

3
October 19, 2004

Honorable Mayor and City Council Members:

I live directly next door to the Ebell Club. My bedroom window backs up to the rear service entrance for the club. Last weekend, as with every time there is an event, I was kept awake by the catering people and others at the close of the events. It was loud, with people talking, the door clanging at the Ebell, and service vehicle doors being repeatedly opened and closed.

I am fortunate that my house is well insulated and I do not suffer from the noise of the events as my neighbors do who live across the street from the club. But, if you allow for longer hours, the "end of event" noise will be that much later and that much more annoying. I definitely do not want any expansion of the usage of the club.

I was one of those who was contacted by the police about the Ebell Club. At no time was I told they were applying for extended hours or live music. I was told by the officer that they were just getting input from the neighbors about how the club was doing. Because of my responses, I was probably included in the group that is not opposing expanded usage of the club. I can assure you I DO NOT support any expansion in usage, either by live entertainment, extended hours, or anything other than what has been previously allowed. And, that is qualified by the valet service issue being taken care of. If the owners continue to engage people who have no regard for our property, our peace and quiet, and above all, our safety, they should then not be allowed to continue operating under the current guidelines.

It is unfortunate that our otherwise quiet neighborhood is having to expend so much time and energy dealing with this problem. Please help us.

Thank you,



Joy Melton
274 Cerritos Avenue
Long Beach 90802

RECEIVED
OFFICE OF THE MAYOR
CITY OF LONG BEACH
2004 OCT 19 P 4: 28

**Agenda Item # 3
October 19, 2004**

Application of Fresh Ideas Daily, LLC, 290 Cerritos Avenue,
for a Permit for Entertainment with Dancing by Patrons
at an Existing Hall Rental.

*effective H-3
Jan. 1, 2005
delete 6, 7, 8, 9
CIA*

*effective
all until Jan 1
then delete
items 6, 7, 8, 9.*

Entertainment Permit Conditions

This is an application for an entertainment permit with dancing. The location is located in the Alamitos Beach neighborhood. The Ebell Club is licensed as a social club at the location and after extensive renovations the owners are seeking an entertainment permit to allow for entertainment and dancing.

Residents are located in close proximity to the location, and there are issues with noise and other impacts on the neighborhood from increased traffic and parking in the area. In order to address these concerns the following conditions are to be attached to the granting of this permit.

- 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 or hours of the approved permit, will require that a new permit application be submitted to the City Council for their review and approval.
- 2) Due to the proximity of residences, entertainment activities shall be restricted to no later than 9:00 p.m. Sunday through Thursday nights and 11:00 p.m. on Friday and Saturday nights. All activities at the location shall be restricted to no later than 10:00 p.m. Sunday through Thursday nights and Midnight on Friday and Saturday nights. The location is to be closed and secured by the end of operating hours listed here and the permittee is to ensure that loitering at the location does not occur.
- 3) If any noise, disturbance complaints, or trash left in the parking lot and surrounding area of the business can be attributed to the operation of said business, the Police Department can determine and impose requirements for security officer presence to routinely police and handle these problems.
- 4) The permittee shall not convert the hall rental, or any portion thereof, into a public dance/night club. All entertainment activities shall be restricted to private social events or gatherings. The permittee shall not allow anyone to rent the hall for the purpose of holding a concert, dance, or disk jockey event, which is open to the public.
- 5) The permittee or any client shall not hire promoters with the intent to advertise/promote or hold any entertainment activities consistent with nightclub entertainment.

delete
↓

- ~~6) Valet service is to be provided on 3rd Street (no valet service to be provided on Cerritos).~~
- ~~7) The permittee shall ensure that valet personnel immediately park any vehicle in an off-site and authorized parking space. Vehicles are not to be illegally parked in a staging area to be parked at a later time.~~
- ~~8) The permittee shall take reasonable efforts to ensure that the valet service runs smoothly, and that all vehicles are legally parked to avoid traffic congestion. The valet operation is to obey all traffic and safety laws at all times.~~

delete

only's little service

9) Reasonable efforts to improve parking may include the hiring of additional valet personnel and pursuing efforts with the city to create a loading zone on 3rd Street. In the event valet service becomes a nuisance or a safety issue, the permittee shall discontinue the valet service as directed by the Chief of Police.

- 10) Unless separately applied for, reviewed and approved, no adult entertainment, as defined by section 5.72.115(B) LBMC, shall be conducted on the permitted premises.
- 11) No dancing by performers is permitted.
- 12) The door(s) and window(s) shall be kept closed at all times during the operation of the business, except in cases of emergency and to permit deliveries. Said door(s) and window(s) shall not to consist solely of a screen or ventilated security door or screen windows.
- 13) No sound shall be audible from the exterior of the premises in any direction.
- 14) There shall be no exterior advertising promoting or indicating the availability of alcoholic beverages or entertainment at the location.
- 15) In the event that the Club ceases operations, the entertainment permit becomes null and void.
- 16) The permittee shall maintain full compliance with all applicable laws, ABC laws, ordinances and stated conditions.
- 17) The permittee shall provide security personnel to patrol the area under their control and the entrances and exits for the location at all times that entertainment is provided.
- 18) At the conclusion of each event, Fresh Ideas shall ensure that exiting patrons walk directly to their vehicles, and not loiter in the immediate area.
- 19) It shall be left to the permittee's discretion to determine the level of security necessary to prevent violations of law and any other disturbances arising out of or in connection with its business operations. Should the permittee's operations give rise to a substantial increase in complaints/calls for service, the permittee shall increase security as directed by the Chief of Police.
- 20) The permittee agrees to reimburse the City whenever excessive police services, as determined by the Chief of Police, are required as the result of any incident or nuisance arising out of or in connection with the permittee's operations.
- 21) No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee.
- 22) If alcohol is sold on the premises, all sales of alcoholic beverages shall be made within the premises.
- 23) The permittee shall maintain full compliance with all applicable laws, ABC laws, ordinances and stated conditions.
- 24) The permittee shall be responsible for maintaining free of litter the premises and the area adjacent to the licensed premise over which they have control.

- 25) 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.
- 26) Exterior payphones are prohibited.
- 27) Petitioner(s) shall regularly police the area under their control in an effort to prevent loitering of persons about the premises.
- 28) Licensee shall not offer or permit or provide any type of live entertainment including live music, disc jockey, karaoke or dancing except as allowed by this valid Entertainment Permit.
- 29) There shall be no amusement machines or video games devices in the premise at any times.
- 30) No pool or billiard tables may be maintained on the premises.
- 31) Failure to meet these conditions, as evidenced by increases in Police calls for service directly attributed to the location, the issuance of citations for violations of the permit or other city ordinances, or significant neighborhood complaints regarding the location will trigger a review of the permit and revocation if needed to resolve the issues.