



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

H-3

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

September 11, 2018

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the supporting documentation into the record, conclude the hearing, and grant an Entertainment Permit with conditions on the application of Mel Hospitality LLC, dba Ashley's, 1731 E 4th Street, for entertainment without 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) or any responsible persons have a history of committing significant violations of the City code and have not provided false or misleading information on their application.

The City Council has the authority to approve the following options: 1) grant the Permit, with or without conditions; or 2) deny the Permit on the application. Once the Permit is granted, pursuant to LBMC 5.72.120.5, the Permit will be subject to an administrative review by the Financial Management Department every two years. This review process will consist of a multi-department analysis to determine compliance and identify if issues exist. This provision does not affect the City's ability to modify, revoke or suspend a permit at any time.

City departments have conducted their investigations in accordance with the LBMC. Attached are the departmental investigative reports, history, entertainment permit application, and floor plan.

The following summarizes departmental findings:

- The Police Department recommends the permit for entertainment without dancing be approved subject to the conditions.
- The Fire Department finds the building/location meets department requirements for the proposed use.
- The Health and Human Services Department finds the building/location meets department requirements for the proposed use with the condition that the establishment remain in compliance with the Long Beach Noise Ordinance (LBMC Chapter 8.80).
- The Development Services Department finds the building/location meets department requirements for the proposed use.

The Financial Management Department, Business Services Bureau, has reviewed all submitted department documents and correspondence and, after a thorough review, recommends that the permit for entertainment without dancing be approved subject to conditions (attached).

In the event that any of the recommended conditions are in conflict with other permits or licenses, the permittee shall adhere to the strictest of the applicable conditions. This location has been licensed as a Restaurant with Alcohol since November 1974. The business changed ownership to Mel Hospitality, LLC, in January 2018.

This matter was reviewed by Deputy City Attorney Amy R. Webber on August 20, 2018.

TIMING CONSIDERATIONS

The hearing date of September 11, 2018, has been posted on the business location, with the applicant and property owners within 300 feet notified by mail.

FISCAL IMPACT

The following fees were collected with the application: Building Review \$22.45 and Zoning Review \$33.00 (Development Services Department), Police Investigation \$1,310.00 (Police Department), Mailing List \$90.00 and Entertainment Temporary Permit Fee \$400.00 (Financial Management Department).

The following fees will be collected if the application is approved: Business License Annual Tax \$365.17, Employee Rate \$18.96 per employee, and Annual Entertainment Regulatory Fee \$310.00 (Financial Management Department).

HONORABLE MAYOR AND CITY COUNCIL
September 11, 2018
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SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



JOHN GROSS
DIRECTOR OF FINANCIAL MANAGEMENT

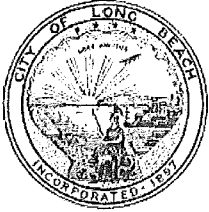
JG:ea
K:\FM-ADMIN\CITY COUNCIL LETTERS\BUSINESS SERVICES\2018\09-11-2018 CCL - ASHLEY'S - ENTERTAINMENT WITHOUT DANCING.DOCX

ATTACHMENTS

APPROVED:



PATRICK H. WEST
CITY MANAGER



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT
BUSINESS SERVICES BUREAU

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

Recommended Conditions of Operation

Mel Hospitality LLC DBA Ashley's

1731 E. 4th Street

Application for Entertainment Without Dancing

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

I. STANDARD CONDITIONS OF OPERATION

- 1) The operation of the establishment shall be limited to those activities and elements expressly indicated on the permit application and approved by the City Council. Any change in the operation, which exceeds the conditions of the approved permit, will require that a new permit application be submitted to the City Council for their review and approval.
- 2) Unless separately applied for, reviewed, and approved, no adult entertainment, as defined by Section 5.72.115(B) LBMC, shall be conducted on the permitted premises.
- 3) The establishment shall remain in compliance with all applicable sections of the Long Beach Noise Ordinance (LMBC Chapter 8.80).
- 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.

