business license bureau and zoning administration, who will conduct a hearing to determine if the sound study waiver is appropriate for the location. The committee shall consider but not be limited to the following: the previous use of the location, the history of sound-related complaints and violations at the location, proximity to residential development and the age and condition of the building, including sounds mitigation efforts. The committee shall determine if the waiver request shall be granted or denied.
15. Denial of a waiver request may be appealed to a City hearing officer pursuant to Long Beach Municipal Code Section 2.93.050.
16. No adult entertainment, as defined by Long Beach Municipal Code Section 5.72.115(B), shall be conducted on the permitted premises. Permittees shall not allow, permit, procure, or encourage, anyone to expose male or female genitals, cleft of the buttocks, the areola or any portion of the female breast below the areola, while at or inside the business.
17. Current occupancy loads shall be posted at all times, and 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, as required by Long Beach Municipal Code Section 18.48.200.
18. If Permittee's operations give rise to a substantial increase in complaints/calls for police service, 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. In the event of a conflict on this issue between the requirements of this permit and any permit issued by the Alcoholic Beverage Commission, the more stringent regulation shall control.

19. Permittee shall be responsible for maintaining an adequate security staff to supervise patrons and those waiting to enter. Potential patrons awaiting entry in a defined "queue" shall be counted toward the calculation of required security staffing levels. For up to fifty (50) people inside (or in a defined queue waiting to enter) an establishment, the Permittee shall provide a minimum of one (1) uniformed licensed security guard per floor. There shall be one (1) additional guard for each subsequent increment or each partial increment of fifty (50), plus one (1) guard per each additional floor. The Chief of Police may relax these staffing levels during daylight hours, or during hours in which the primary activity in the establishment is dining, if he determines that a lower level of security staffing is consistent with the protection of public health and safety. The attire of each security guard shall clearly indicate the guard's affiliation with the establishment by means of a pin, shirt, or other clearly-visible form of identification.
20. Restaurants with alcohol and entertainment in the DDED must be operated and maintained as bona fide eating places, making actual and substantial sales of meals, during at least one (1) full normal mealtime, at least five (5) days a week. Normal mealtimes are 6:00 a.m. - 9:00 a.m., 11:00 a.m. - 2:00 p.m., and 6:00 p.m. - 9:00 p.m, or as defined in the Permittee's ABC license. Minors are only allowed on the premises during mealtime hours.
21. Persons under eighteen (18) years of age shall not be permitted to enter nor permitted to remain on the premises after 10 p.m., unless accompanied by a parent or legal guardian.
22. Permittee shall establish a program to discourage loitering and littering outside any of the entrance/exit doors at all times open for business.
23. Permittee shall take steps to prevent patrons from loitering in the immediate area, littering or making excessive noise at the conclusion of each event and at closing time.
24. Permittee shall not distribute, post or attach, and shall be responsible for ensuring that its promoters and or agents do not distribute, post or attach, advertising matter on public property or on any vehicle on public property.
25. 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.
26. 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 thirty (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.

27. Insofar as is practicable, during the hours of operation, the front door of the establishment, or any door fronting on a public right of way, including an alley, shall remain closed at all times to minimize noise.
28. Windows shall not be obscured by the placement of signs, including signs advertising alcoholic products, dark window tinting, shelving, racks or similar obstructions.
29. Permittee shall install an alarm system at the exit doors.
30. No publicly accessible telephones shall be maintained on the exterior of the premise. Any existing publicly accessible telephones shall be removed prior to the issuance of the permit.
31. As a condition of any City approval, Permittee shall defend, indemnify and hold harmless the City of Long Beach, its agents, officers and employees from any claim, action or proceeding against the City of Long Beach or its agents, officers or employees to attack, set aside, void or annul the approval of the City concerning the processing of the permit or any action relating to or arising out of such approval. At the discretion of the City and with the approval of the City Attorney, a deposit of funds by the permit applicant may be required in an amount sufficient to cover the anticipated litigation costs.
32. Permits may be administratively reviewed by the City within six (6) months from the date of issuance to monitor compliance with permit conditions.

### **ADDITIONAL CONDITIONS**

1. All three cascading sliding doors shall remain closed during entertainment events and performances with amplified music, except when levels are maintained below the noise standard.

### **TIERED CONDITIONS**

**Tiered Conditions. "Tiered Conditions" as set forth below consist of progressively more stringent regulations on entertainment and related activities in the DDED. By applying for an entertainment permit in the DDED, the applicant must agree to the conditions set forth below and must agree to waive a hearing if these conditions are applied. The City Council may add further conditions not listed here, or revoke the permit, if Permittee does not comply with the conditions imposed in this permit.**

**These conditions do not modify or limit in any way the authority of the Chief of Police to enforce Penal Code Section 415 (disturbing the peace) against any person, or of the Chief of Police or the Fire Marshal to immediately take action in the event of an imminent threat to public health or safety.**

#### **Tier 1 Conditions:**

Permittee may have entertainment on the premises during the maximum hours permitted in the DDED, consistent with the conditions imposed in the entertainment permit, ABC requirements and with conditions imposed under a Conditional Use Permit (if applicable). As long as the



primary requirements for safety and noise are met (Conditions 1-29), Permittee may choose the methods of meeting those requirements.

Noncompliance with Tier 1 conditions: When the City determines that Permittee has violated the terms of the permit, including Permittee's obligation to comply with all other laws and regulations, he or she may require Permittee to attend a meeting with the involved departments to address community concerns and discuss how the implementation of Tier 2 Conditions can be avoided.

### Tier 2 Conditions:

#### A. Noise:

Following the receipt of three (3) or more noise complaints that require a response by the Police Department within a 30-day period and which are found to violate the noise standard prohibiting unreasonably loud sound fifty feet (50') from the perimeter of the premises, Permittee will be notified that his or her premises must comply with those Tier 2 Noise Conditions which the City determines are necessary to protect the public peace and to comply with the City's noise ordinance, from among the following list:

- i. Permittee must keep all doors and windows closed except while patrons are entering or exiting;
- ii. Permittees shall submit an acoustical study, performed by a qualified, certified acoustical engineer, hired by the applicant and acceptable to the City. The study shall be reviewed and confirmed by the Health Department and the Development Services Department. Based on the results of the acoustical study, appropriate mitigation measures may be required so that the noise emanating complies with the sound ordinance. Such measures must be completed and approved by the City before outdoor amplified entertainment will be permitted. If the Permittee did not previously perform and submit such an acoustical study and mitigation measures, the Permittee shall do so. Once a Permittee has been notified of Tier 2 status, the Permittee can no longer qualify for a waiver pursuant to Paragraph 13.;
- iii. Sound and amplification equipment shall be monitored during business hours to ensure that audible noise remains at acceptable levels in accordance with Long Beach Municipal Code Chapter 8.80.;
- iv. No entertainment of any kind will be permitted after 1 a.m.;
- v. No outdoor entertainment of any kind (amplified or non-amplified) will be permitted after 10 p.m.;
- vi. No queue will be permitted after midnight. Any persons gathering outside the establishment shall be considered to be loitering.

#### B. Security/Public Safety:

For the purposes of this Section, an "incident" means a complaint or occurrence that requires a Police or Fire Marshal response to Permittee's premises due to Permittee's noncompliance with the terms and conditions of the Entertainment Permit. Following 3 or more incidents within a 3--day period, or a single incident involving violence, the Chief of

Police or Fire Marshal may notify Permittee of additional measures and conditions to be implemented. These additional measures will be some or all of the following:

- i. Additional security personnel at hours determined necessary by the Chief of Police to prevent Permittee's operations from creating a public nuisance;
- ii. Additional security checks on incoming patrons;
- iii. No entertainment of any kind will be permitted after 1 a.m.;
- iv. No queue after midnight. Any persons gathering outside the establishment shall be considered to be loitering;
- v. Any additional measures deemed necessary by the Chief of Police or the Fire Marshall to protect health and safety.;
- vi. Upon the request of a Permittee who has been required to implement Tier 2 conditions, the Chief of Police, in consultation with the Fire Marshal and the Health Department, shall review Permittee's recent compliance history and determine whether some or all conditions can be returned to Tier 1 levels consistent with the protection of public health and safety.

### Tier 3 Conditions:

The failure of a permittee to resolve noise and/or security/public safety issues as directed by the City within a period not to exceed thirty (30) days shall result in the implementation of Tier 3 conditions:

#### A. Noise:

- i. No outdoor entertainment of any kind will be permitted at any time;
- ii. Only Ambient Music will be permitted at any time OR Amplified Music will only be permitted until 10 p.m. any night;
- iii. All noise must be contained within the premises. No noise shall be audible outside the establishment;
- iv. Implement Health Department recommendations to mitigate noise, including pre- and post-implementation monitoring data collected by a certified noise expert approved by the Health Department;

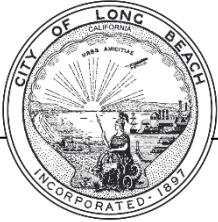
#### B. Security/Public Safety:

- i. Entertainment must cease not later than 10 p.m. on Sunday through Wednesday nights and no later than midnight on Thursday through Saturday nights. The Chief of Police is authorized to make adjustments of up to one (1) hour in these times to protect the public peace.
- ii. Permittee shall limit the queue outside the establishment to no more than twenty (20) people. There shall be no queue within two (2) hours of the lawful closing time. Any persons gathering outside the establishment shall be considered to be loitering.
- iii. Any additional measures determined necessary by the Chief of Police or the Fire Marshal may be imposed to protect health and safety.

RECOMMENDED CONDITIONS OF OPERATION  
APPLICATION FOR ENTERTAINMENT WITH DANCING  
PROMENADE HOSPITALITY GROUP LLC  
DBA: THE ORDINARIE  
210 THE PROMENADE NORTH  
PAGE 8

If the City determines that Permittee has not modified his or her operations in compliance with Tier 3 conditions and Permittee continues to violate the terms and conditions of the Entertainment Permit, the City shall begin revocation or suspension proceedings. Permittee is entitled to a hearing to contest such revocation or suspension.

STP:ea



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

411 West Ocean Boulevard 6<sup>th</sup> Floor • Long Beach, CA 90802 • (562) 570-6200 • Fax (562) 499-1097

## SUMMARY OF APPLICATION FOR ENTERTAINMENT PERMIT

Attached for your review and action is an application for Promenade Hospitality Group LLC DBA The Ordinarie. Also, attached are reports from various departments stating their recommended disposition of the subject application. These are summarized as follows:

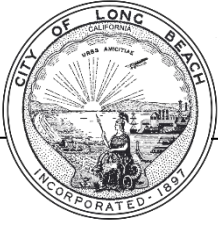
### SUBMITTED FOR CITY COUNCIL ACTION

	<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 210 THE PROMENADE NORTH

Promenade Hospitality Group LLC  
DBA: The Ordinarie  
Lic # BS21806548  
10/18 – Pending

Entertainment with Dancing (Alcohol)

Promenade Hospitality Group LLC  
DBA: The Ordinarie  
Lic # BU21806547  
10/18 – Pending

Restaurant & Ready to Eat Foods (Alcohol)

Downtown Blue Café Inc  
DBA: Blue Cafe  
Lic # BU20845710  
09/08 – 07/09

Entertainment with Dancing (Alcohol)

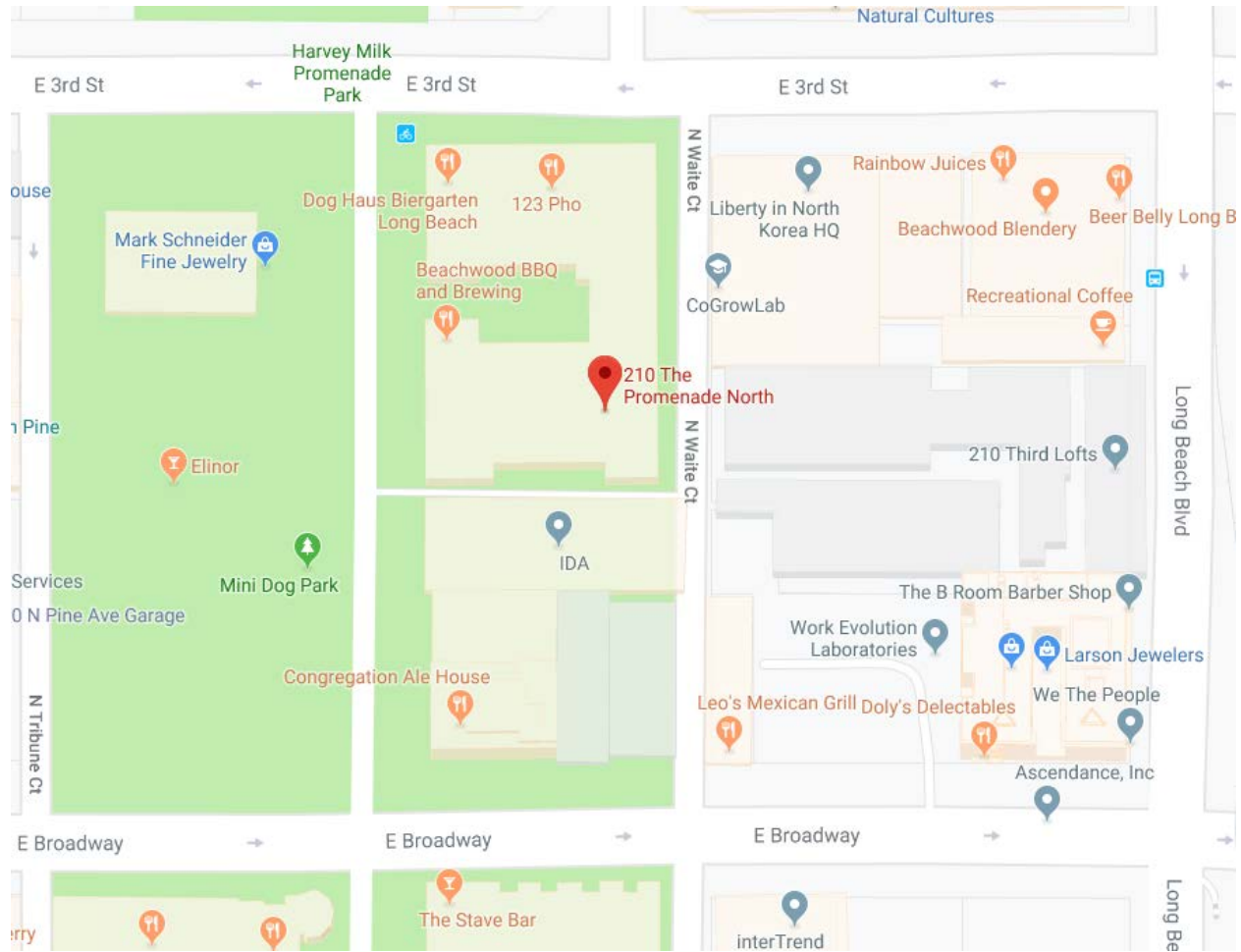
Downtown Blue Café Inc  
DBA: Blue Cafe  
Lic # BU20443830  
09/04 – 10/09

Restaurant & Ready to Eat Foods (Alcohol)

Downtown Blue Café Inc  
DBA: Blue Cafe  
Lic # BU20443840  
09/04 – 10/09

Pool Hall (3+ Tables)

**Promenade Hospitality Group LLC**  
**DBA: The Ordinarie**  
**210 The Promenade North**







CITY OF LONG BEACH BUSINESS LICENSE APPLICATION

Fourth Floor, City Hall
333 W. Ocean Boulevard, Long Beach, CA 90802

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

OWNER INFORMATION
OWNER ENTITY NAME: DAVID CORREY PALMVENADE HOSPITALITY GROUP
DRIVER'S LICENSE NO: A
STATE: CA
SOCIAL SECURITY NO: [REDACTED]
HOME OCCUPATION: [ ] Y [X] N
BUSINESS NAME (DBA): THE ORDINARY
TYPE OF BUSINESS (BE SPECIFIC): ENTERTAINMENT
EMAIL: [REDACTED]
BUSINESS ADDRESS: 210 THE PALMVENADE
STREET: [REDACTED]
CITY: LONG BEACH
STATE: CA
ZIP: 90802
AREA CODE TELEPHONE: 562 6764261

LIST OF PRINCIPAL OFFICERS, MEMBERS, PARTNERS AND RESIDENTIAL ADDRESSES (IF MORE PLEASE ATTACH A LIST)
DAVID CORREY [REDACTED]
ERIC TULLSON [REDACTED]
% OWNERSHIP: [REDACTED]

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

BUSINESS OPERATIONS INFORMATION
START DATE: 10/15/18
NO OF EMPLOYEES: 50
NO OF VEHICLES: 0
FEDERAL TAX ID NUMBER: [REDACTED]
SALES & USE TAX (SELLER'S PERMIT) NO: 257920512
DOES YOUR BUSINESS HAVE A CALIFORNIA STATE LICENSE? [ ] Y [X] N
STATE LICENSE NO: [REDACTED]
CLASSIFICATION(S): [REDACTED]
RENEWAL DATE: [REDACTED]
HAVE YOU EVER HAD A BUSINESS LICENSE PERMIT REVOKED OR SUSPENDED? [ ] Y [X] N
LICENSE PERMIT NO: [REDACTED]
ISSUING AGENCY: [REDACTED]
CLASSIFICATION & DATE OF SUSPENSION/REVOCATION: [REDACTED]

FOOD/ALCOHOL/TOBACCO/ENTERTAINMENT
Do you plan to sell or serve food? (Includes pre-packaged) [X] Y [ ] N
If serving food, how many seats?: 120
Do you plan to sell or serve alcoholic beverages? [X] Y [ ] N
ABC License number: 47-59260 Type: 67
Conditions Included: (If yes, please attach to application) [X] Y [ ] N
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? [ ] Y [X] 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
Does your business have amusement machines, video games, vending machines, jukebox and/or pool tables? [ ] Y [X] N
How many: [REDACTED] Type: [REDACTED] Owner: [REDACTED]
Property Owner's Name: PLO PROPERTIES
Business sq. ft.: 3400 Warehouse on site? [ ] Y [X] N
Do you: [ ] Own or [X] Rent/Lease your business property?