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

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

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

- 5) Due to the proximity of neighboring businesses and residences, all door(s) and windows shall be kept closed at all times during any entertainment, except in cases of emergency and to permit deliveries. Said door(s) is not to consist solely of a screen or ventilated security door. **Sound shall not be audible beyond fifty feet (50') from the exterior of the premises in any direction.** Outdoor amplified entertainment is prohibited.

- 6) The permittee shall not allow employees to discard trash or beer bottles into the outside dumpster between the hours of 10:00 P.M. and 7:00 A.M.
- 7) Deliveries to and from the premises shall be limited to the hours of 8:00 A.M. to 10:00 P.M.
- 8) The permittee shall provide a minimum of one (1) uniformed security guard during all times that the entertainment activities are being conducted for crowds up to fifty (50) people. For crowds over fifty (50) people, the permittee shall provide a minimum of one (1) additional uniformed security guard per fifty (50) people. Patrons awaiting entry in a defined queue shall be counted toward the calculation of required security staffing levels.

The attire of each security guard shall clearly indicate the guard's affiliation with the establishment by means of a pin, shirt, or other visible form of identification. Should the permittee's operations give rise to a substantial increase in complaint/calls for police service, or trash left in the parking lot, the permittee shall increase security staff, implement the use of electronic metal detection equipment, increase outside lighting, or make other changes to the premises or operation as the Chief of Police determines are necessary to protect the safety of the public.

- 9) The permittee shall take reasonable measures to prohibit and prevent the loitering of persons immediately outside any of the entrance/exit doors and the parking lot, at all times while open for business. This should be done by use of security guards and signage indicating words to the effect of, "Please respect our neighbors" or something similar.
- 10) The permittee shall be responsible for maintaining free of litter the premises and the area adjacent to the licensed premises over which they have control.
- 11) The permittee agrees to reimburse the City for all costs associated with excessive police services, as determined by the Chief of Police, required as the result of any incident or nuisance arising out of or in connection with the permittee's operations.
- 12) Current occupancy loads shall be posted at all times, and the permittee shall have an effective system to keep count of the number of occupants present at any given time and provide that information to public safety personnel upon request. (LBMC section 18.48.320).
- 13) Any graffiti painted or marked upon the premises, or on any adjacent area under the control of the licensee, shall be removed or painted over within 24 hours of being applied.
- 14) The business, or agents, shall not distribute any advertising matter such as signs, posters, or promotional cards, in or upon any public property, or in or on any vehicle in any such place in the City. Distribution of any advertising matter upon private property shall adhere to the following guidelines: By placing the same matter in a receptacle, clip, or other device designed or intended to receive advertising matter.

The permittee shall keep all promoter contracts, including names, addresses, and phone numbers, on file at all times, and be available for inspection at any time.

- 15) The parking lot shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot. The position of such lighting shall not disturb the normal privacy and use of any neighboring residences.
- 16) The permittee shall install and maintain a video surveillance system that monitors no less than the front and rear of the business with full view of the public right-of-ways and any parking lot under the control of the permittee. The video system must be capable of delineating on playback the activity and physical features of persons and areas within the premises. Recordings shall be retained for a minimum of 30 days and be accessible via the Internet by the Long Beach Police Department. A Public Internet Protocol (IP) address and user name/password is also required to allow the Long Beach Police Department to view live and recorded video from these cameras over the internet. All video security cameras shall be installed to the satisfaction of the Chief of Police, Director of Technology Services, and Director of Development Services. At the discretion of the Chief of Police, the permittee may be required to add additional video cameras.
- 17) The permittee shall ensure all employees attend an alcohol awareness class, such as the LEAD program offered by the Department of Alcoholic Beverage Control, within the first ninety (90) days of employment. In the event that the LEAD program class is not offered within this ninety day period, the permittee shall attend the next available class. Proof of completion shall be kept on file at the business and be available for inspection at any time.
- 18) The permittee shall maintain full compliance with all applicable laws, ABC laws, ordinances, and stated conditions. In the event of a conflict with the requirements of this permit, your conditional use permit, or your Alcoholic Beverage Control license, the more stringent regulation shall apply.

II. ADDITIONAL CONDITIONS OF OPERATION

- 1) Entertainment activities indicated on Page 9 of your entertainment application **shall be restricted from 5:00 p.m. to 12:00 a.m. Monday through Sunday, including holidays.**
- 2) The permittee shall not convert the restaurant, or any portion thereof, into a dance/night club. All entertainment activities shall be conducted in conjunction with regular dining or pre-planned banquet activities. A banquet is defined as a function held at a bona fide eating place wherein complete and substantial meals are provided to the persons in attendance by the management of the restaurant where the function is being held. Fast food, snacks, and hors d'oeuvres shall not constitute a complete and substantial meal.

- 3) An identification card scanner shall be used for all patrons entering the establishment after 8:00 PM for the sole purposes of verifying patron age and/or authenticity of a patron's driver's license or identification card.
 - 4) Persons under 18 years of age shall not be permitted to enter nor permitted to remain on the premises after 10 PM, unless accompanied by a parent or legal guardian.
- III. In the event that any of the recommended conditions attached to any permit or license is in conflict, the permittee shall adhere to the strictest of the applicable conditions. In addition, please be advised that your permit is subject to administrative review every two years from the date this permit is issued. If grounds exist for modification, revocation, or suspension of the permit, a hearing will be held.



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

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SUMMARY OF APPLICATION FOR ENTERTAINMENT PERMIT

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

SUBMITTED FOR CITY COUNCIL ACTION

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

Questions concerning the above may be directed to the following:

Police Department, Chief of Police	570-7301
Fire Department, Fire Prevention Bureau	570-2500
Health and Human Services Department, Noise Control.....	570-4130
Development Services Department.....	570-6623

Compiled by: Department of Financial Management
Business Services Bureau



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FIVE YEAR HISTORY OF BUSINESS ESTABLISHMENT 1731 E. 4th St

Mel Hospitality LLC
DBA: Ashley's
Lic # BS21801838
02/18 – Pending

Entertainment without Dancing (Alcohol)

Mel Hospitality LLC
DBA: Ashley's Bar & Grill
Lic # BU21800150
1/18 – Current

Restaurant & Ready to Eat Foods (Alcohol)

Ashley's Bar & Grill LLC
DBA: Ashley's Bar & Grill
Lic # BU21023160
7/10 – 9/18

Restaurant & Ready to Eat Foods (Alcohol)

Ashley's Bar & Grill LLC
DBA: Ashley's Bar & Grill
Lic # BS21023170
07/10 – 09/18

Pool tables (2 or less)

Ashley's Bar & Grill LLC
DBA: Ashley's Bar & Grill
Lic # BS21008610
3/10 – 12/17

Entertainment Without Dancing (Alcohol)

Mark Kaake
DBA: Ashley's Bar & Grill
Lic # BU20854410
11/08 – 05/11

Entertainment Without Dancing (Alcohol)