HAZARDOUS MATERIALS/MEDICAL WASTE
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 manage or produce bio-hazardous materials or waste? [ ] Y [X] N
Will you have [X] Music [ ] Dancing [ ] Performers [ ] Adult Entertainment? Will you use, store, or transport chemicals (new or waste state)? [ ] 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: [Signature] Date: 9/21/18 PRINT NAME/TITLE: DAVID CORREY Managing Director

DO NOT WRITE BELOW THIS LINE
Inspection(s): [ ] Bldg [ ] Fire [ ] Health [ ] HazMat [ ] PD [ ] Other
Basic Tax
Employees # @ S =
Vehicles # @ S =
Other # @ S =
PIA # @ S =
PIA Employees # @ S =
Regulatory
Investigation
Misc. Fees
Sub Total
Zoning
Building Review
Total \$
Prev Use: restaurant w/alc Exp. Date: 10/1/09
Prev Lic:
Exp Date:
District:
CR I:
SIC:
NAICS:
Entered by: CK
Date: 9/21/18
BU: 21806548
Zoning Review
[ ] Y [ ] N [ ] N/A
By:
Date:
New construction [ ] Reuse
Zone:
Comments:

NOTE: THIS IS NOT A BUSINESS LICENSE. DO NOT OPERATE UNTIL A VALID LICENSE HAS BEEN ISSUED.



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): PROMENADE HOSPITALITY GROUP  
 Business Name (DBA): THE ORDINARY Business Phone: 562 676 4261  
 Business Site Address: 210 THE PROMENADE LONG BEACH CA 90802  
 Date Business Proposes To Open: 10/15/18  
 Days & Time Premises Are Open For Inspection: M-F 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.): DAVID COPLEY  
 Contact Person(s) Phone Number: 562 397 1958 Contact Person(s) Email: DAVID@ALDUSLINEA.COM

#### Type of Organization:

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

#### OFFICE USE ONLY

- Building  Fire  Health (Check Inspecting Department) Date Received: \_\_\_\_\_  
 Building/Location meets Department Requirements for the proposed use.  
 Building/Location meets Department Requirements for the proposed use subject to the following conditions:  
 \_\_\_\_\_  
 Building/Location does not meet Department requirements for the proposed use.  
 Inspection Completed On (date): \_\_\_\_\_ By: \_\_\_\_\_

#### POLICE DEPARTMENT

- Police Department finds no basis for denial  Police Department finds basis for denial  
 Police Department finds no basis for denial with conditions  
 Conditions or Basis for Denial: \_\_\_\_\_  
 By: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_



**GENERAL INFORMATION (All Applicants)**

Principal place of business (if other than the address listed on page 1): SAME

Fictitious business names(s) or dba(s) used: THE OROVARIIE

Place and date of filing fictitious business name statement: LOS ANGELES 10/10/18

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:

DAVID COPLEY CHRIS CROWELL  
ERIC SUTHERSON ERIC CA BOUNTY

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

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

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? 6 MONTHS

Is the location: Owned?  Rented/Leased?

If Rented/Leased, state the name and address of property owners:  
Name: PLO PROPERTIES  
Address: PO BOX 15067, LONG BEACH CA 90815

**IF APPLYING AS A PARTNERSHIP**

Check One Box:

General Partnership

Limited Partnership

LLC (Limited Liability Co.)

Name of Partnership:

PROVENANCE HOSPITALITY GROUP LLC

Federal Tax ID Number:

[REDACTED]

Seller's Permit Number:

257920512-0001

**Percentage of Partnership**

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

Interest:

DAVID LORNEY

[REDACTED]

25 %

KEVIN JOHNSON

[REDACTED]

25 %

CHRIS ADWELL

[REDACTED]

25 %

NATT PETERSON

[REDACTED]

25 %

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

Interest:

%

%

%

%

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

LONG BEACH MAY 2 2017

**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.**

# GENERAL OPERATING CONDITIONS

Complete Each Question

## ALCOHOL/FOOD/ADDITIONAL BUSINESSES

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

a. If Yes, complete the following box:

Check one box to indicate License Type

Alcohol Beverage Control License No.

Premises Type: (Club (restaurant) or Commercial (store))

On sale beer

On sale beer and wine

On sale distilled spirits

47-590602

47-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: FULL SERVICE

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

3. Are non-alcoholic beverages sold?  YES  NO

4. How many tables for seating? 32

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: \_\_\_\_\_
12. Is any other type of security provided?  YES  NO  
a. If yes, describe type of security: \_\_\_\_\_

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

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours of							
Security							

13. Will a private security firm be used?  YES  NO  
a. If yes, provide the following information of the contracted security firm:  
Name: \_\_\_\_\_ City Business License No.: \_\_\_\_\_  
Address: \_\_\_\_\_ Telephone No.: ( ) \_\_\_\_\_

**ADMISSION and/or MEMBERSHIP FEES CHARGED**

14. Will minors be allowed on the premises?  YES  NO  
15. Will the premises be open to the general public?  YES  NO  
16. Will an admission fee be charged?  YES  NO  
a. If yes, fee schedule: \_\_\_\_\_
17. Is there a private area for exclusive use of members and their guests only?  YES  NO  
a. If yes, types of membership fees: \_\_\_\_\_
18. Will guests of members pay an admission fee or other charges?  YES  NO  
a. If yes, describe the fee schedule and other charges: \_\_\_\_\_

## GENERAL OPERATING CONDITIONS (continued)

Complete Each Question

### HOURS OF OPERATION

Establishment hours of operation by day (fill out completely):

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	11am	11am	11am	11am	11am	7am	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 & TATTOO

20. Are there surrounding residences?  YES  NO

a. Approximately how close? 400 FEET.

### 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)

PUBLIC CITY PARKING FREE FOR 2 HOURS

c. Days and hours parking facility will be available: ALL DAY EVERYDAY.

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
From							
To							

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

**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: 2-3 PERFORMERS PROVIDING BACKGROUND MUSIC

Dance Floor?  Y  N

Stage?  Y  N

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

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

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

Schedule of entertainment. Please provide days of the week and time of day. If entertainment is not provided the same days and times every week, please provide a detailed schedule of specific dates and times of entertainment. Attach an additional sheet if necessary: **(Fill Out Completely)**

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Entertainment Type	2-3 PERSON	2-3 PERSON	2-3 PERSON	2-3 PERSON	2-3 PERSON	2-3 PERSON	2-3 PERSON
Start Time	9 AM	9 AM	9 AM	9 AM	9 AM	9 AM	9 AM
End Time	1:30 AM	1:30 AM	1:30 AM	1:30 AM	1:30 AM	1:30 AM	1:30 AM

**RELEASE FORM**

The undersigned, on behalf of (applicant) Brookside Hospitality 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) THE ORDINANCE 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]  
(SIGNATURE OR AUTHORIZED AGENT)

MANAGING MEMBER  
(TITLE)

9/18/18  
(DATE)

A 9652472  
DRIVER'S LICENSE OR ID CARD NUMBER

CA  
STATE

\_\_\_\_\_  
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: 9/18/18

Name of Business (DBA): THE ORIOLE

Name of Business Owner: DAVID COPPEY

Business Address: 210 THE PROMENADE  
LONG BEACH CA 90802

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 MEMBER

Phone # 562 397 1958

FAX # 562 259 2610



(E)  
PLANTER

216  
THE PROMENADE N.  
CONSTRUCTION TYPE: V-A  
FULLY SPRINKLERED

N.I.C.

COMMON HALLWAY

N.I.C.

COMMON HALLV

(E)  
PLANTER

STORAGE

CORRIDOR

EXIT COURT

BAR

TAVERN

OUTDOOR DINING

DINING #2

DINING #3

OFFICE

KITCHEN

PUBLIC WAY

SERVERS

VESTIBULE

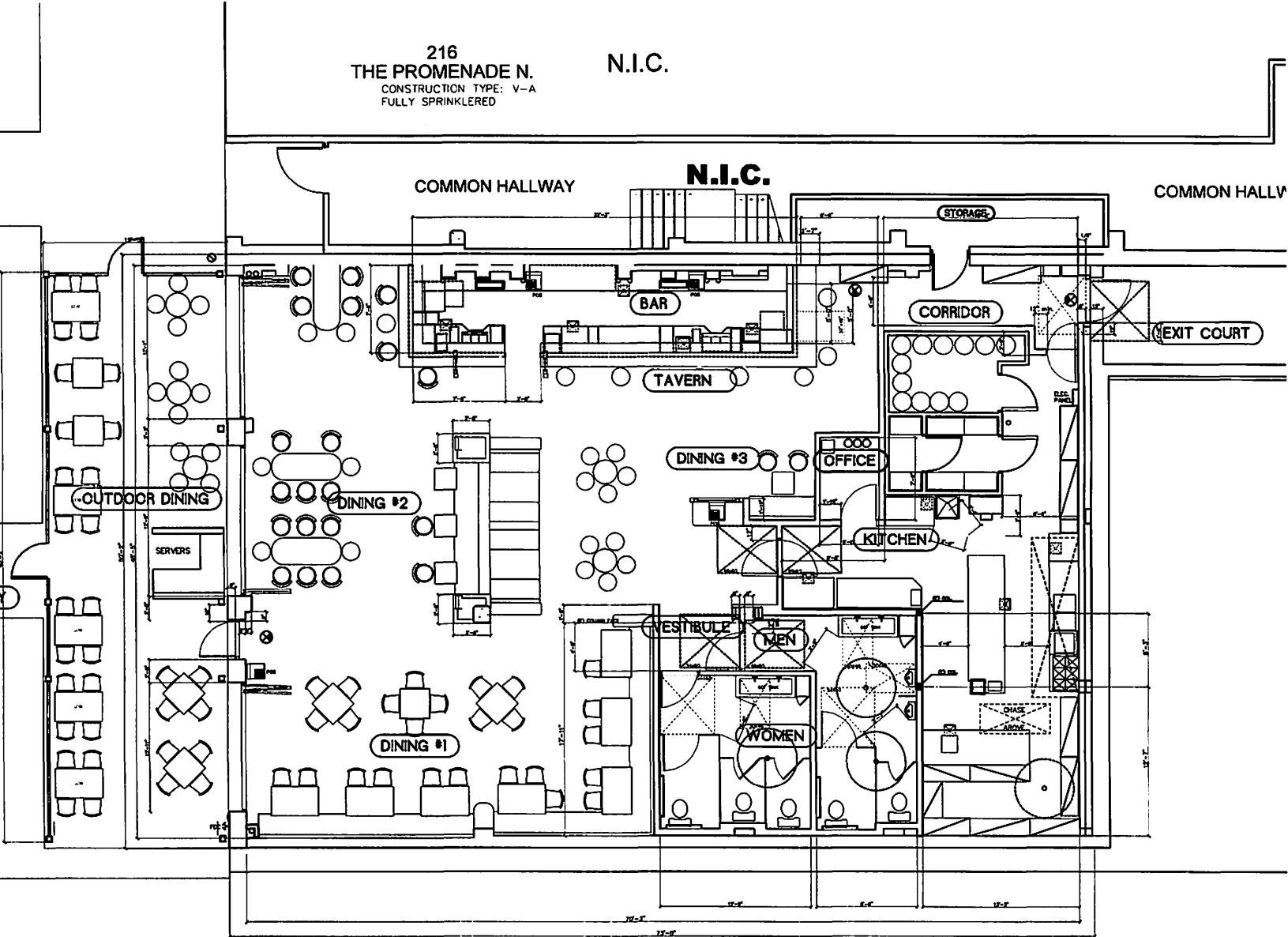
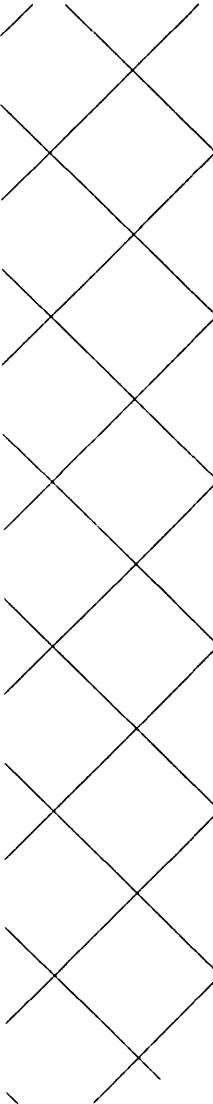
MEN

WOMEN

(E)  
PLANTER

DINING #1

CHASE  
ABOVE



2018 228913



FILED EXPIRES  
Sep 10 2018 Sep 10 2023

Dean C Logan, Registrar-Recorder/County Clerk

Electronically signed by TODD TRAN

YOUR RETURN MAILING ADDRESS

NAME: DAVID COPLEY

ADDRESS: 194 N. MARINA DRIVE, SUITE 200

CITY: LONG BEACH

STATE: CA ZIP CODE: 90803

FICTITIOUS BUSINESS NAME STATEMENT

TYPE OF FILING AND FILING FEE (Check one)

Original- \$26.00 (FOR ORIGINAL FILING WITH ONE BUSINESS NAME ON STATEMENT)
Amended Filing- \$26.00 (CHANGES IN FACTS FROM ORIGINAL FILING- REQUIRES PUBLICATION)
Refile- \$26.00 (NO CHANGES IN THE FACTS FROM ORIGINAL FILING)
\$5.00 - FOR EACH ADDITIONAL BUSINESS NAME FILED ON SAME STATEMENT, DOING BUSINESS AT THE SAME LOCATION \$5.00- FOR EACH ADDITIONAL OWNER IN EXCESS OF ONE OWNER

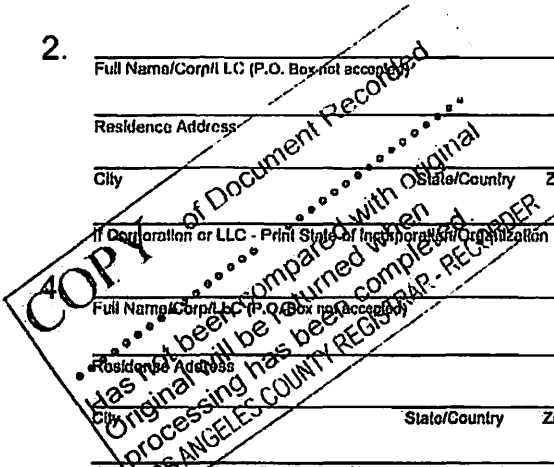
The following person(s) is (are) doing business as:

1. THE ORDINARIE
194 N. MARINA DRIVE, SUITE 200
Long Beach CA 90803 LA COUNTY
City State/Country Zip COUNTY City State/Country Zip

Articles of Incorporation or Organization Number (if applicable): AI #DN

\*\*\*REGISTERED OWNER(S):

1. PROMENADE HOSPITALITY GROUP, LLC
Full Name/Corp/LLC (P.O. Box not accepted)
194 N. MARINA DRIVE, SUITE 200
Residence Address
LONG BEACH CA 90803
City State/Country Zip
CA
If Corporation or LLC - Print State of Incorporation/Organization



IF MORE THAN FOUR REGISTRANTS, ATTACH ADDITIONAL SHEET SHOWING OWNER INFORMATION

\*\*\*\*THIS BUSINESS IS CONDUCTED BY: (Check one)

- an Individual
a General Partnership
a Limited Partnership
a Limited Liability Company
An Unincorporated Association other than a Partnership
a Corporation
a Trust
Copartners
a Married Couple
Joint Venture
State or Local Registered Domestic Partners
a Limited Liability Partnership

\*\*\*\*The date registrant started to transact business under the fictitious business name or names listed above: N/A
(Insert N/A above if you haven't started to transact business)

I declare that all information in this statement is true and correct.
(A registrant who declares as true any material matter pursuant to Section 17913 of the Business and Professions Code that the registrant knows to be false is guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000).)

REGISTRANT(S)/CORP/LLCNAME (PRINT) PROMENADE HOSPITALITY GROUP, LLC TITLE Manager

REGISTRANT SIGNATURE [Signature] IF CORP OR LLC, PRINT NAME DAVID COPLEY

If corporation, also print corporate title of officer. If LLC, also print title of officer or manager.

This statement was filed with the County Clerk of LOS ANGELES on the date indicated by the filed stamp in the upper right corner.

NOTICE - IN ACCORDANCE WITH SUBDIVISION (a) OF SECTION 17920, A FICTITIOUS NAME STATEMENT GENERALLY EXPIRES AT THE END OF FIVE YEARS FROM THE DATE ON WHICH IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK, EXCEPT, AS PROVIDED IN SUBDIVISION (b) OF SECTION 17920, WHERE IT EXPIRES 40 DAYS AFTER ANY CHANGE IN THE FACTS SET FORTH IN THE STATEMENT PURSUANT TO SECTION 17913 OTHER THAN A CHANGE IN THE RESIDENCE ADDRESS OF A REGISTERED OWNER. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED BEFORE THE EXPIRATION, EFFECTIVE JANUARY 1, 2014, THE FICTITIOUS BUSINESS NAME STATEMENT MUST BE ACCOMPANIED BY THE AFFIDAVIT OF IDENTITY FORM.

THE FILING OF THIS STATEMENT DOES NOT OF ITSELF AUTHORIZE THE USE IN THIS STATE OF A FICTITIOUS BUSINESS NAME IN VIOLATION OF THE RIGHTS OF ANOTHER UNDER FEDERAL, STATE, OR COMMON LAW (SEE SECTION 14411 ET SEQ., BUSINESS AND PROFESSIONS CODE).

I HEREBY CERTIFY THAT THIS COPY IS A CORRECT COPY OF THE ORIGINAL STATEMENT ON FILE IN MY OFFICE.
DEAN C. LOGAN, LOS ANGELES COUNTY CLERK

Rev. 01/2014 P.O. BOX 1208, NORWALK, CA 90651-1208 PH: (562) 462-2177 WEB ADDRESS: LAVOTE.NET Deputy



Los Angeles County Registrar-Recorder/County Clerk

DEAN C. LOGAN  
Registrar-Recorder/County Clerk

**AFFIDAVIT OF IDENTITY – FICTITIOUS BUSINESS NAME STATEMENT**

If submitting the Fictitious Business Name Statement by MAIL or through a THIRD PARTY, the registered owner MUST bring this page to a notary to be NOTARIZED. In accordance with Section 17913 of the California Business and Professions Code, the following identifying information is required to file a Fictitious Business Name Statement.

Registrant Name PROMENADE HOSPITALITY GROUP, LLC

Name of Business THE ORDINARIE

Registrant Address 194 N. MARINA DRIVE, SUITE 200

Street Address

LONG BEACH

City

CA

State/Country

90803

Zip Code

Registrant Signature [Signature]

David Copley, Manager

If the registrant is a corporation, a limited liability company, a limited partnership, or a limited liability partnership, the county clerk will require evidence issued by the Secretary of State indicating the current existence and good standing of that business entity.

**\*\*\*For Mail or Third Party Requests Only\*\*\***

**This certificate must be notarized by a Notary Public for all Mail and Third Party Submissions**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

County of LOS ANGELES

Subscribed and sworn to (or affirmed) before me on this 5 day of SEP, 2018, by

DAVID COPLEY, proved to me on the basis of satisfactory evidence to be the

person(s) who appeared before me.