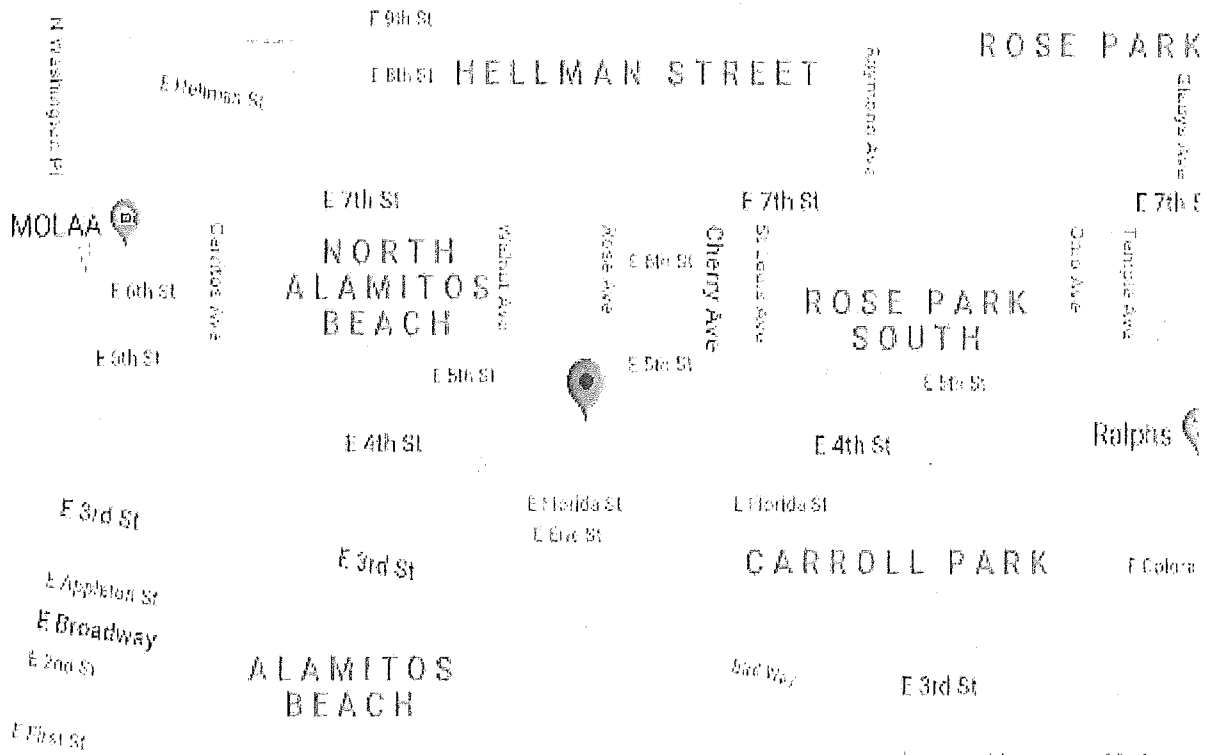
Mark Kaake
DBA: Ashley's Bar & Grill
Lic # BU20854330
09/08 – 09/11

Pool tables (2 or less)

Mark Kaake
DBA: Ashley's Bar & Grill
Lic # BU20845460
7/08 – 9/11

Restaurant & Ready to Eat Foods (Alcohol)

Mel Hospitality LLC
DBA: Ashley's
1731 E 4th Street



Map data ©2018 Goo



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

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

GENERAL INFORMATION

OWNER/ENTITY NAME <u>Ashley's / MEL Hospitality</u>		DRIVER'S LICENSE NO [REDACTED]	STATE <u>CA</u>	SOCIAL SECURITY NO. [REDACTED]	HOME OCCUPATION <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
BUSINESS NAME (D.B.A.) <u>Ashley's</u>		TYPE OF BUSINESS (BE SPECIFIC) <u>Entertainment license / w dancing</u>		EMAIL:	
BUSINESS ADDRESS <u>1731 E 4th St</u>	STREET	CITY <u>Long Beach</u>	STATE <u>CA</u>	ZIP <u>90802</u>	AREA CODE/TELEPHONE <u>(562) 433-5700</u>
BILLING ADDRESS (if same write SAME) <u>Same</u>	STREET	CITY	STATE	ZIP	AREA CODE/TELEPHONE
RESIDENCE ADDRESS (if same write SAME)	STREET	CITY	STATE	ZIP	AREA CODE/TELEPHONE
LIST OF PRINCIPAL OFFICERS, MEMBERS, PARTNERS AND RESIDENTIAL ADDRESSES (IF MORE, PLEASE ATTACH A LIST)				TITLE	% OWNERSHIP
<u>Steve Massis</u>				<u>owner</u>	<u>53.3</u>
<u>Joshua Laurent</u>				<u>owner</u>	<u>33.3</u>
<input checked="" type="checkbox"/> New Business		<input type="checkbox"/> Address Change		<input type="checkbox"/> Ownership Change	
<input type="checkbox"/> Secondary License		<input type="checkbox"/> Sole Owner		<input type="checkbox"/> Partnership	
<input type="checkbox"/> Corporation		<input type="checkbox"/> L.L.P.		<input checked="" type="checkbox"/> L.L.C.	