Signature [Signature]



**FOR OFFICE USE ONLY: \*\*\*To be completed by Deputy County Clerk for in-person filings only\*\*\***

ID #: \_\_\_\_\_ Exp. Date: \_\_\_\_\_ Deputy Signature: \_\_\_\_\_



Los Angeles County Registrar-Recorder/County Clerk

DEAN C. LOGAN  
Registrar-Recorder/County Clerk

**TO BE COMPLETED BY AUTHORIZED AGENT**

In accordance with Section 17913 of the California Business and Professions Code, the following identifying information is required to file a Fictitious Business Name Statement.

The Agent must present ID and sign in the presence of a Deputy County Clerk

Agent Name

First Name \_\_\_\_\_

Last Name \_\_\_\_\_

Fictitious Business Name: \_\_\_\_\_

I, \_\_\_\_\_, certify under penalty of perjury under the laws of the State of California that I am  
(Print Name)  
the authorized agent filing this Fictitious Business Name on behalf of the registrant.

Signed on this date: \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
(Authorized Agent Signature)

To be completed by the Registrant

I, David Copley, certify under penalty of perjury under the laws of the State of California that I am  
(Print Name)  
the registrant filing this Fictitious Business Name Statement and am authorized to submit said statement to the County Clerk's Office for filing. I understand that if I willfully make a false statement on this affidavit, I may be punished by a fine not to exceed one thousand dollars (\$1,000).

I also declare that I am authorizing the agent listed above to submit this Fictitious Business Name Statement on my behalf.

Signed on this date: Sep 5<sup>th</sup>, 20 18

\_\_\_\_\_  
(Registrant Signature)

**To be completed by Deputy County Clerk**

Agent ID # \_\_\_\_\_ Exp. Date \_\_\_\_\_ Deputy Signature \_\_\_\_\_



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

**LLC-12**

18-C79984

**FILED**

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

AUG 20, 2018

**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](#).)

PROMENADE HOSPITALITY GROUP, LLC

**2. 12-Digit Secretary of State File Number**      **3. State, Foreign Country or Place of Organization** (only if formed outside of California)

201712910209

CALIFORNIA

**4. Business Addresses**

a. Street Address of Principal Office - Do not list a P.O. Box 194 N. Marina Drive, Suite 200	City (no abbreviations) Long Beach	State CA	Zip Code 90803
b. Mailing Address of LLC, if different than item 4a 194 N. Marina Drive, Suite 200	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 194 N. Marina Drive, Suite 200	City (no abbreviations) Long Beach	State CA	Zip Code 90803

**5. Manager(s) or Member(s)**

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](#)).

a. First Name, if an individual - Do not complete Item 5b Chris	Middle Name	Last Name Caldwell	Suffix
b. Entity Name - Do not complete Item 5a			
c. Address 194 N. Marina Drive, Suite 200	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) Eric	Middle Name B	Last Name La Bounty	Suffix Esq
b. Street Address (if agent is not a corporation) - Do not enter a P.O. Box 707 Wilshire Blvd, Ste 3800	City (no abbreviations) Los Angeles	State CA	Zip Code 90017

**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 Management
--

**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.**

08/20/2018

Eric B La Bounty Esq.

Attorney/Agent

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: [ ]



**Attachment to  
Statement of Information  
(Limited Liability Company)**

**LLC-12A  
Attachment**

**18-C79984**

**A. Limited Liability Company Name**  
PROMENADE HOSPITALITY GROUP, LLC

**This Space For Office Use Only**

**B. 12-Digit Secretary of State File Number**  
201712910209

**C. State or Place of Organization (only if formed outside of California)**  
CALIFORNIA

**D. List of Additional Manager(s) or Member(s) - If the manager/member is an individual, enter the individual's name and address. If the manager/member is an entity, enter the entity's name and address. Note: The LLC cannot serve as its own manager or member.**

First Name Eric	Middle Name	Last Name Johnson	Suffix
Entity Name			
Address 194 N. Marina Drive, Suite 200		City (no abbreviations) Long Beach	State CA Zip Code 90803
First Name David	Middle Name	Last Name Copley	Suffix
Entity Name			
Address 194 N. Marina Drive, Suite 200		City (no abbreviations) Long Beach	State CA Zip Code 90803
First Name Matt	Middle Name	Last Name Peterson	Suffix
Entity Name			
Address 194 N. Marina Drive, Suite 200		City (no abbreviations) Long Beach	State CA Zip Code 90803
First Name	Middle Name	Last Name	Suffix
Entity Name			
Address		City (no abbreviations)	State Zip Code
First Name	Middle Name	Last Name	Suffix
Entity Name			
Address		City (no abbreviations)	State Zip Code
First Name	Middle Name	Last Name	Suffix
Entity Name			
Address		City (no abbreviations)	State Zip Code
First Name	Middle Name	Last Name	Suffix
Entity Name			
Address		City (no abbreviations)	State Zip Code
First Name	Middle Name	Last Name	Suffix
Entity Name			
Address		City (no abbreviations)	State Zip Code

201712910209



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

LLC-1

IMPORTANT — Read Instructions before completing this form.

Filing Fee — \$70.00

Copy Fees — First page \$1.00; each attachment page \$0.50;  
Certification Fee - \$5.00

Note: LLCs may have to pay minimum \$800 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

MAY 02 2017

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.)

PROMENADE HOSPITALITY 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
194 N. Marina Drive, Suite 200	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
Eric		La Bounty	
b. Street Address (if agent is not a corporation) - Do not enter a P.O. Box	City (no abbreviations)	State	Zip Code
800 Wilshire Boulevard, Suite 1500	Los Angeles	CA	90017

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

ERIC LA BOUNTY, Esq.

Print your name here




I hereby certify that the foregoing transcript of 1 page(s) is a full, true and correct copy of the original record in the custody of the California Secretary of State's office.

MAY 10 2017 *ew*

Date: \_\_\_\_\_

*Alex Padilla*  
ALEX PADILLA, Secretary of State



 **IRS** DEPARTMENT OF THE TREASURY  
INTERNAL REVENUE SERVICE  
CINCINNATI OH 45999-0023

Date of this notice: 08-14-2017

Employer Identification Number:  
[REDACTED]

Form: SS-4

Number of this notice: CP 575 A

PROMENADE HOSPITALITY GROUP LLC  
THE ORDINARY  
% DAVID COPLEY MBR  
[REDACTED]

For assistance you may call us at:  
1-800-829-4933

IF YOU WRITE, ATTACH THE  
STUB AT THE END OF THIS NOTICE.

**WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER**

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN [REDACTED]. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Based on the information received from you or your representative, you must file the following form(s) by the date(s) shown.

Form 941	04/30/2018
Form 940	01/31/2019
Form 1065	03/15/2018

If you have questions about the form(s) or the due date(s) shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538, *Accounting Periods and Methods*.

We assigned you a tax classification based on information obtained from you or your representative. It is not a legal determination of your tax classification, and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2004-1, 2004-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, *Entity Classification Election*. See Form 8832 and its instructions for additional information.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

If you are required to deposit for employment taxes (Forms 941, 943, 940, 944, 945, CT-1, or 1042), excise taxes (Form 720), or income taxes (Form 1120), you will receive a Welcome Package shortly, which includes instructions for making your deposits electronically through the Electronic Federal Tax Payment System (EFTPS). A Personal Identification Number (PIN) for EFTPS will also be sent to you under separate cover. Please activate the PIN once you receive it, even if you have requested the services of a tax professional or representative. For more information about EFTPS, refer to Publication 966, *Electronic Choices to Pay All Your Federal Taxes*. If you need to make a deposit immediately, you will need to make arrangements with your Financial Institution to complete a wire transfer.

The IRS is committed to helping all taxpayers comply with their tax filing obligations. If you need help completing your returns or meeting your tax obligations, Authorized e-file Providers, such as Reporting Agents (payroll service providers) are available to assist you. Visit the IRS Web site at [www.irs.gov](http://www.irs.gov) for a list of companies that offer IRS e-file for business products and services. The list provides addresses, telephone numbers, and links to their Web sites.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at [www.irs.gov](http://www.irs.gov). If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

**IMPORTANT REMINDERS:**

- \* Keep a copy of this notice in your permanent records. This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you. You may give a copy of this document to anyone asking for proof of your EIN.
- \* Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- \* Refer to this EIN on your tax-related correspondence and documents.

If you have questions about your EIN, you can call us at the phone number or write to us at the address shown at the top of this notice. If you write, please tear off the stub at the bottom of this notice and send it along with your letter. If you do not need to write us, do not complete and return the stub.

Your name control associated with this EIN is PROM. You will need to provide this information, along with your EIN, if you file your returns electronically.

Thank you for your cooperation.

(IRS USE ONLY) 575A

08-14-2017 PROM B 9999999999 SS-4

Keep this part for your records.

CP 575 A (Rev. 7-2007)

Return this part with any correspondence  
so we may identify your account. Please  
correct any errors in your name or address.

CP 575 A

9999999999

Your Telephone Number Best Time to Call  
( ) -

DATE OF THIS NOTICE: 08-14-2017  
EMPLOYER IDENTIFICATION NUMBER: [REDACTED]  
FORM: SS-4 NOBOD

INTERNAL REVENUE SERVICE  
CINCINNATI OH 45999-0023  
|||||

PROMENADE HOSPITALITY GROUP LLC  
THE ORDINARY  
% DAVID COPLEY MBR  
[REDACTED]

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

**VALID FROM**

Oct 19, 2018

**EXPIRES**

Sep 30, 2019

PROMENADE HOSPITALITY GROUP LLC  
210 THE PROMENADE  
LONG BEACH, CA 90803

**TYPE NUMBER DUP**

47 592603

AREA CODE

1932 03

PER/PRM From:  
47-519210

BUSINESS ADDRESS  
(IF DIFFERENT)

DBA: ORDINAIRE  
210 THE PROMENADE N  
LONG BEACH, CA 90802-3143

CONDITIONS

OWNERS: PROMENADE HOSPITALITY GROUP LLC

7





**California Department of Alcoholic Beverage Control**  
**License Query System Summary as of 12/04/2018**

License Information	
<b>License Number:</b>	592603
<b>Primary Owner:</b>	PROMENADE HOSPITALITY GROUP LLC
<b>ABC Office of Application:</b>	03 - LB/LAKEWOOD

Business Name
ORDINAIRE

Business Address
210 THE PROMENADE N
LONG BEACH, CA. 90802
<b>County:</b> LOS ANGELES <b>Census Tract:</b> 5762.00

Licensee Information
<b>Licensee:</b> PROMENADE HOSPITALITY GROUP LLC
<b>Company Information</b>
OFFICER: CALDWELL, CHRISTOPHER ALAN (MANAGING MEMBER)
OFFICER: COPLEY, DAVID ALLAN (MANAGING MEMBER)
OFFICER: JOHNSON, ERIC CHRISTOPHER (MANAGING MEMBER)
OFFICER: FANORE LP (MEMBER)
OFFICER: INISHOWEN ENTERTAINMENT LLC (MEMBER)
OFFICER: TWIN HARBORS LP (MEMBER)
MEMBER: FANORE LP
MEMBER: TWIN HARBORS LP
MEMBER: INISHOWEN ENTERTAINMENT LLC

License Types
<b>1) License Type:</b> 47 - ON-SALE GENERAL EATING PLACE
<b>License Type Status:</b> ACTIVE
<b>Status Date:</b> 22-OCT-2018 <b>Term:</b> 12 Month(s)
<b>Original Issue Date:</b> 19-OCT-2018 <b>Expiration Date:</b> 30-SEP-2019
<b>Master:</b> Y <b>Duplicate:</b> 0 <b>Fee Code:</b> P40
<b>License Type was Transferred On:</b> 19-OCT-2018 <b>From:</b> 47-519210
<b>License Type was Transferred On:</b> <b>To:</b>

Operating Restrictions
Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 8:00 a.m. and 2:00 a.m. each day of the week.
Sales, service and consumption of alcoholic beverages shall be permitted in or on the patio area only between the hours of 8:00 a.m. and 10:00 p.m. Sunday through Thursday and 8:00 a.m. and 12:00 midnight on Friday through Saturday.
Entertainment provided shall not be audible beyond the area under the control of the licensee(s) as depicted on the most recently certified ABC-257.

Disciplinary Action
... <i>No Active Disciplinary Action found</i> ...

Disciplinary History
... <i>No Disciplinary History found</i> ...

Holds
... <i>No Active Holds found</i> ...

Escrows
... <i>No Escrow found</i> ...

For a definition of codes, view our glossary.

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

IN THE MATTER OF THE APPLICATION OF

PROMENADE HOSPITALITY GROUP LLC  
DBA: ORDINAIRE  
210 THE PROMENADE N  
LONG BEACH, CA 90802-3143

} FILE 47-592603

}  
} 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 a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision (c) of Section 23958.4 of the Business and Professions Code, than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency; and,

WHEREAS, the proposed premises are located in Census Tract #5762 where there presently exists an undue concentration of licenses as defined by Section 23958.4 of the Business and Professions Code; and

WHEREAS, the proposed premises and/or parking lot, operated in conjunction therewith, are located within 100 feet of residences(s), and issuance of the applied-for license without the below-described conditions would interfere with the quiet enjoyment of the property by nearby residents and constitute grounds for the denial of the application under the provisions of Rule 61.4, of Chapter 1, Title 4, of the California Code of Regulations; and,

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

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

\_\_\_\_\_  
Initials

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

- 1 Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 8:00 a.m. and 2:00 a.m. each day of the week.
- 2 Sales, service and consumption of alcoholic beverages shall be permitted in or on the patio area only between the hours of 8:00 a.m. and 10:00 p.m. Sunday through Thursday and 8:00 a.m. and 12:00 midnight Friday through Saturday.
- 3 Entertainment provided shall not be audible beyond the area under the control of the licensee(s) as depicted on the most recently certified ABC-257 dated 2/28/18.

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 \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Applicant/Petitioner

\_\_\_\_\_  
Applicant/Petitioner

DISPLAY CONSPICUOUSLY AT PLACE OF BUSINESS FOR WHICH ISSUED

CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION

SELLER'S PERMIT

August 8, 2018

ACCOUNT NUMBER

257920512 - 00001



Office of Control:  
Cerritos Office

THE ORDINARIE  
PROMENADE HOSPITALITY GROUP LLC  
210 THE PROMENADE N  
LONG BEACH CA 90802-3143

**NOTICE TO PERMITTEE:**  
You are required to obey all  
Federal and State laws that  
regulate or control your  
business. This permit does  
not allow you to do  
otherwise.

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 SELL YOUR BUSINESS OR DROP OUT OF A PARTNERSHIP, NOTIFY US OR YOU COULD BE RESPONSIBLE FOR SALES AND USE TAXES OWED BY THE NEW OPERATOR OF THE BUSINESS.

*Not valid at any other address*

For general tax questions, please call our Customer Service Center at 1-800-400-7115 (TTY:711).  
For information on your rights, contact the Taxpayers' Rights Advocate Office at 1-888-324-2798 or 1-916-324-2798.

CDTFA-442-R REV. 18 (5-18)

**A MESSAGE TO OUR NEW PERMIT HOLDER**

**As a seller, you have rights and responsibilities under the Sales and Use Tax Law. In order to assist you in your endeavor and to better understand the law, we offer the following sources of help:**

- Visiting our website at [www.cdtfa.ca.gov](http://www.cdtfa.ca.gov)
- Visiting an office
- Attending a Basic Sales and Use Tax Law class offered at one of our offices
- Sending your questions in writing to any one of our offices
- Calling our toll-free Customer Service Center at 1-800-400-7115 (TTY:711)

**As a seller, you have the right to issue resale certificates for merchandise that you intend to resell. You also have the responsibility of not misusing resale certificates. While the sales tax is imposed upon the retailer,**

- You have the right to seek reimbursement of the tax from your customer
- You are responsible for filing and paying your sales and use tax returns timely
- You have the right to be treated in a fair and equitable manner by the employees of the California Department of Tax and Fee Administration (CDTFA)
- You are responsible for following the regulations set forth by the CDTFA

As a seller, you are expected to maintain the normal books and records of a prudent businessperson. You are required to maintain these books and records for no less than four years, and make them available for inspection by a CDTFA representative when requested. You are also required to know and charge the correct sales or use tax rate, including any local and district taxes. The tax rate applicable to your sales or use may not necessarily correspond to the tax rate of your business address displayed on this permit. You are also expected to notify us if you are buying, selling, adding a location, or discontinuing your business, adding or dropping a partner, officer, or member, or when you are moving any or all of your business locations. If it becomes necessary to surrender this permit, you should only do so by mailing it to a CDTFA office, or giving it to a CDTFA representative.

If you would like to know more about your rights as a taxpayer, or if you are unable to resolve an issue with CDTFA, please contact the Taxpayers' Rights Advocate Office for help by calling toll-free, 1-888-324-2798 or 1-916-324-2798. Their fax number is 1-916-323-3319.

**Please post this permit at the address for which it was issued and at a location visible to your customers.**

California Department of Tax and Fee Administration

Business Tax and Fee Division





8/27/2019 11:22

**INFORMATION - LICENSE # BS21806548**

*License Type* BS  
*Application Type* Secondary Business License  
*Description*  
*Primary Applicant*  
*Primary Applicant Last Name* PROMENADE HOSPITALITY GROUP LLC  
*Address Location* 210 THE PROMENADE NORTH LONG BEACH CA 90802  
  
 License is Pending.  
 Current milestone is Council Approval.  
 Current unpaid amount of \$0.00.  
 Account: BS21806548

**License Description**

**Status Dates**

*Processed Date* 9/21/2018 12:27  
*by* Cory Kyle  
*Start Date* 10/15/2018 00:00  
*by* Cory Kyle  
*Inactive Date*  
*by*  
*Last Renewal*  
*by*  
*Next Renewal*  
*Expires*  
*Grace Exp*  
*End Date*  
*by* EMARMST  
*Last Modified* 8/8/2019 14:52

**License Description**

*Property Type* COM  
*License Category* 300507  
*Business Name* PROMENADE HOSPITALITY GROUP LLC  
*DBA Name* THE ORDINARIE  
 Detailed Description of Business Activities  
 ENTERTAINMENT WITH DANCING  
  
*Application Reason Description* Entertainment With Dancing (Alcohol)  
*HH/MH: Total # Units* 0  
*Census Tract* 0  
*Council District* 2

**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	Review Description	Started By	Due Date
56876	BUSLIC	1 9/21/2018	APPROVED	EMARMST	8/8/2019 14:52	EMARMST	Business License	12/1
						The business "The Ordinaire" is still operated under temporary certificate of occupancy of permit BRMD211455. The permit BRMD211455 has to be finalized with final certificate of occupancy for final Building Approval.		
58341	BUILDING	1 11/1/2018	APPRWCOND	TAVU	12/12/2018 08:48	TAVU	Building Dept Review	12/1
						Final COO was issued on 4/26/2019.		
58342	FIRE	1 11/1/2018	INSPECT	SYSTEM	11/1/2018 10:32		Fire Dept Review	1/24
58343	HEALTH	1 11/1/2018	INSPECT	SYSTEM	11/1/2018 10:32		Health Dept Review	1/24
58344	POLICE	1 11/1/2018	APPRWCOND	See attachment	SYSTEM 2/18/2019 09:49	JEARZOL	Police Dept Review	1/24
58345	PLANNING	1 11/1/2018	APPROVED	JORAMIR	6/5/2019 10:54	JORAMIR	Planning Dept Review	12/1
67629	COUNCIL	1 8/8/2019					Council	
67630	HEARINGPRE	1 8/8/2019	COMPLETE	EMARMST	8/8/2019 14:52	EMARMST	Hearing Prep	
						Entertainment hearing scheduled for September 10, 2019.		

**Inspections**

Record Results

**Inspections**

Add Date	Inspection #	Inspection Type	Inspection Description	#	Result	Comments	Resulted By	Completed	Call	Due Date	Time Preference	Assign To
6/5/2019	77633	FIRE	Fire	1	APPROVED	Updated due date - ea	brweidm	7/1/2019 13:50		2/9/2019 00:00		brweidm
6/5/2019	77634	HEALTH	Health	1	APPROVED	ENTERTAINMENT LICENSE APPROVED PROVIDED ALL PROVISIONS OF THE CITY'S NOISE ORDINANCE, LONG BEACH MUNICIPAL CODE 8.80, ARE ABIDED BY. In addition, after reviewing the attached sound study report, the Health Department is in concurrence with the recommendations of the Noise Study's conclusion. This is with the assumption that the information and calculations represented in the report is accurate and fairly presented. It is recommended that all three cascading sliding doors remain closed during entertainment events and performances w amplified music (live music, DJ, etc), except when levels	MIYAMAD	6/6/2019 07:23		8/4/2019 00:00		MIYAMA

are maintained below the noise standard. The study examined only potential exterior noise impacts. Additional analysis and remediation may be required if noise complaints are received related to the interior of adjacent residences.

### 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:** January 24, 2019  
**To:** Robert G. Luna, Chief of Police  
**From:** Richard Conant, Deputy Chief, Investigations Bureau  
**Subject:** **APPLICATION FOR AN ENTERTAINMENT PERMIT WITH DANCING FOR THE ORDINAIRE – 210 THE PROMENADE NORTH**

---

The Police Department recommends **approval** of this application for an Entertainment with Dancing Permit, by Promenade Hospitality Group, LLC, dba The Ordinaire, located at 210 The Promenade North, subject to the conditions provided in the attached memorandum.

### **Background**

The Ordinaire is a restaurant/bar located on The Promenade just north of Broadway. The business is owned by Promenade Hospitality Group, LLC who currently hold a Type 47 (On-Sale General Eating Place) Alcoholic Beverage Control license with conditions. The establishment serves American cuisine for lunch and dinner. On September 21, 2018, Ordinaire applied for an Entertainment Permit with Dancing by Patrons, requesting live music by more than two performers, live and recorded amplified music, a disc jockey, and karaoke.

### **Crime Analysis**

As part of this investigation, Vice Detectives examined calls for service, crime reports, and arrests at the above location for a two-year period from December 11, 2016 to December 11, 2018. The report indicated zero calls for service that were attributable to the business.

### **Patrol Division**

South Division Patrol Commander Michael Lewis was contacted for an opinion regarding the issuance of this permit. Commander M. Lewis stated patrol officers have not had problems at the location and are not aware of any negative incidents attributable to the business. Commander M. Lewis has no objections to the proposed entertainment and does not believe the issuance of an entertainment permit will have an adverse impact on Patrol Division resources.

### **Vice Investigations**

As part of this investigation, Vice detectives met with the owner at the establishment. They discussed the proposed entertainment activities, where entertainment activities will take place and the conditions the Police Department will recommend for the Entertainment with Dancing Permit. Detectives also went to this location in an undercover capacity on two separate occasions.

ENTERTAINMENT WITH DANCING PERMIT  
THE ORDINAIRE – 210 THE PROMENADE NORTH  
Page 2

On Saturday, January 12, 2019, at approximately 20:30 hours, detectives went to the location. There were approximately 100 patrons inside the business drinking alcoholic and non-alcoholic beverages, and listening to a six-person band. The volume of the band was moderate to loud making it slightly difficult to communicate with your party. The staff appeared adequate to meet the needs of the well-behaved patrons. No violations were observed.

On Friday, January 18, 2018, at approximately 17:30 hours, detectives went to the location. There were approximately 100 patrons inside the business eating, drinking alcoholic and non-alcoholic beverages, and listening to music. The business was crowded, but there was still enough room to walk within the business and communicate with your party. No violations were observed.

**Recommendation**

Based on the Vice Section's investigation, the Long Beach Police Department has found the public peace, safety, and welfare would not be impaired by the issuance of this permit, provided the appropriate conditions are imposed and observed by the applicant. The Police Department recommends **approval** of the requested permit, subject to the conditions provided in the attached memorandum

RC:JA:ja  
AppvITheOrdinaire



**Date:** January 24, 2019  
**To:** Sandy Palmer, Bureau Manager, Business Relations Bureau  
**From:** Robert G. Luna, Chief of Police *R. Luna*  
**Subject:** **APPLICATION FOR AN ENTERTAINMENT PERMIT WITH DANCING BY PATRONS AT THE ORDINAIRE - 210 THE PROMENADE NORTH**

---

In response to your request for a recommendation regarding the above named permit application for Entertainment with Dancing, the Police Department recommends **approval**, subject to the following standard conditions of the Downtown Dining and Entertainment District conditions and additional conditions of operation:

The Ordinaire is a restaurant/bar located on The Promenade just north of Broadway. The business is owned by Promenade Hospitality Group, LLC who currently hold a Type 47 (On-Sale General Eating Place) Alcoholic Beverage Control license with conditions. The establishment serves American cuisine for lunch and dinner. On September 21, 2018, Ordinaire applied for an Entertainment Permit with Dancing by Patrons, requesting live music by more than two performers, live and recorded amplified music, a disc jockey, and karaoke.

Based upon the Police Department's investigation, the South Division Patrol Commander's recommendation, and the crime analysis, the Long Beach Police Department has determined the public peace, safety, and welfare would not be adversely impacted by the issuance of this permit, provided the appropriate conditions are imposed and observed by the applicant. The Police Department recommends approval of an Entertainment Permit without Dancing by Patrons.

**CONDITIONS OF OPERATION**

- 1) The operation of the establishment shall be limited to those activities and elements expressly indicated on the permit application and approved by the City Council. Any change in the operation, which exceeds the conditions of the approved permit, will require that a new permit application be submitted to the City Council for their review and approval.
- 2) Unless separately applied for, reviewed, and approved, no adult entertainment, as defined by section 21.15.110 LBMC shall be conducted on the permitted premises.
- 3) Entertainment activities indicated on page #9 of your entertainment application shall be restricted from 9:00 PM to 1:30 AM, Monday through Sunday.

ENTERTAINMENT WITH DANCING PERMIT  
THE ORDINAIRE – 210 THE PROMENADE NORTH  
Page 2

- 4) 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.
- 5) "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 invalid.

- 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 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.
- 7) The permittee shall comply with the requirements of LBMC Sec. 8.80 (Noise) at all times. In addition, in response to a complaint, the Police Department will enforce Penal Code Section 415 (disturbing the peace) and all other state and local provisions related to the "public peace." Permittee shall conduct all aspects of his or her operation, including before and after-hours deliveries and maintenance, in consideration of residences located nearby. Permittee agrees that the following standard is reasonable: Noise emanating from Permittee's premises shall not be audible from the middle of the street adjoining the premises.
- 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) shall not consist solely of a screen or ventilated security door.



**Sound shall not be audible beyond fifty feet (50') from the exterior of the premises in any direction.**

- 9) Entertainment activities shall not be amplified with any portable speakers. Any live or recorded music shall only be played through the existing speakers throughout the restaurant and patio area. No additional speakers or amplifiers may be used at any time.
- 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 shall take reasonable measures to prohibit and prevent the loitering of persons immediately outside any of the entrance/exit doors at all times while open for business. This should be done by utilizing security guards and signage with verbiage such as, "Please respect our neighbors", or something similar.
- 12) 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.
- 13) Deliveries to and from the premises shall be limited to the hours of 8:00 a.m. to 10:00 p.m.
- 14) 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.
- 15) 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.
- 16) Outdoor amplified entertainment, if permitted, will be subject to the following restrictions: a) sound amplifying equipment may be used only between 10:00 a.m. and 10:00 p.m. Sunday through Thursday, and 10:00 a.m. and midnight Friday and Saturday; b) in conjunction with an Occasional Event Permit, pursuant to Long Beach Municipal Code section 5.72.130; or c) in conjunction with a special events permit
- 17) No employee shall be permitted to accept any money or anything of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the permittee provide or make available, either gratuitous or for compensation, male or female persons who act as escorts, or companions for the customers.

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Page 4

- 18) During any entertainment activity listed on page #9 of the application, the permittee shall be responsible for maintaining 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) security guard. For crowds over (50) fifty people, the permittee shall provide a minimum of one (1) additional security guard per fifty (50) people. Security guards must be identifiable as "Black's employees." Should the permittee's operations give rise to a substantial increase in complaints/calls for service, or trash left in the parking lot, the permittee shall increase staff, or employee uniformed licensed security guards, as directed by the Chief of Police.
- 19) There shall be no "queue" allowed after 12:00 midnight, Friday and Saturday nights. All persons gathering outside after the allowed hours shall be considered to be loitering. The public right of way (sidewalk), or an entrance to any business shall not be blocked at any time
- 20) 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.
- 21) 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.
- 22) The permittee shall maintain full compliance with all applicable laws, ordinances, and stated conditions. In the event of a conflict with the requirements of this permit, the more stringent regulation shall apply.
- 23) The Ordinaire, or its agents, shall not distribute any advertising matter such as signs, posters, or promotional cards, in or upon any public property, any vehicle or in any other such place in the City of Long Beach. Distribution of any advertising matter upon private property shall adhere to the following guidelines: By placing the same matter in a receptacle, clip, or other device designed or intended to receive advertising matter. The permittee shall keep all promoter contracts, including names, addresses, and phone numbers, on file at all times, and be available for inspection at any time.

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- 24) 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 available for inspection at any time.
- 25) 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.
- 26) 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-way's and any parking lot under the control of the permittee. The video system must be capable of delineating on playback the activity and physical features of persona and areas within the premises. Recordings shall be retained for a minimum of 30 days and be accessible via the Internet by the Long Beach Police Department. A Public Internet Protocol (IP) address and user name/password is also required to allow the Long Beach Police Department to view live and recorded video from these cameras over the internet. All video security cameras shall be installed to the satisfaction of the Chief of Police, Director of Technology Services, and Director of Development Services. At the discretion of the Chief of Police, the permittee may be required to add additional video cameras.

RL:JA:ja  
AppvlCond.TheOrdinarie

# The Ordinarie at Long Beach Noise Study Report

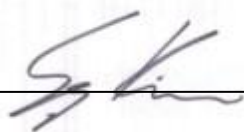
April 30, 2019

Prepared for:

Promenade Hospitality Group  
194 N Marina Dr. 200  
Long Beach, CA 90803

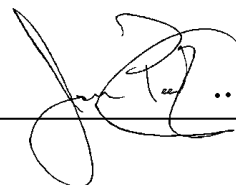
Prepared by:

Behrens and Associates, Inc.  
13806 Inglewood Avenue  
Hawthorne California, 90250



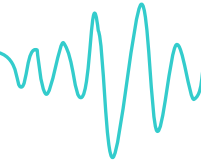
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Simon Kim  
Senior Acoustical Consultant



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Jason Peetz  
Engineering Manager



## **1. Introduction**

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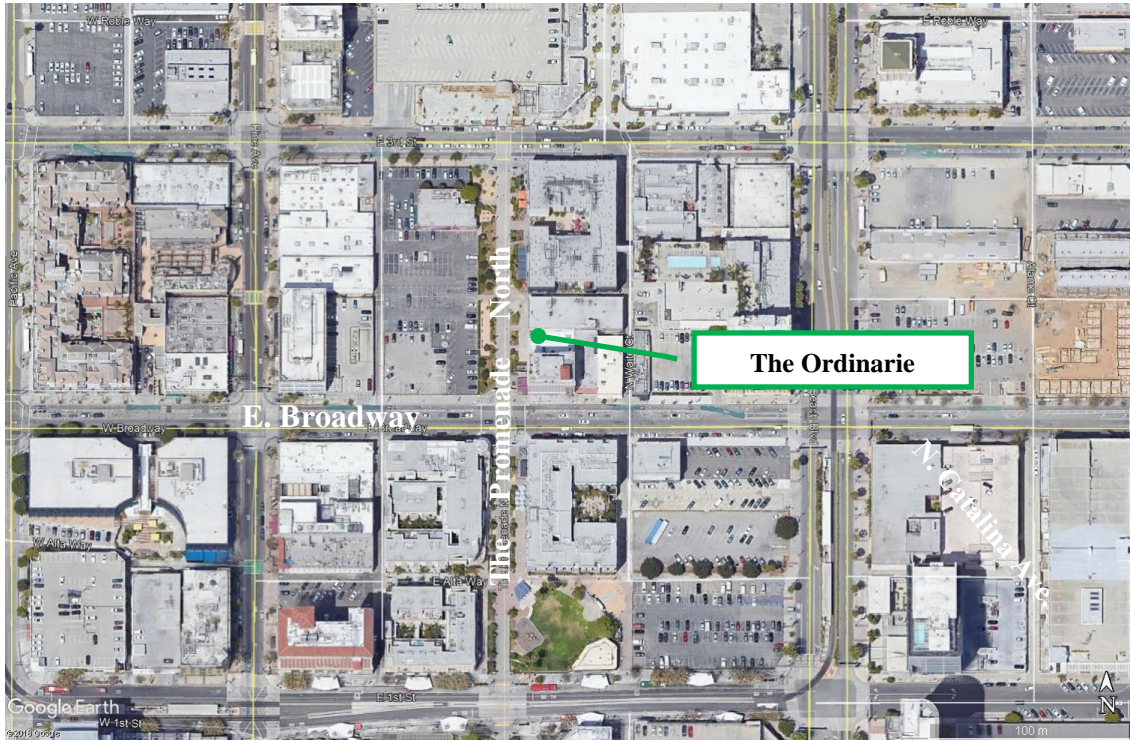
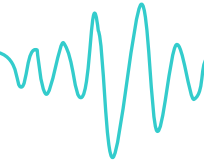
### **1.1 Study Purpose and Objectives**

The purpose of this study is to assess the noise impact of proposed weekend live music events at The Ordinary restaurant located in the City of Long Beach, California. To assess the noise levels of the planned events at the restaurant, noise models representing these events were constructed and assessed against City's applicable noise standards and measured sound level of the existing environment.

The Ordinary restaurant is located on approximately 20 feet east of the Promenade North and approximately 70 feet north of East Broadway in the City of Long Beach Downtown Dining & Entertainment District as shown in Figure 1-1.

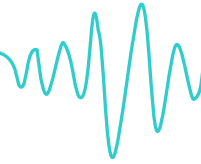
The following is provided in this report:

- A brief description of the fundamentals of noise
- Review of City of Long Beach Noise Standard.
- Establishment of acceptable event noise levels derived from the measured existing noise levels and the City's noise standards
- Documentation of measured existing noise levels in the area.
- A discussion of the noise modeling methodology.
- Analysis of the planned event noise levels at The Ordinary restaurant.



**Figure 1-1 The Ordinary Restaurant and Adjacent Surroundings**





## 2. Noise Fundamentals

Sound is most commonly experienced by people as pressure waves passing through air. These rapid fluctuations in air pressure are processed by the human auditory system to produce the sensation of sound. The rate at which sound pressure changes occur is called the frequency. Frequency is usually measured as the number of oscillations per second or Hertz (Hz). Frequencies that can be heard by a healthy human ear range from approximately 20 Hz to 20,000 Hz. Toward the lower end of this range are low-pitched sounds, including those that might be described as a “rumble” or “boom”. At the higher end of the range are high-pitched sounds that might be described as a “screech” or “hiss”.

Environmental noise generally derives, in part, from a combination of distant noise sources. Such sources may include common experiences such as distant traffic, wind in trees, and distant industrial or farming activities. These distant sources create a low-level "background noise" in which no particular individual source is identifiable. Background noise is often relatively constant from moment to moment, but varies slowly from hour to hour as natural forces change or as human activity follows its daily cycle.

Superimposed on this low-level, slowly varying background noise is a succession of identifiable noisy events of relatively brief duration. These events may include the passing of single-vehicles, aircraft flyovers, screeching of brakes, and other short-term events. The presence of these short-term events causes the noise level to fluctuate. Detailed acoustical definitions are provided in the Appendix.

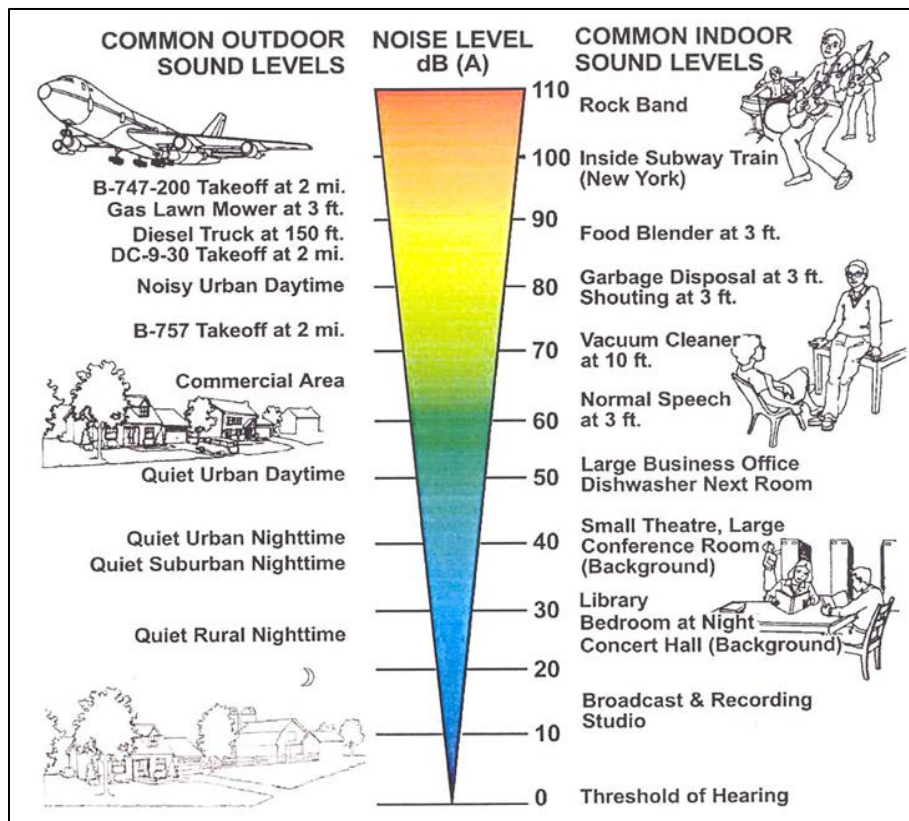
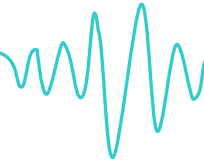


Figure 2-1 Typical Indoor and Outdoor Sound Levels



## 3. Noise Standards

The analysis was developed to evaluate existing noise levels at adjacent properties and verify compliance of the proposed weekend live music events at The Ordinary restaurant with the City of Long Beach Municipal Code Chapter 8.80 Noise.