BUSINESS OPERATIONS INFORMATION

START DATE <u>2/15/18</u>	NO. OF EMPLOYEES <u>10</u>	NO. OF VEHICLES	FEDERAL TAX ID. NUMBER [REDACTED]	SALES & USE TAX (SELLER'S PERMIT) NO. [REDACTED]
DOES YOUR BUSINESS HAVE A CALIFORNIA STATE LICENSE? <input type="checkbox"/> Y <input type="checkbox"/> N		STATE LICENSE NO.	CLASSIFICATION(S)	RENEWAL DATE
HAVE YOU EVER HAD A BUSINESS LICENSE/PERMIT REVOKED OR SUSPENDED? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		LICENSE/PERMIT NO.	ISSUING AGENCY	CLASSIFICATION & DATE OF SUSPENSION/REVOCATION

FOOD/ALCOHOL / TOBACCO / ENTERTAINMENT

Do you plan to sell or serve food? (Includes pre-packaged)
 If serving food, how many seats?: 75 Y N

Do you plan to sell or serve alcoholic beverages?
 Y N

ABC License number: 47589860 Type: 47
 Conditions Included: (if yes, please attach to application) Y N

Does your business have amusement machines, video games, vending machines, jukebox and/or pool tables?
 How many: 1 Type: pool Owner: Private time Y N

Do you plan to sell tobacco products/paraphernalia? Y N

Do you plan to operate a Smoking Lounge? Y N

Will you deal with, use, store or transport Medical Marijuana? Y N

Will you have Music Dancing Performers Adult Entertainment? Y N

SERVICES / FUND RAISING

Will you offer massage, tanning, herbal therapy, escort or any other services that improve the health or well being of another? Y N

Will you engage in fund raising? Y N

Will you deal in coins, firearms, jewels or second-hand property? Y N

Will you perform Parking Management? If so, please attach a detailed list of all activities? Y N

BUILDING AND FACILITY INFORMATION

Property Owner's Name: Steve

Business sq. ft.: 5000 Warehouse on site? Y N

Do you: Own or Rent/Lease your business property?

HAZARDOUS MATERIALS / MEDICAL WASTE

Will you manage or produce bio-hazardous materials or waste? Y 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 3/28/18 PRINT NAME/TITLE Steve Massis

Signature _____ Date _____ PRINT NAME/TITLE _____

DO NOT WRITE BELOW THIS LINE

Inspection(s): Bldg Fire Health HazMat PD Other

Basic Tax _____

Employees # _____ @ \$ _____ = _____

Vehicles # _____ @ \$ _____ = _____

Other # _____ @ \$ _____ = 290.00

PIA _____

PIA Employees # _____ @ \$ _____ = _____

Regulatory Investigation 1310.00

Misc. Fees _____

Sub Total _____

Zoning 33.00

Building Review 22.45

Total \$ 1452.45

Prev Use entertainment w/out dancing Exp. Date: 12/14/17

Prev Lic: _____ Exp Date: _____

District: _____

CRT: _____

SIC: _____

NAICS: _____

Entered by: NL Date: 3/28/18

BU B521801838

Zoning Review

Y N N/A

By: _____

Date: _____

New construction Reuse

Zone: _____

Comments: _____

ATTENTION LICENSE APPLICANT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sales or Use Tax

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

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

-or-

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

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

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

I have read and understand the Inspection requirements.