The Ordinary restaurant is located in the City of Long Beach downtown area which are subject to Noise standards for Downtown Dining & Entertainment District (District 2).

### 3.1 City of Long Beach Zoning

Figure 3-1 shows the City of Long Beach Official Zoning Map for the area adjacent to The Ordinary restaurant.

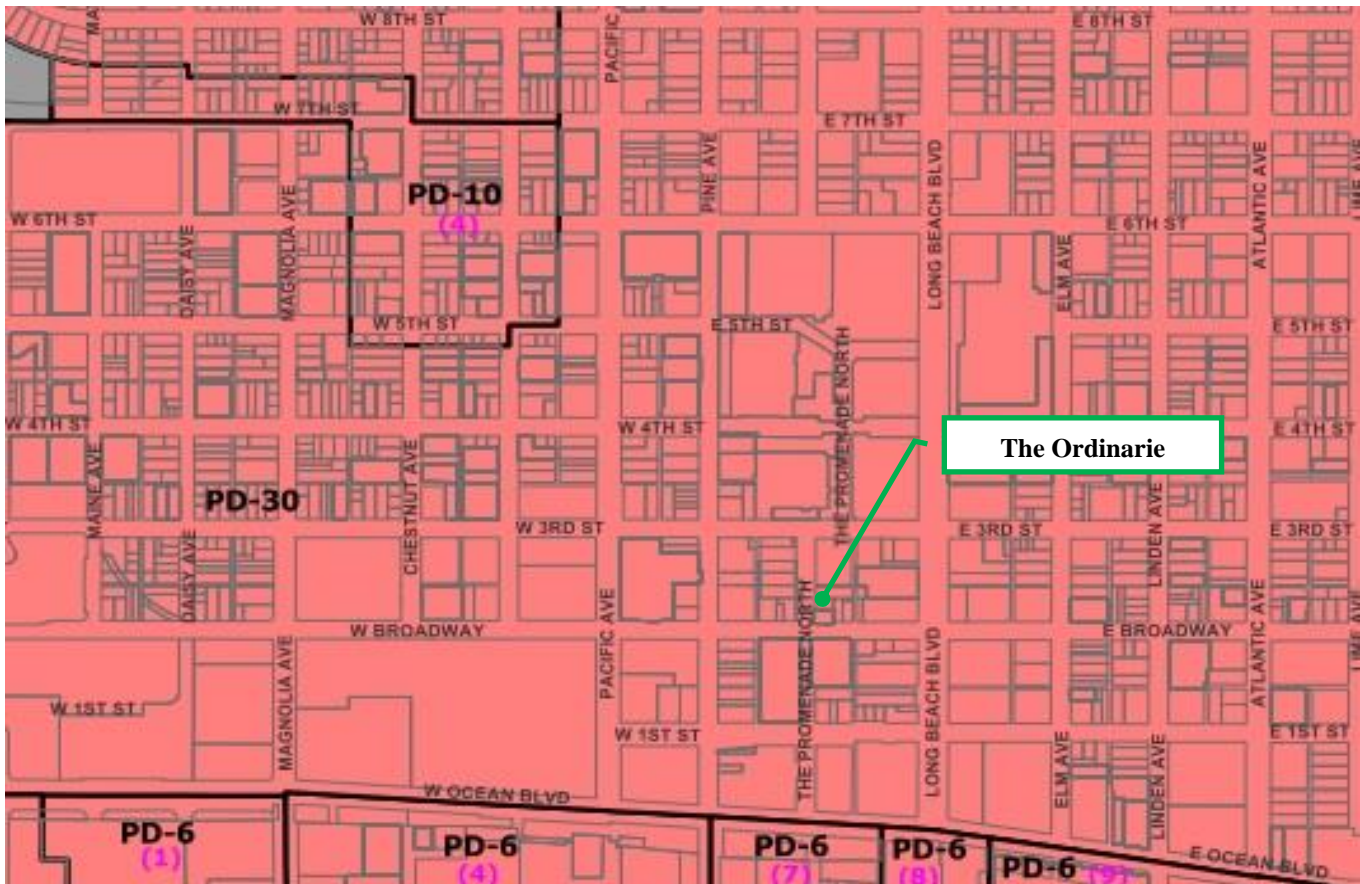


Figure 3-1 Zoning Map of the City of Long Beach





## 3.2 City of Long Beach Noise Standards

The City of Long Beach Municipal Code, under Chapter 8.80 Noise, states the maximum permissible exterior noise level by land use district categories:

### **Chapter 8.80. NOISE**

#### 8.80.130 – Disturbing noises prohibited.

A. Notwithstanding any other provision of this Chapter, and in addition thereto, it is unlawful for any person to willfully make or continue, or cause to be made or continued, a loud, unnecessary or unusual noise which disturbs the peace and quiet of any neighborhood or which causes any discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area.

B. The standards which shall be considered in determining whether a violation of the provisions of this Section exist shall include, but not be limited to the following:

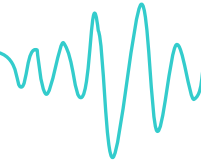
1. The sound level of the objectionable noise;
2. The sound level of the ambient noise;
3. The proximity of the noise to residential sleeping facilities;
4. The nature and zoning of the area within which the noise emanates;
5. The density of the inhabitation of the area within which the noise emanates;
6. The time of day or night the noise occurs;
7. The duration of the noise and its tonal, informational or musical content;
8. Whether the noise is continuous, recurrent, or intermittent;
9. Whether the noise is produced by a commercial or noncommercial activity.

#### 8.80.150 - Exterior noise limits—Sound levels by receiving land use district.

A. The noise standards for the various land use districts identified by the noise control office as presented in Table A in Section 8.80.160 shall, unless otherwise specifically indicated, apply to all such property within a designated district.

B. No person shall operate or cause to be operated any source of sound at any location within the incorporated limits of the City or allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person, which causes the noise level when measured from any other property, either incorporated or unincorporated, to exceed:

1. The noise standard for that land use district as specified in Table A in Section 8.80.160 for a cumulative period of more than thirty (30) minutes in any hour; or
2. The noise standard plus five (5) decibels for a cumulative period of more than fifteen (15) minutes in any hour; or
3. The noise standard plus ten (10) decibels for a cumulative period of more than five (5) minutes in any hour; or



4. The noise standard plus fifteen (15) decibels for a cumulative period of more than one (1) minute in any hour; or
5. The noise standard plus twenty (20) decibels or the maximum measured ambient, for any period of time.

C. If the measured ambient level exceeds that permissible within any of the first four (4) noise limit categories in Subsection B of this Section, the allowable noise exposure standard shall be increased in five (5) decibels increments in each category as appropriate to encompass or reflect the ambient noise level. In the event the ambient noise level exceeds the fifth noise limit category in Subsection B of this Section, the maximum allowable noise level under said category shall be increased to reflect the maximum ambient noise level.

D. If the measurement location is on a boundary between two (2) different districts, the noise level limit applicable shall be the arithmetic mean of the two (2) districts.

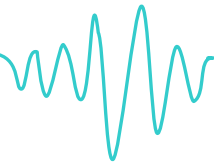
E. If possible, the ambient noise shall be measured at the same location along the property line utilized in Subsection B of this Section, with the alleged offending noise source inoperative. If for any reason the alleged offending noise source cannot be shut down, then the ambient noise must be estimated by performing a measurement in the same general area of the source but at a sufficient distance such that the offending noise from the source is inaudible. If the difference between the noise levels with noise source operating and not operating is six (6) decibels or greater, then the noise measurement of the alleged source can be considered valid with a small correction applied to account for the contribution of the ambient noise. The correction is to be applied in accordance with data shown in Table B in Section 8.80.160.

8.80.160 – Exterior noise limits – Correction for character of sound.

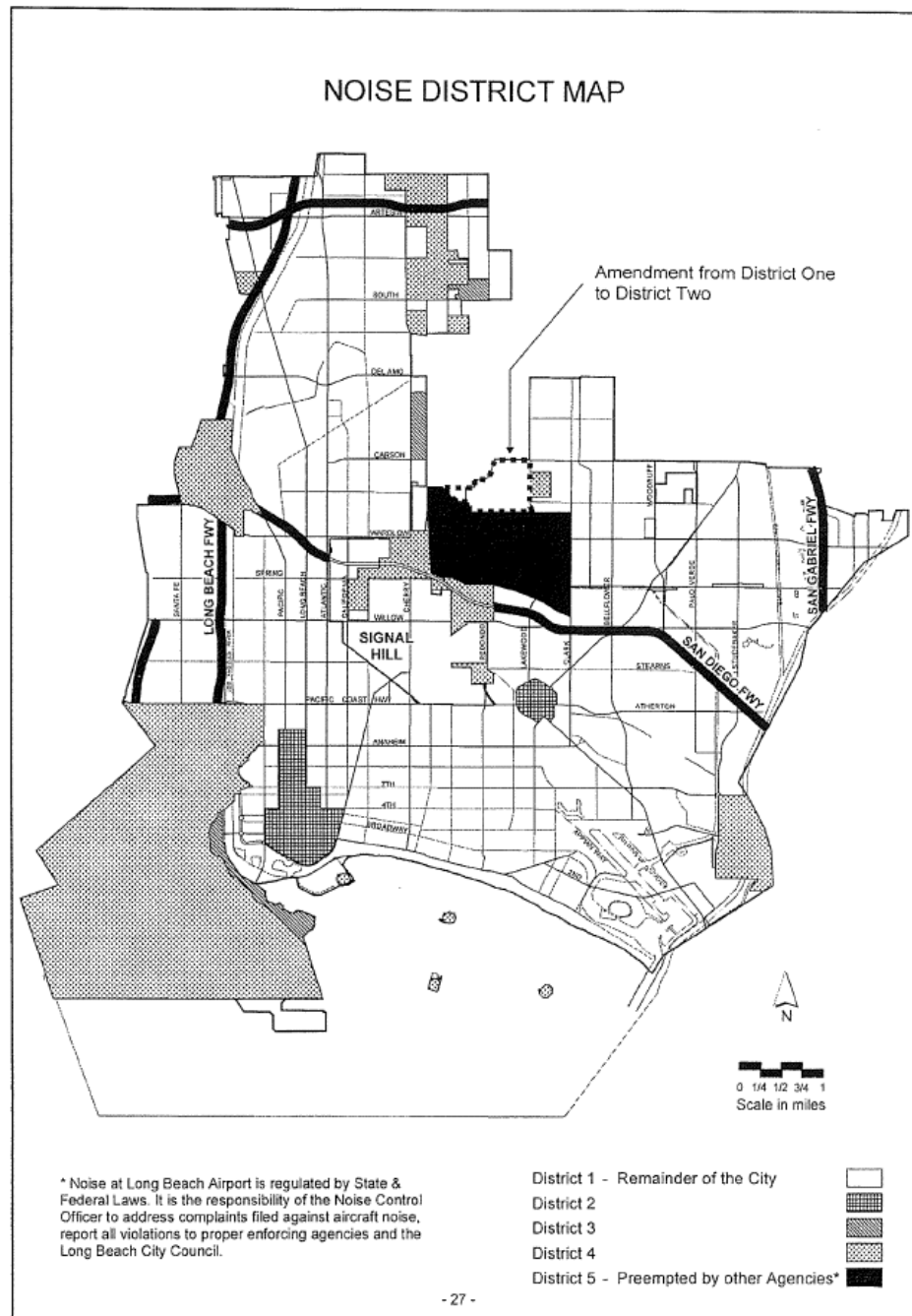
In the event that alleged offensive noise contains a steady audible tone such as a whine, screech, or hum, or is a repetitive noise such as hammering or riveting or contains music or speech conveying informational content, the standard limits set forth in Table A shall be reduced by five (5) decibels.

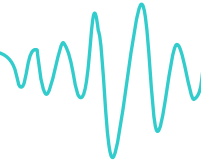
**Table A  
EXTERIOR NOISE LIMITS**

Receiving Land Use District*	Time Period	Noise Level*
District One	Night:	
	10:00 p.m. – 7:00 a.m.	45
	Day:	
	7:00 a.m. – 10:00 p.m.	50
District Two	Night:	
	10:00 p.m. – 7:00 a.m.	55
	Day:	
	7:00 a.m. – 10:00 p.m.	60
District Three	Any time	65
District Four	Any time	70
District Five	Regulated by other agencies and laws	
*District One:	Predominantly residential with other land use types also present	



District Two:	Predominantly commercial with other land use types also present	
District Three and Four:	Predominantly industrial with other land types use also present	
District Five:	Airport, freeways and waterways regulated other agencies	

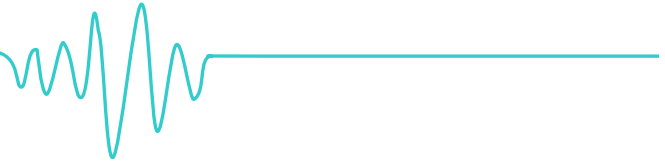




## 8.80.280 – Exemption – Entertainment events.

The provisions of this Chapter shall not apply to occasional outdoor or indoor gatherings, public dances, shows and sporting and entertainment events, provided said events are conducted pursuant to a permit of license or other entitlement issued by the City relative to the staging of said events.

A sound level survey was conducted at two locations to document the existing noise level of the adjacent surrounding area and compare our findings to the allowable noise limits established in the noise standards.



## 4. Noise Level Survey

### 4.1 Noise Level Survey Procedure

Two Type 1 Svantek 971 sound level meters were utilized to conduct a noise level survey and document the existing noise levels surrounding The Ordinary restaurant.

The sound level meters were calibrated with a Quest QC-10 calibrator prior to deployment. The meters were deployed on Thursday, April 4, 2019 and retrieved on Tuesday, April 9, 2019. The meters were programmed to record A-weighted hourly average ( $L_{eq}$ ) noise levels. Figure 4-1 shows the measurement locations.

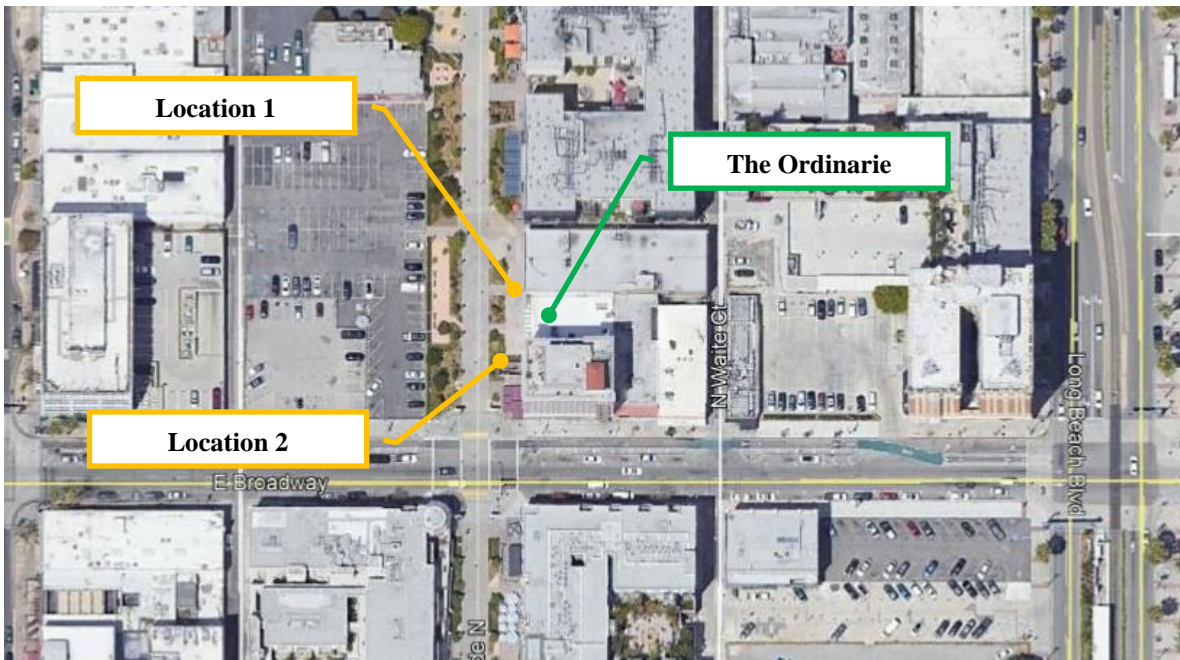


Figure 4-1 The Ordinary Restaurant and Noise Survey Locations

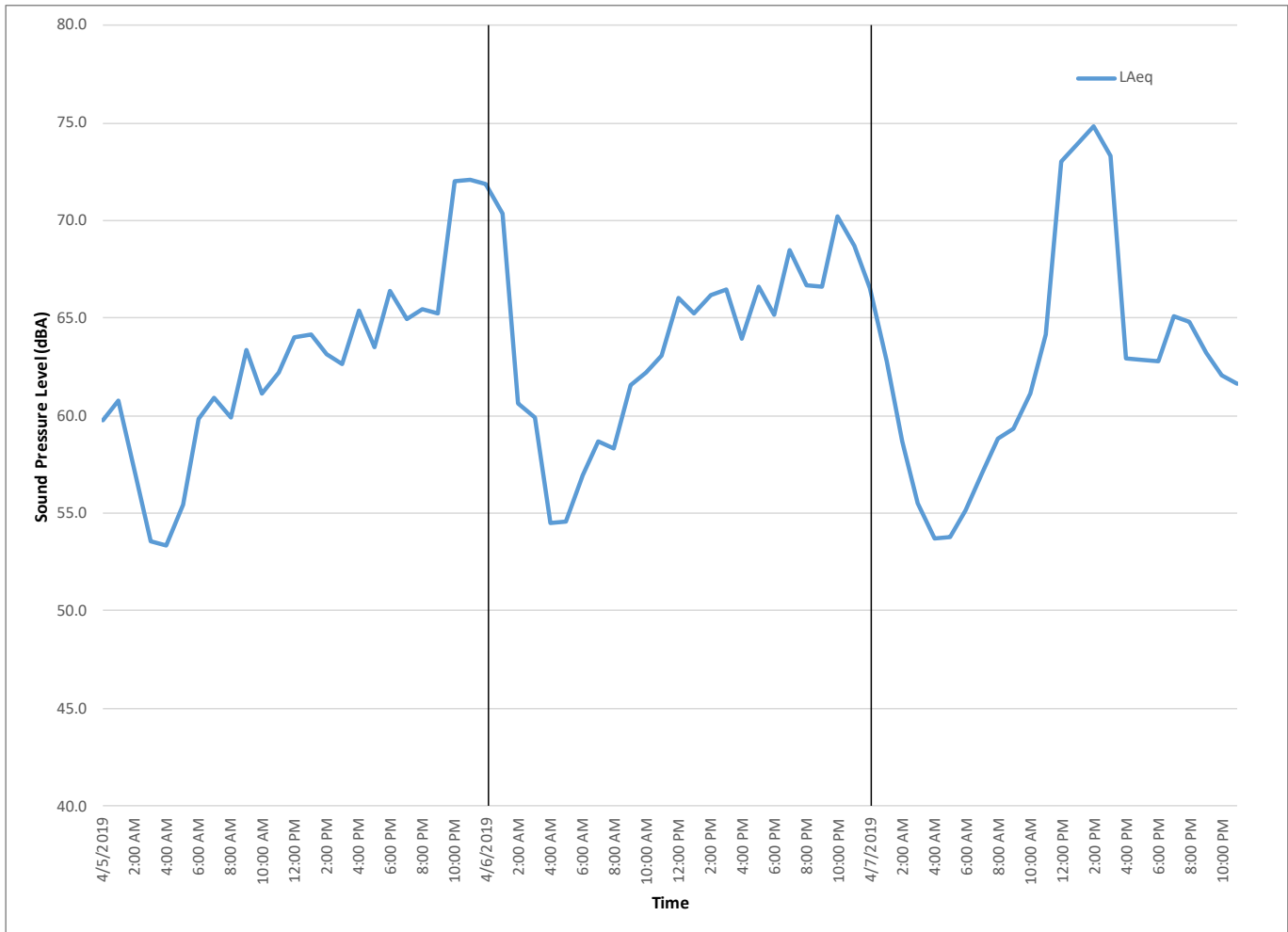
### 4.2 Existing Noise Level Survey Results

The results of the measured noise levels are presented graphically as one-hour average (1-hr  $L_{eq}$ ) noise levels in Figure 4-2 through 4-5. The hourly average noise levels begin on the reported hour (e.g., the 9 p.m. hourly average sound level is the average sound level between 9 p.m. and 10 p.m.).

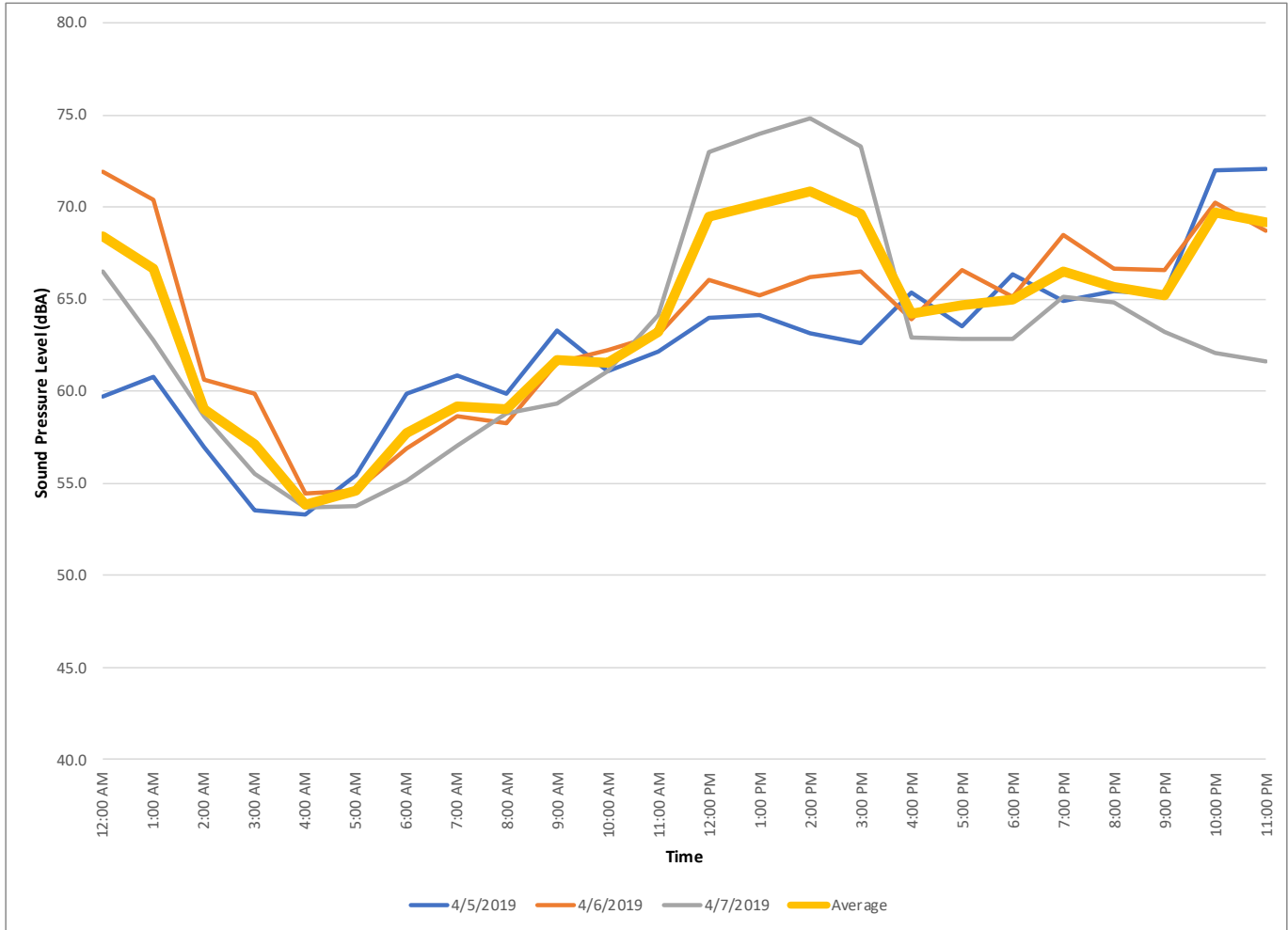
All sound levels are reported utilizing the A-weighted (dBA) decibel scale. The A-weighted filter is applied to instrument-measured sound levels in effort to account for the relative loudness perceived by the human ear. As the human ear is less sensitive to low frequencies, the A-weighted filter correspondingly discounts low frequency sound observed during measurements and is widely utilized for environmental noise measurements. The weather data during the noise level survey is shown in Appendix A.



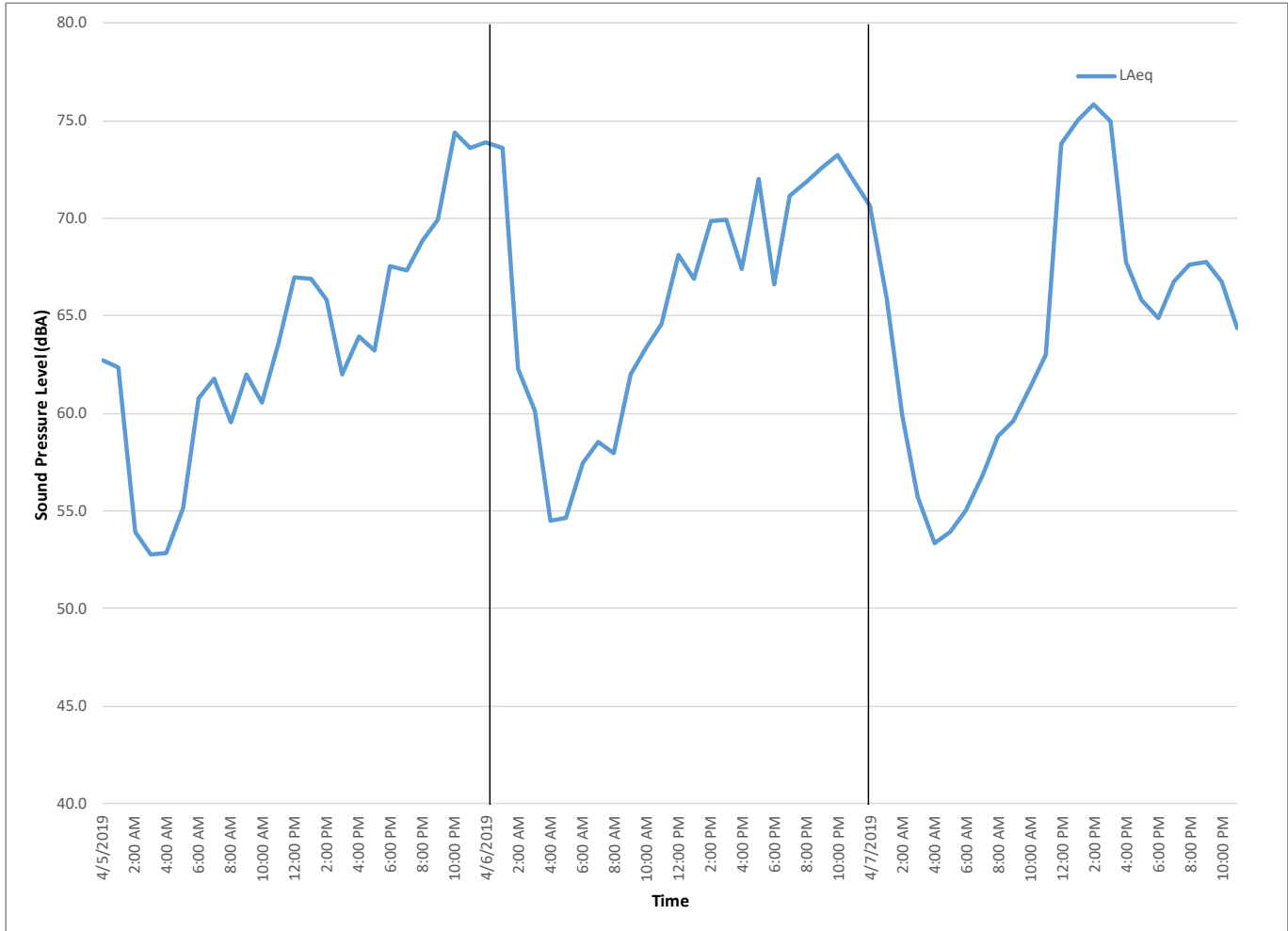
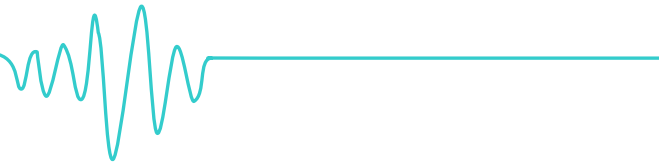
Two charts are provided for each survey location. The first chart displays the measured hourly average (1-hr Leq) sound levels over the measurement period. The second chart shows a 24-hour overlay of the three measurement days. The yellow line in the chart indicates the average sound level by time of day observed over the survey period.



**Figure 4-2 Existing Noise Levels Measured at Location 1**

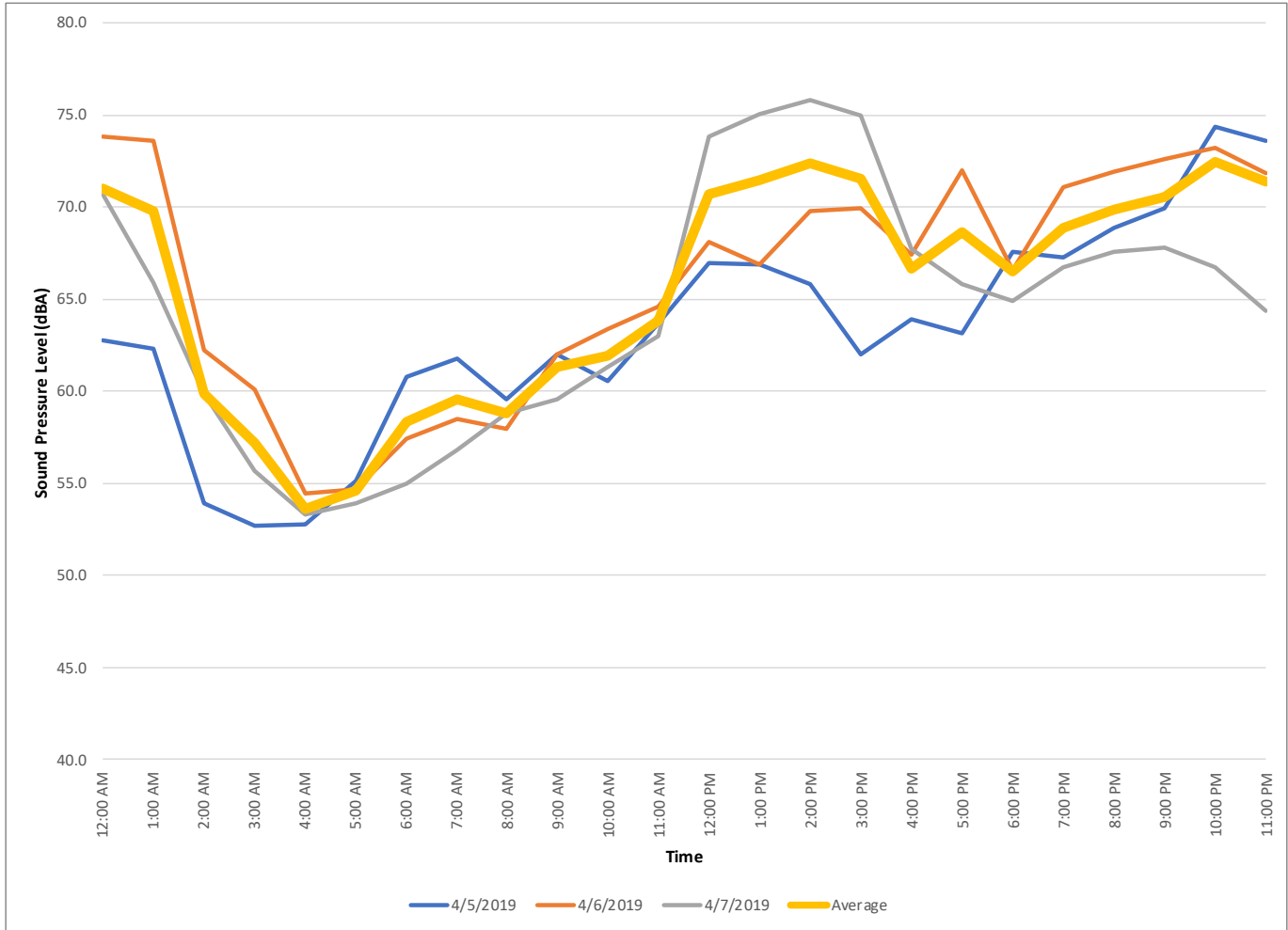
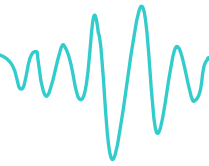


**Figure 4-3 Existing Noise Levels Measured at Location 1**



**Figure 4-4 Existing Noise Levels Measured at Location 2**



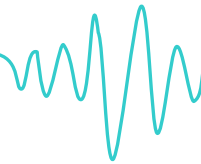


**Figure 4-5 Existing Noise Levels Measured at Location 2**

### 4.3 Acceptable Noise Limits

Since the restaurant operates 11:30 AM through 1:30 AM, the analysis focuses on these operation hours. Table 4-1 indicates the existing noise levels during operation hours. Also included are the average daytime noise level and nighttime noise level during the operation hours.

As can be seen in the Table 4-3, the existing noise levels already exceed the noise level limits of 60 dBA daytime and 55 dBA for nighttime for District 2 and therefore the noise limits require adjustments.



**Table 4-1 Calculated Average of Hourly Noise Levels**

Time Period	Location 1	Location 2	Noise Limit
	(dBA)	(dBA)	(dBA)
11:00 AM	63.2	63.8	60
12:00 PM	69.5	70.7	60
1:00 PM	70.1	71.5	60
2:00 PM	70.9	72.4	60
3:00 PM	69.6	71.6	60
4:00 PM	64.2	66.7	60
5:00 PM	64.6	68.6	60
6:00 PM	65.0	66.5	60
7:00 PM	66.5	68.8	60
8:00 PM	65.7	69.8	60
9:00 PM	65.2	70.6	60
10:00 PM	69.7	72.5	55
11:00 PM	69.2	71.4	55
12:00 AM	68.4	71.0	55
1:00 AM	66.7	69.8	55
Daytime Average (11am-10pm)	67.6	69.8	60
Nighttime Average (10pm-2pm)	68.7	71.3	55

Per City of Long Beach Municipal Code 8.80.130 C., “the allowable noise exposure standard shall be increased in five (5) decibels increments”, the adjusted noise limits for this analysis will be as follow:

**Table 4-2 Adjusted Noise Limits**

Time Period	Adjusted Noise Limit	
	Location 1	Location 2
Daytime Operation (11AM-10PM)	70	70
Nighttime Operation (10PM-2AM)	70	75



## 5. Noise Modeling

The noise modeling was completed with use of three-dimensional computer noise modeling software. All models in this report were developed with SoundPLAN 8.0 software using the ISO 9613-2 standard. Noise levels are predicted based on the locations, noise levels and frequency spectra of the noise sources, and the geometry and reflective properties of the local terrain, buildings and barriers. To ensure a conservative assessment and compliance with ISO 9613-2 standards, light to moderate winds are assumed to be blowing from the source to receptor.

To evaluate the noise impact at the adjacent surroundings to The Ordinary restaurant, noise impact models were generated. Three event scenarios have been modeled to represent the events which will be held at the restaurant. The modeled scenarios are detailed in Table 5-1.