Signature

Date



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Boulevard, 4th Floor Long Beach, CA 90802 333 (562) 570-6212 FAX (562) 570-6180

ADVISORY FORM AND PROBATIONARY PERMIT

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

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

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

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

BUSINESS NAME:

Ashley's Bar & grill

BUSINESS ADDRESS:

1731 E 9th St

NAME:

Steve Massis

TITLE:

operating Manager

SIGNATURE:

[Signature]

DATE:

4/3/18

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

Accepted By: _____

Date: _____

REGULAR PERMIT APPLICATION

PROBATIONARY PERMIT

Application Complete?

YES

NO

Approved By: _____

Floor Plan Submitted?

YES

NO

Date Approved: _____

Zoning Approved?

YES

NO

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

Departmental Inspections?

YES

NO

Comments: _____



Accepted By: _____ Date: _____
 Zoning Approval By: _____ Date: _____

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): MEL Hospitality
 Business Name (DBA): Ashleys Business Phone: 626,945-1628
 Business Site Address: 1731 E 4th St Long Beach CA 90802
 Date Business Proposes To Open: its open
 Days & Time Premises Are Open For Inspection: 10:00 AM - 2:00 AM

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:

Recreation Space

Contact Person(s) Name (authorized agent, manager, etc.): Steve Massis

Contact Person(s) Phone Number: [REDACTED] Contact Person(s) Email: [REDACTED]

Type of Organization:

Corporation Partnership Individual Unincorporated Association or Club
 Trust LLC Other, explain: _____

OFFICE USE ONLY

Building Fire Health (Check Inspecting Department) Date Received: _____
 Building/Location meets Department Requirements for the proposed use.
 Building/Location meets Department Requirements for the proposed use subject to the following conditions:

 Building/Location does not meet Department requirements for the proposed use.
 Inspection Completed On (date): _____ By: _____

POLICE DEPARTMENT

Police Department finds no basis for denial Police Department finds basis for denial
 Police Department finds no basis for denial with conditions

Conditions or Basis for Denial: _____

By: _____ Title: _____ Date: _____

GENERAL INFORMATION (All Applicants)

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

Fictitious business names(s) or dba(s) used: Ashleys

Place and date of filing fictitious business name statement: 11/18 / Escondido Heights

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:

Steve Massis, Joshua Lowenthal

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

Steve Massis

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:

California

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? 1947

Is the location: Owned? Rented/Leased?

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

Name: _____

Address: _____

IF APPLYING AS A PARTNERSHIP

Check One Box:

General Partnership

Limited Partnership

LLC (Limited Liability Co.)

Name of Partnership:

MEL Hospitality LLC

Federal Tax ID Number:

[REDACTED]

Seller's Permit Number:

[REDACTED]

Percentage of Partnership

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

Interest:

Steve Massis, [REDACTED] 33.3%

Joshua Lowenthal, [REDACTED] 33.3%

David Erickson, [REDACTED] 33.3%

%

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

Interest:

%

%

%

%

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

11/17/17

5318 E 2nd St #362 Long Beach CA 90803

Please Note:

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

IF APPLYING AS A PARTNERSHIP

INFORMATION IS REQUESTED FOR POLICE DEPARTMENT IDENTIFICATION AND INVESTIGATION

PRINCIPAL PARTNER I

Name: Steven Massis Title: operating Partner

Residence Address: [REDACTED] Phone: [REDACTED]

Business Address: 1731 E 4th St 90802 Phone: _____

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

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

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

PRINCIPAL PARTNER II

Name: Joshua Lowenthal Title: Investor

Residence Address: [REDACTED] Phone: [REDACTED]

Business Address: _____ Phone: _____

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

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

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

PRINCIPAL PARTNER III

Name: David Erickson Title: Investor

Residence Address: [REDACTED] Phone: [REDACTED]

Business Address: _____ Phone: _____

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

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

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

PRINCIPAL PARTNER IV

Name: _____ Title: _____

Residence Address: _____ Phone: _____

Business Address: _____ Phone: _____

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

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

Driver's License Number: _____ Issuing State: _____

Attach a list for additional partners

IF APPLYING AS A CORPORATION

Check One Box:

For-Profit Corporation

Non-Profit Corporation

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

Name of Corporation: MEL Hospitality

Corporation Number: 201733110176

Date and Place of Incorporation: 11/17/17 / Long Beach CA

Location Headquarters: Long Beach CA

Federal Tax ID Number: [REDACTED]

Seller's Permit Number: [REDACTED]

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

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

Name	Title	Address	Telephone
<u>Steve Massis</u>	<u>owner</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>
<u>Joshua Lowenthal</u>	<u>owner</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>
<u>David Erickson</u>	<u>owner</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>
_____	_____	_____	<u>()</u>

Numbers of shares issued by Corporation: _____

Number of share retained by Corporation: _____

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

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

GENERAL OPERATING CONDITIONS

Complete Each Question

ALCOHOL/FOOD/ADDITIONAL BUSINESSES

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

a. If Yes, complete the following box:

Check one box to indicate License Type	Alcohol Beverage Control License No.	Premises Type: (Club (restaurant) or Commercial (store))
On sale beer <input type="checkbox"/>	_____	_____
On sale beer and wine <input type="checkbox"/>	_____	_____
On sale distilled spirits <input checked="" type="checkbox"/>	<u>47-589860</u>	<u>Restaurant Type 47</u>

2. Is a bonafide-eating place provided on the premises? (Bonafide eating place means a place which is regularly used for serving meals for compensation, which has suitable kitchen facilities containing conveniences for cooking an assortment of foods for ordinary meals other than fast foods, sandwiches or salads. The kitchen must contain proper refrigeration for food and must comply with all applicable regulations of the Health and Human Services Department.

YES NO

a. If yes, list types of food sold: Steak, Sandwiches, Salad

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

3. Are non-alcoholic beverages sold? YES NO

4. How many tables for seating? 15

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: 1

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: 1 Amusement Machines 1 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: Prime Time Amusement

Address: _____

Telephone No. (800) 541-9045

GENERAL OPERATING CONDITIONS (continued)

Complete Each Question

SECURITY

11. Will security officers be provided? YES NO

a. If yes, number of security officers: 2

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

a. If yes, describe type of security: _____

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

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours of Security	<u>10 AM - 2 AM</u>	<u>10 AM - 2 AM</u>	<u>10 AM - 2 AM</u>	<u>10 AM - 2 AM</u>	<u>10 AM - 2 AM</u>	<u>10 AM - 2 AM</u>	<u>10 AM - 2 AM</u>
Security	<u>5-close</u>	<u>5-close</u>	<u>5-close</u>	<u>5-close</u>	<u>5-close</u>	<u>5-close</u>	<u>5-close</u>

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	10:00 AM 10 AM - 2 AM	10:00 AM 10 AM - 2 AM	10:00 AM 10 AM - 2 AM	10:00 AM 10 AM - 2 AM	10:00 AM 10 AM - 2 AM	10:00 AM 10 AM - 2 AM	10:00 AM 10 AM - 2 AM
Close	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM

PROXIMITY OF BUSINESSES AND RESIDENCES

19. Are there surrounding businesses? YES NO

a. What type? Health Care, Liquor Store

20. Are there surrounding residences? YES NO

a. Approximately how close? 20 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) _____

c. Days and hours parking facility will be available:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
From	10:00 AM	"	"	"	"	"	"
To	2:00 AM	"	"	"	"	"	"

d. How many individual parking spaces (approximately)? 14

END OF GENERAL OPERATING CONDITIONS SECTION - PLEASE CONTINUE TO NEXT SECTION

ENTERTAINMENT FACILITY AND ACTIVITY

Entertainment - Restaurant Entertainment - Tavern (bar) Entertainment - Other

Does the Proposed Activity have:

- Outdoor Entertainment? Y N
- Dancing by patrons, guests, customers, participants, attendees? Y N
- Dancing by performers? Y N
- Live music by more than two (2) performers? Y N
- Amplified music (live)? Y N
- Amplified music (recorded)? Y N
- Disc Jockey? Y N
- Karaoke? Y N
- Adult Entertainment as defined by LBMC Section 21.15.110? Y N
- Adult Entertainment as defined by LBMC Section 5.72.115 (B)? Y N
- Will the establishment serve as a family pool/billiard hall as provided in Section 5.69.090 of the LBMC? Y N
- Any other type of entertainment not listed above? Y N