**Table 5-1 Modeled Sceranio**

<b>Scenario</b>	<b>Description</b>
Scenario 1	While live music is occurring, the southern and middle cascading sliding glass doors were open
Scenario 2	While live music is occurring, the southern cascading sliding glass door was open
Scenario 3	While live music is occurring, all three cascading sliding glass doors were closed

### 5.1 Scenario 1 Modeling

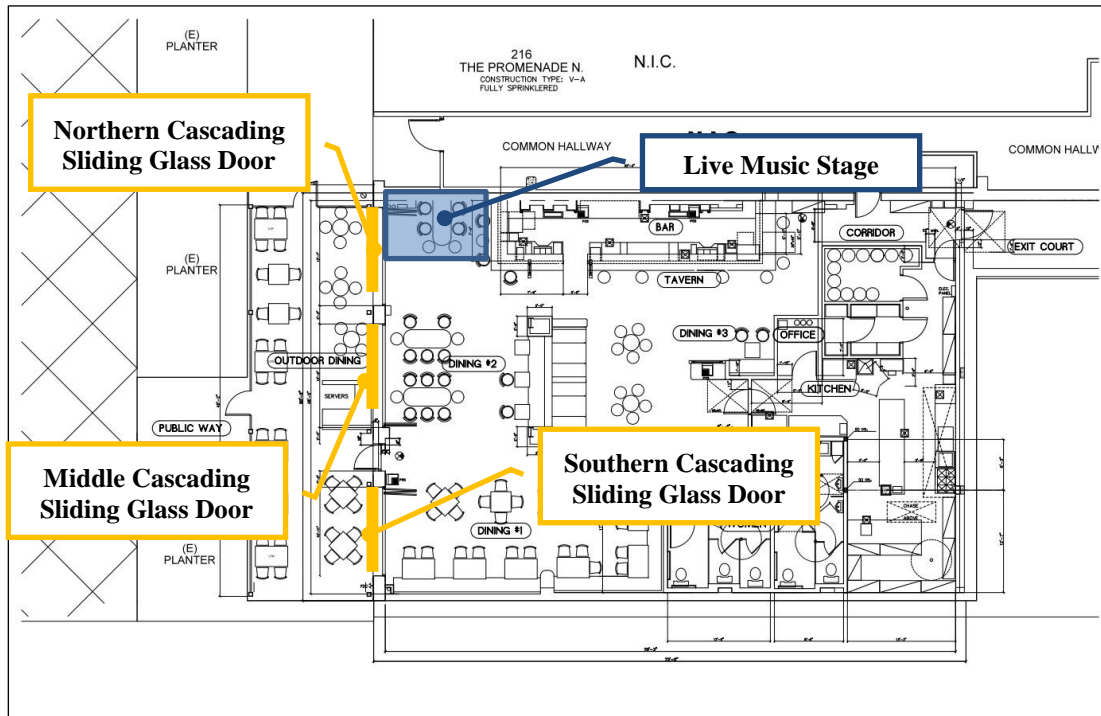
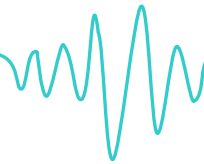
The noise emitting sources, sound power level of each source and the quantities of each source are shown in Table 5-2. The sound power levels were calculated using manufacturer specifications and the SoundPLAN sound data library.

**Table 5-2 Event Activity Noise Emitting Source**

<b>Noise Source</b>	<b>Quantity</b>	<b>Sound Power Level</b>
Existing Speaker (QSC)	2	101.9 dBA
Music Band	1	101.1 dBA

In this modeled scenario, music will be played using the band instrumentation along with two indoor existing speaker units installed at the restaurant with no additional third party speakers included in the model.

The restaurant layout including live music event stage provided by The Ordinary can be seen in Figure 5-1.



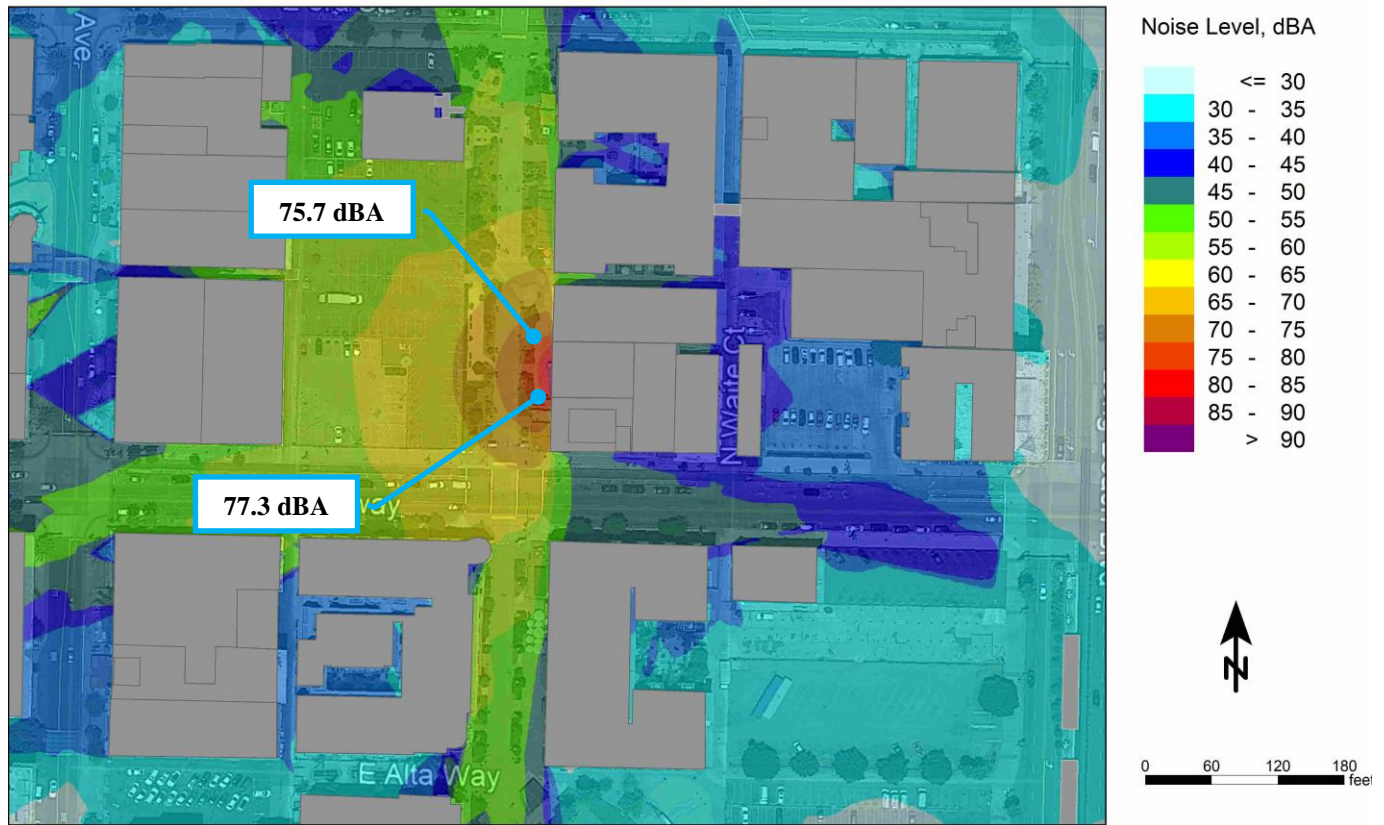
**Figure 5-1 The Ordinarie Restaurant Layout and Live Music Stage Location**

The results of Scenario 1 noise modeling are presented as a noise contour map in Figure 5-2. The modeled noise levels represent only the contribution of the indoor live music event activity at the restaurant and do not include ambient noise. Actual field sound level measurements may vary from the modeled noise levels due to existing non-event-activity related noise sources such as traffic, other human activity, or environmental factors.

The predicted noise levels are 75.7 dBA at Location 1 and 77.3 dBA at Location 2 as shown in Table 5-3.

**Table 5-3 Noise Limits and Predicted Unmitigated Noise Levels**

Time Period	Location 1 (dBA)	Location 2 (dBA)
Daytime (11:00 a.m. – 10:00 p.m.)	70	70
Nighttime (10:00 p.m. – 2:00 a.m.)	70	75
<b>Predicted Noise Level</b>	<b>75.7</b>	<b>77.3</b>



**Figure 5-2 Scenario 1 Noise Contour Map (dBA)**

The modeled noise results demonstrate that live music event noise levels will exceed the noise limits at both locations by up to 7.3 dBA. Therefore, while live music is occurring, opening the southern and middle cascading sliding glass doors is not recommended unless the music volume is adjusted to ensure that the event noise levels do not exceed the noise limit of 70 dBA.

## 5.2 Scenario 2 Modeling

For Scenario 2 the southern cascading sliding glass door will remain open.

The results of Scenario 2 noise modeling are presented as a noise contour map in Figure 5-3. The modeled noise levels represent only the contribution of the indoor live music event activity at the restaurant and do not include ambient noise. Actual field sound level measurements may vary from the modeled noise levels due to existing non-event-activity related noise sources such as traffic, other human activity, or environmental factors.

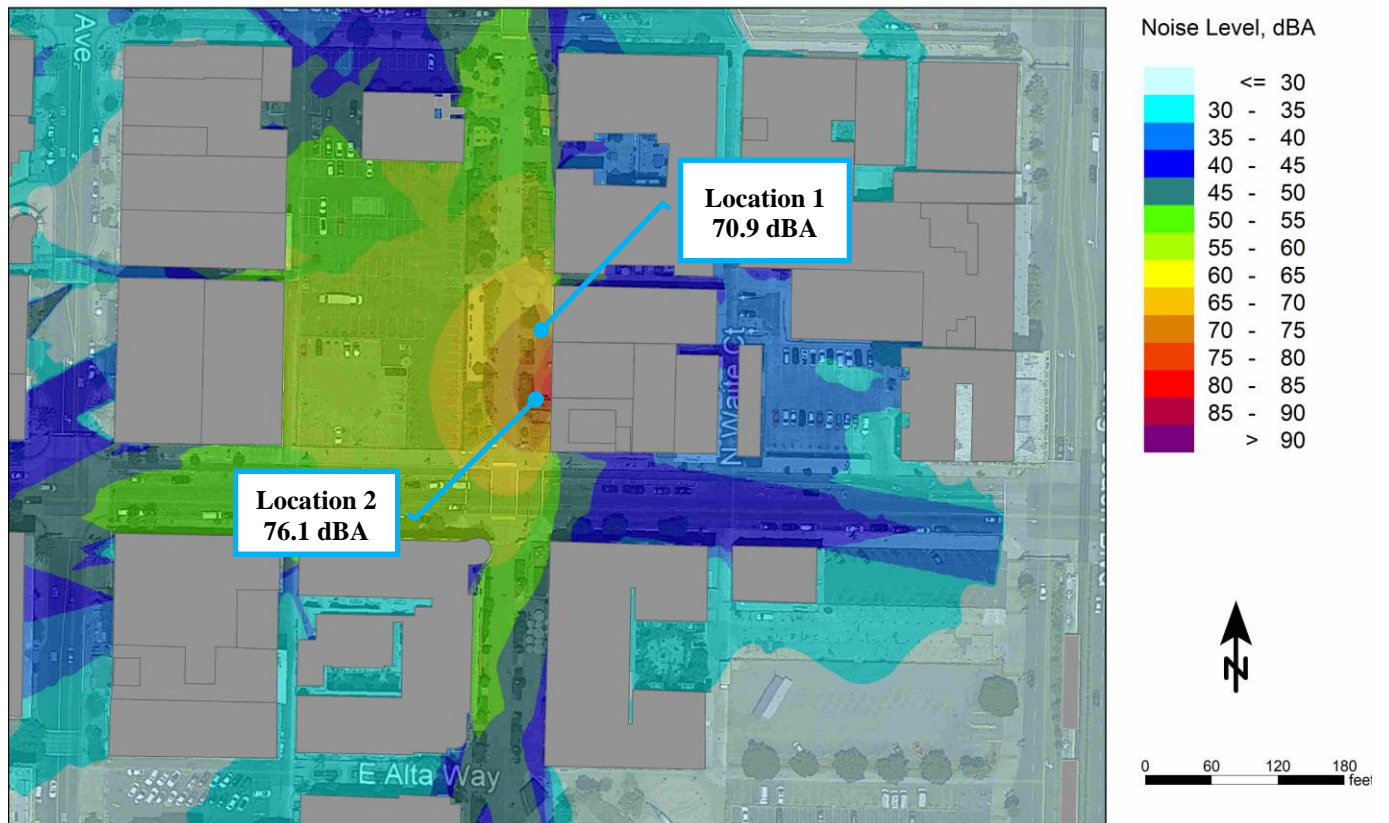
The predicted noise levels are 70.9 dBA at Location 1 and 76.1 dBA at Location 2 as shown in Table 5-4.



**Table 5-4 Noise Limits and Predicted Unmitigated Noise Levels**

Time Period	Location 1 (dBA)	Location 2 (dBA)
Daytime (11:00 a.m. – 10:00 p.m.)	70	70
Nighttime (10:00 p.m. – 2:00 a.m.)	70	75
<b>Predicted Noise Level</b>	<b>70.9</b>	<b>76.1</b>

In this modeled scenario, music will be played using the band instrumentation along with two indoor existing speaker units installed at the restaurant with no additional third party speakers included in the model.



**Figure 5-3 Scenario 2 Noise Contour Map (dBA)**

The modeled noise results demonstrate that live music event noise levels will exceed the noise limits at both locations by up to 6.1 dBA. Therefore, while live music is occurring, opening the southern cascading sliding glass door is not recommended unless the music volume is adjusted to ensure that the event noise levels do not exceed the noise limit of 70 dBA.

### 5.3 Scenario 3 Modeling

Scenario 3 is modeled with all three cascading sliding glass doors closed.





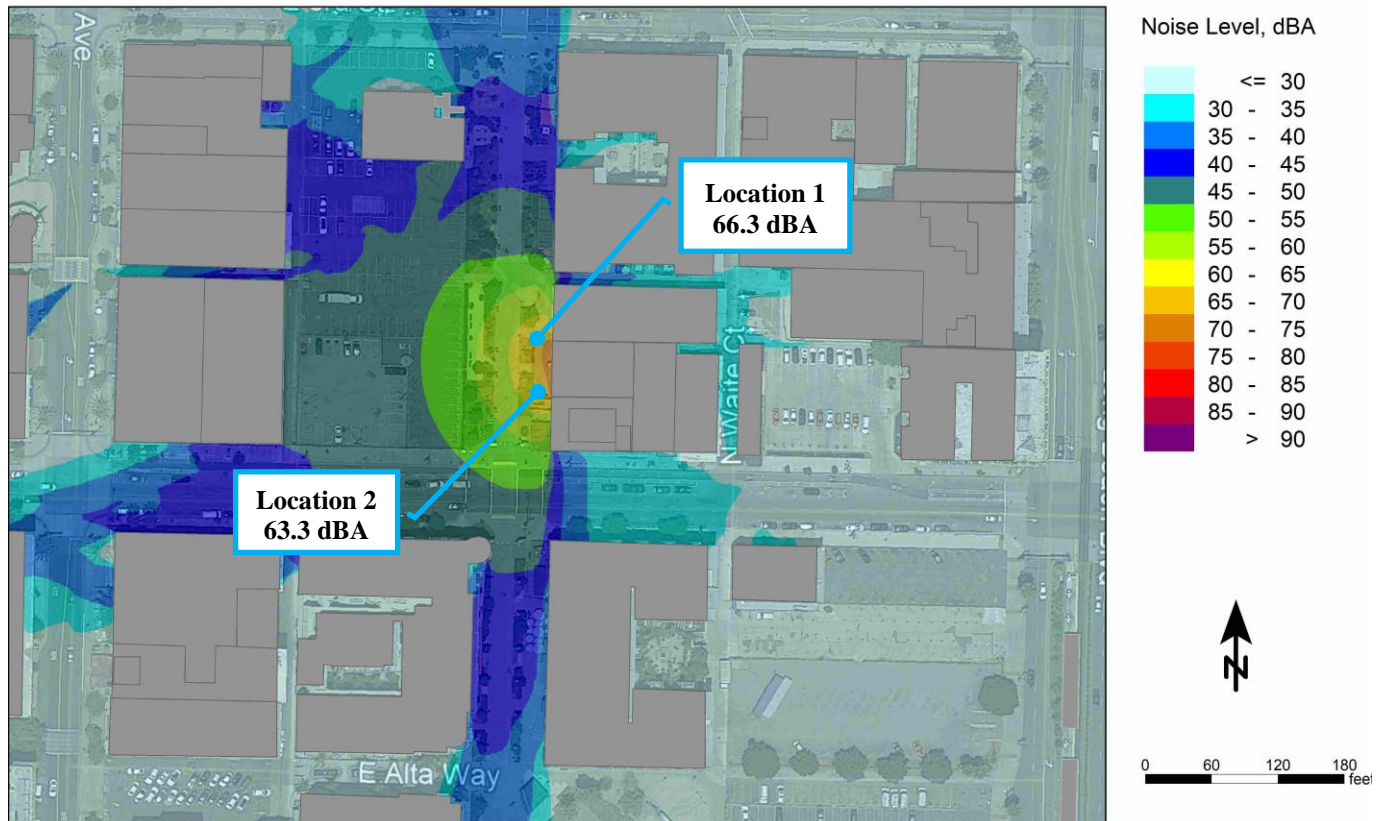
Scenario 3 noise modeling results are presented as a noise contour map in Figure 5-3. The modeled noise levels represent only the contribution of the indoor live music event activity at the restaurant and do not include ambient noise. Actual field sound level measurements may vary from the modeled noise levels due to existing non-event-activity related noise sources such as traffic, other human activity, or environmental factors.

The predicted noise levels with the glass doors closed are 66.3 dBA at Location 1 and 63.3 dBA at Location 2 as shown in Table 5-5.

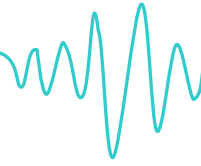
**Table 5-5 Noise Limits and Predicted Unmitigated Noise Levels**

Time Period	Location 1 (dBA)	Location 2 (dBA)
Daytime (11:00 a.m. – 10:00 p.m.)	70	70
Nighttime (10:00 p.m. – 2:00 a.m.)	70	75
<b>Predicted Noise Level</b>	66.3	63.3

In this modeled scenario, music will be played using the band instrumentation along with two indoor existing speaker units installed at the restaurant with no additional third party speakers included in the model.

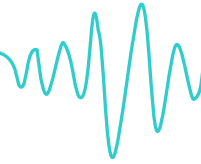


**Figure 5-4 Scenario 3 Noise Contour Map (dBA)**



Scenario 3 modeling results indicate that with the three cascading sliding glass doors closed, the music event noise levels will be below the adjusted allowable noise limit of 70 dBA at all locations.





## 6. Conclusion

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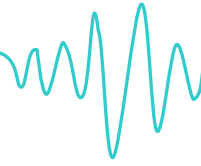
A noise level survey was conducted near The Ordinary restaurant to document existing noise levels. The results of the survey indicated that the existing environment noise levels exceed the City of Long Beach's noise limits for the Downtown Dining & Entertainment District. The measured noise levels exceeded the City's allowable noise limit by up to 6.1 dBA, and therefore an adjustment to the noise level was applied. The adjusted allowable noise level used in this assessment is 70 dBA.

Three scenarios at The Ordinary were modeled to evaluate the noise impact of proposed indoor live music events on the adjacent surroundings to the restaurant.

The Scenario 1 modeled noise results demonstrate that live music event noise levels will exceed the noise limits at both locations by up to 7.3 dBA. Therefore, while live music is occurring, opening the southern and middle cascading sliding glass doors is not recommended unless the music volume is adjusted to ensure that the event noise levels do not exceed the noise limit of 70 dBA.

The Scenario 2 modeled noise results demonstrate that live music event noise levels will exceed the noise limits at both locations by up to 6.1 dBA. Therefore, while live music is occurring, opening the southern cascading sliding glass door is not recommended unless the music volume is adjusted to ensure that the event noise levels do not exceed the noise limit of 70 dBA.

Scenario 3 modeling results indicate that with the three cascading sliding glass doors closed, the music event noise levels will be below the adjusted allowable noise limit of 70 dBA at all locations.



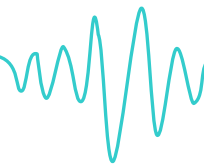
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**Appendix A – Weather Data**

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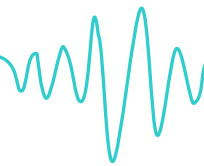
Environmental Noise Control



Time (PST)	Temp.	Humidity	Wind Dir	Wind Speed	Pressure	Gust Speed
4/5/19 Fri						
12:53 AM	60 F	64%	NW	6 mph	30.0 in	Cloudy
1:53 AM	60 F	64%	WNW	3 mph	30.0 in	Cloudy
2:53 AM	59 F	67%	NW	3 mph	29.9 in	Cloudy
3:53 AM	59 F	69%	NW	5 mph	29.9 in	Cloudy
4:53 AM	59 F	69%	NNW	5 mph	29.9 in	Cloudy
5:53 AM	58 F	70%	CALM	0 mph	29.9 in	Partly Cloudy
6:53 AM	57 F	72%	NNW	3 mph	29.9 in	Partly Cloudy
7:53 AM	60 F	64%	CALM	0 mph	29.9 in	Fair
8:53 AM	62 F	60%	CALM	0 mph	30.0 in	Fair
9:53 AM	63 F	56%	WNW	7 mph	30.0 in	Cloudy
10:46 AM	61 F	67%	SSW	8 mph	30.0 in	Cloudy
10:53 AM	61 F	70%	S	7 mph	30.0 in	Cloudy
11:04 AM	63 F	63%	S	8 mph	30.0 in	Partly Cloudy
11:53 AM	65 F	54%	VAR	5 mph	30.0 in	Fair
12:53 PM	66 F	52%	SW	12 mph	30.0 in	Partly Cloudy
1:53 PM	67 F	49%	SSW	8 mph	30.0 in	Mostly Cloudy
2:53 PM	68 F	43%	WNW	14 mph	30.0 in	Mostly Cloudy
3:53 PM	67 F	47%	W	13 mph	29.9 in	Fair
4:53 PM	64 F	56%	W	10 mph	30.0 in	Cloudy
5:53 PM	65 F	54%	W	10 mph	29.9 in	Fair
6:53 PM	63 F	60%	WNW	8 mph	29.9 in	Mostly Cloudy
7:53 PM	61 F	70%	W	10 mph	30.0 in	Fair
8:45 PM	61 F	70%	WNW	9 mph	30.0 in	Mostly Cloudy
8:53 PM	60 F	72%	W	6 mph	30.0 in	Mostly Cloudy
9:53 PM	60 F	75%	WNW	6 mph	30.0 in	Mostly Cloudy
10:53 PM	60 F	75%	WNW	7 mph	30.0 in	Fair
11:53 PM	60 F	78%	WNW	8 mph	30.0 in	Partly Cloudy
4/6/19 Sat						
12:00 AM	60 F	78%	WNW	8 mph	30.0 in	Cloudy
12:53 AM	60 F	75%	VAR	6 mph	30.0 in	Cloudy
1:53 AM	60 F	78%	W	6 mph	30.0 in	Cloudy
2:53 AM	59 F	81%	NW	7 mph	30.0 in	Cloudy
3:53 AM	60 F	75%	WNW	8 mph	30.0 in	Cloudy
4:53 AM	60 F	75%	NNW	6 mph	30.0 in	Cloudy
5:53 AM	59 F	78%	NW	3 mph	30.0 in	Cloudy

# Behrens and Associates, Inc.

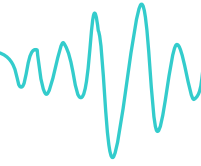
Environmental Noise Control



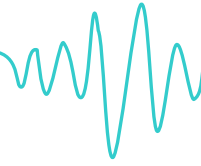
Time (PST)	Temp.	Humidity	Wind Dir	Wind Speed	Pressure	Gust Speed
6:53 AM	59 F	75%	CALM	0 mph	30.0 in	Fair
7:53 AM	61 F	72%	NNE	3 mph	30.0 in	Partly Cloudy
8:53 AM	63 F	65%	CALM	0 mph	30.0 in	Partly Cloudy
9:53 AM	64 F	60%	CALM	0 mph	30.1 in	Partly Cloudy
10:53 AM	66 F	56%	SSE	6 mph	30.1 in	Mostly Cloudy
11:53 AM	67 F	54%	VAR	6 mph	30.1 in	Partly Cloudy
12:53 PM	67 F	52%	S	10 mph	30.0 in	Fair
1:53 PM	68 F	52%	SSW	10 mph	30.0 in	Fair
2:53 PM	68 F	49%	S	12 mph	30.0 in	Fair
3:53 PM	70 F	46%	WNW	15 mph	30.0 in	Fair
4:53 PM	69 F	47%	W	9 mph	30.0 in	Fair
5:53 PM	67 F	51%	W	7 mph	30.0 in	Partly Cloudy
6:53 PM	65 F	58%	WNW	9 mph	30.0 in	Fair
7:53 PM	63 F	70%	WNW	10 mph	30.0 in	Fair
8:53 PM	62 F	72%	CALM	0 mph	30.1 in	Fair
9:53 PM	61 F	81%	ESE	5 mph	30.1 in	Fair
10:53 PM	61 F	81%	CALM	0 mph	30.1 in	Fair
11:53 PM	61 F	81%	CALM	0 mph	30.1 in	Fair
4/7/19 Sun						
12:53 AM	59 F	83%	CALM	0 mph	30.1 in	Fair
1:53 AM	58 F	87%	E	3 mph	30.1 in	Fair
2:53 AM	58 F	87%	E	3 mph	30.1 in	Fair
3:53 AM	57 F	89%	ESE	5 mph	30.1 in	Partly Cloudy
4:53 AM	57 F	89%	CALM	0 mph	30.1 in	Fair
5:53 AM	58 F	87%	CALM	0 mph	30.1 in	Fair
6:53 AM	57 F	87%	N	3 mph	30.1 in	Mostly Cloudy
7:53 AM	59 F	83%	E	3 mph	30.1 in	Fair
8:53 AM	63 F	72%	CALM	0 mph	30.1 in	Fair
9:53 AM	64 F	67%	CALM	0 mph	30.1 in	Fair
10:53 AM	70 F	57%	NW	5 mph	30.1 in	Mostly Cloudy
11:53 AM	72 F	57%	S	6 mph	30.1 in	Partly Cloudy
12:53 PM	72 F	57%	S	7 mph	30.1 in	Mostly Cloudy
1:53 PM	75 F	53%	VAR	6 mph	30.1 in	Partly Cloudy
2:53 PM	76 F	48%	VAR	7 mph	30.0 in	Fair
3:53 PM	79 F	40%	W	6 mph	30.0 in	Fair

# Behrens and Associates, Inc.

Environmental Noise Control



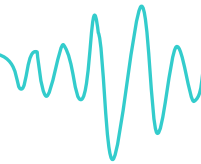
Time (PST)	Temp.	Humidity	Wind Dir	Wind Speed	Pressure	Gust Speed
4:53 PM	79 F	42%	NW	6 mph	30.0 in	Fair
5:53 PM	73 F	46%	WNW	16 mph	30.0 in	Fair
6:53 PM	70 F	51%	NW	9 mph	30.0 in	Mostly Cloudy
7:53 PM	69 F	53%	N	5 mph	30.0 in	Fair
8:53 PM	67 F	63%	WNW	7 mph	30.0 in	Partly Cloudy
9:53 PM	65 F	68%	NNW	5 mph	30.0 in	Fair
10:53 PM	64 F	72%	WNW	6 mph	30.0 in	Partly Cloudy
11:53 PM	64F	72%	NW	3mph	30.0 in	Fair



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**Appendix B - Glossary of Acoustical Terms**

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## **Ambient Noise**

The all-encompassing noise associated with a given environment at a specified time, usually a composite of sound from many sources both near and far.

## **Average Sound Level**

See Equivalent-Continuous Sound Level.

## **A-Weighted Sound Level, dB(A)**

The sound level obtained by use of A-weighting. Weighting systems were developed to measure sound in a way that more closely mimics the ear's natural sensitivity relative to frequency so that the instrument is less sensitive to noise at frequencies where the human ear is less sensitive and more sensitive at frequencies where the human ear is more sensitive.

## **Community Noise Equivalent Level (CNEL)**

A 24-hour A-weighted average sound level which takes into account the fact that a given level of noise may be more or less tolerable depending on when it occurs. The CNEL measure of noise exposure weights average hourly noise levels by 5 dB for the evening hours (between 7:00 pm and 10:00 pm), and 10 dB between 10:00 pm and 7:00 am, then combines the results with the daytime levels to produce the final CNEL value. It is measured in decibels, dB.

## **Day-Night Average Sound Level (Ldn)**

A measure of noise exposure level that is similar to CNEL except that there is no weighting applied to the evening hours of 7:00 pm to 10:00 pm. It is measured in decibels, dB.

## **Daytime Average Sound Level**

The time-averaged A-weighted sound level measured between the hours of 7:00 am to 7:00 pm. It is measured in decibels, dB.

## **Decay Rate**

The time taken for the sound pressure level at a given frequency to decrease in a room. It is measured in decibels per second, dB/s.

## **Decibel (dB)**

The basic unit of measurement for sound level.

## **Direct Sound**

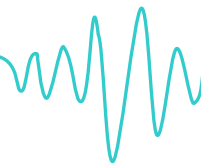
Sound that reaches a given location in a direct line from the source without any reflections.

## **Divergence**

The spreading of sound waves from a source in a free field, resulting in a reduction in sound pressure level with increasing distance from the source.

## **Energy Basis**

This refers to the procedure of summing or averaging sound pressure levels on the basis of their squared pressures. This method involves the conversion of decibels to pressures, then performing the necessary arithmetic calculations, and finally changing the pressure back to decibels.



## **Equivalent-Continuous Sound Level (Leq)**

The average sound level measured over a specified time period. It is a single-number measure of time-varying noise over a specified time period. It is the level of a steady sound that, in a stated time period and at a stated location, has the same A-Weighted sound energy as the time-varying sound. For example, a person who experiences an Leq of 60 dB(A) for a period of 10 minutes standing next to a busy street is exposed to the same amount of sound energy as if he had experienced a constant noise level of 60 dB(A) for 10 minutes rather than the time-varying traffic noise level. It is measured in decibels, dB.

## **Fast Response**

A setting on the sound level meter that determines how sound levels are averaged over time. A fast sound level is always more strongly influenced by recent sounds, and less influenced by sounds occurring in the distant past, than the corresponding slow sound level. For the same non-steady sound, the maximum fast sound level is generally greater than the corresponding maximum slow sound level. Fast response is typically used to measure impact sound levels.

## **Field Impact Insulation Class (FIIC)**

A single number rating similar to the impact insulation class except that the impact sound pressure levels are measured in the field.

## **Field Sound Transmission Class (FSTC)**

A single number rating similar to sound transmission class except that the transmission loss values used to derive this class are measured in the field.

## **Flanking Sound Transmission**

The transmission of sound from a room in which a source is located to an adjacent receiving room by paths other than through the common partition. Also, the diffraction of noise around the ends of a barrier.

## **Frequency**

The number of oscillations per second of a sound wave.

## **Hourly Average Sound Level (HNL)**

The equivalent-continuous sound level, Leq, over a 1-hour time period.

## **Impact Insulation Class (IIC)**

A single number rating used to compare the effectiveness of floor/ceiling assemblies in providing reduction of impact-generated sound such as the sound of a person's walking across the upstairs floor.

## **Impact Noise**

The noise that results when two objects collide.

## **Impulse Noise**

Noise of a transient nature due to the sudden impulse of pressure like that created by a gunshot or balloon bursting.

## **Insertion Loss**

The decrease in sound level measured at the location of the receiver when an element (e.g., a noise barrier) is inserted in the transmission path between the sound source and the receiver.





## **Inverse Square Law**

A rule by which the sound intensity varies inversely with the square of the distance from the source. This results in a 6dB decrease in sound pressure level for each doubling of distance from the source.

## **Masking**

The process by which the threshold of hearing for one sound is raised by the presence of another sound.

## **Maximum Sound Level (L<sub>max</sub>)**

The greatest sound level measured on a sound level meter during a designated time interval or event.

## **NC Curves (Noise Criterion Curves)**

A system for rating the noisiness of an occupied indoor space. An actual octave-band spectrum is compared with a set of standard NC curves to determine the NC level of the space.

## **Noise Isolation Class (NIC)**

A single number rating derived from the measured values of noise reduction between two enclosed spaces that are connected by one or more partitions. Unlike STC or NNIC, this rating is not adjusted or normalized to a measured or standard reverberation time.

## **Noise Reduction**

The difference in sound pressure level between any two points.

## **Noise Reduction Coefficient (NRC)**

A single number rating of the sound absorption properties of a material. It is the average of the sound absorption coefficients at 250, 500, 1000, and 2000 Hz, rounded to the nearest multiple of 0.05.

## **Normalized Noise Isolation Class (NNIC)**

A single number rating similar to the noise isolation class except that the measured noise reduction values are normalized to a reverberation time of 0.5 seconds.

## **Octave**

The frequency interval between two sounds whose frequency ratio is 2. For example, the frequency interval between 500 Hz and 1,000 Hz is one octave.

## **Octave-Band Sound Level**

For an octave frequency band, the sound pressure level of the sound contained within that band.

## **One-Third Octave**

The frequency interval between two sounds whose frequency ratio is  $2^{1/3}$ . For example, the frequency interval between 200 Hz and 250 Hz is one-third octave.

## **One-Third-Octave-Band Sound Level**

For a one-third-octave frequency band, the sound pressure level of the sound contained within that band.

## **Outdoor-Indoor Transmission Class (OITC)**

A single number rating used to compare the sound insulation properties of building façade elements. This rating is designed to correlate with subjective impressions of the ability of façade elements to reduce the overall loudness of ground and air transportation noise.

**Peak Sound Level (Lpk)**

The maximum instantaneous sound level during a stated time period or event.

**Pink Noise**

Noise that has approximately equal intensities at each octave or one-third-octave band.

**Point Source**

A source that radiates sound as if from a single point.

**RC Curves (Room Criterion Curves)**

A system for rating the noisiness of an occupied indoor space. An actual octave-band spectrum is compared with a set of standard RC curves to determine the RC level of the space.

**Real-Time Analyzer (RTA)**

An instrument for the determination of a sound spectrum.

**Receiver**

A person (or persons) or equipment which is affected by noise.

**Reflected Sound**

Sound that persists in an enclosed space as a result of repeated reflections or scattering. It does not include sound that travels directly from the source without reflections.

**Reverberation**

The persistence of a sound in an enclosed or partially enclosed space after the source of the sound has stopped, due to the repeated reflection of the sound waves.

**Room Absorption**

The total absorption within a room due to all objects, surfaces and air absorption within the room. It is measured in Sabins or metric Sabins.

**Slow Response**

A setting on the sound level meter that determines how measured sound levels are averaged over time. A slow sound level is more influenced by sounds occurring in the distant past than the corresponding fast sound level.

**Sound**

A physical disturbance in a medium (e.g., air) that is capable of being detected by the human ear.

**Sound Absorption Coefficient**

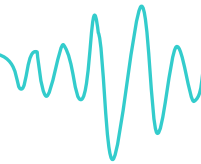
A measure of the sound-absorptive property of a material.

**Sound Insulation**

The capacity of a structure or element to prevent sound from reaching a receiver room either by absorption or reflection.

**Sound Level Meter (SLM)**

An instrument used for the measurement of sound level, with a standard frequency-weighting and standard exponentially weighted time averaging.



## **Sound Power Level**

A physical measure of the amount of power a sound source radiates into the surrounding air. It is measured in decibels.

## **Sound Pressure Level**

A physical measure of the magnitude of a sound. It is related to the sound's energy. The terms sound pressure level and sound level are often used interchangeably.

## **Sound Transmission Class (STC)**

A single number rating used to compare the sound insulation properties of walls, floors, ceilings, windows, or doors. This rating is designed to correlate with subjective impressions of the ability of building elements to reduce the overall loudness of speech, radio, television, and similar noise sources in offices and buildings.

## **Source Room**

A room that contains a noise source or sources.

## **Spectrum**

The spectrum of a sound wave is a description of its resolution into components, each of different frequency and usually different amplitude.

## **Tapping Machine**

A device used in rating different floor constructions against impacts. It produces a series of impacts on the floor under test, 10 times per second.

## **Tone**

A sound with a distinct pitch.

## **Transmission Loss (TL)**

A property of a material or structure describing its ability to reduce the transmission of sound at a particular frequency from one space to another. The higher the TL value the more effective the material or structure is in reducing sound between two spaces. It is measured in decibels.

## **White Noise**

Noise that has approximately equal intensities at all frequencies.

## **Windscreen**

A porous covering for a microphone, designed to reduce the noise generated by the passage of wind over the microphone.

## **X-Percentile-Exceeded Sound Level**

The A-Weighted sound level equaled or exceeded by a fluctuating sound level x percent of a stated time period. E.g., the letter symbol L10 represents the sound level which exceeded for more than 30 minutes in an hour, L25 is the sound level exceeded for more than 15 minutes in an hour, L8 is the sound level exceeded for more than 5 minutes in an hour, and L2 is the sound level exceeded for more than 1 minute in an hour.