If yes, briefly describe the entertainment activity. _____

Describe entertainment by performers: _____

Dance Floor? Y N

Stage? Y N

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

If yes, provide dimensions and type of material of stage. L 14 Feet W 16 Feet H 12 inches

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	DJ	DJ	DJ	Band	Band	DJ	DJ
Start Time	5:00pm	" "	" "	" "	" "	" "	" "
End Time	12:00am	" "	" "	" "	" "	" "	" "

RELEASE FORM

The undersigned, on behalf of (applicant) Steve Massis, 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) Ashley's 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 OF AUTHORIZED AGENT) owner (TITLE) 5/28/15 (DATE)
[Redacted] DRIVER'S LICENSE OR ID CARD NUMBER CA STATE

Emily Armstrong ACCEPTED BY (CITY STAFF) Admin. Analyst TITLE 4/2/17 DATE



California Department of Alcoholic Beverage Control
License Query System Summary as of 02/05/2018

License Information	
License Number:	589860
Primary Owner:	MEL HOSPITALITY LLC
ABC Office of Application:	03 - LB/LAKEWOOD

Business Name
... No Active DBA found ...

Business Address
1731 E 4TH ST
LONG BEACH, CA 90802
County: LOS ANGELES Census Tract: 5765.03

Licensee Information
Licensee: MEL HOSPITALITY LLC
Company Information
OFFICER: MASSIS, STEVE (MANAGER)
MEMBER: SWEET TEA CHARTERS LLC
MEMBER: TREASURE ISLAND INVESTMENT COMPANY LLC
MEMBER: JARVIK SEVEN LLC

License Types	
1)	License Type: 47 - ON-SALE GENERAL EATING PLACE License Type Status: PENDING Status Date: 28-DEC-2017 Term: 12 Month(s) Original Issue Date: Expiration Date: Master: Y Duplicate: 1 Fee Code: P40 License Type was Transferred On: From: 47-505393 License Type was Transferred On: To:
2)	License Type: 58 - CATERER PERMIT License Type Status: PENDING Status Date: 28-DEC-2017 Term: 12 Month(s) Original Issue Date: Expiration Date: Master: N Duplicate: 1 Fee Code: P40 License Type was Transferred On: From: 47-505393 License Type was Transferred On: To:

Operating Restrictions
... No Operating Restrictions found ...

Disciplinary Action
... No Active Disciplinary Action found ...

Disciplinary History
... No Disciplinary History found ...

Holds
Hold Date: 28-DEC-2017 Type: FORM 220

Escrows
Escrow: ESCROW HEIGHTS INC, 4425 ATLANTIC AVE BUILDING A24 LONG BEACH,CALIFORNIA 90807

For a definition of codes, view our glossary.

License Type

License

License

License

Issue Date:

Sales and Use Tax Permit Verification

Permit Number 103207202 is **Valid**

Owner Name: MEL HOSPITALITY LLC
Business Name: ASHLEY'S
Address: 1731 E 4TH ST
LONG BEACH
CA

Start Date: 02/08/2018

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

[Back to Query Page](#)

Permit Number:
Business Name:
Address:

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Permit Number:
Business Name:
Address:



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Boulevard, 4th Floor Long Beach, CA 90802 333 (562) 570-6212 FAX (562) 570-6180

ADVISORY FORM AND PROBATIONARY PERMIT

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

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

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

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

BUSINESS NAME: _____

BUSINESS ADDRESS: _____

NAME: _____ TITLE: _____

SIGNATURE: _____ DATE: _____

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

Accepted By: _____ Date: _____

REGULAR PERMIT APPLICATION

PROBATIONARY PERMIT

Application Complete? YES NO

Approved By: _____

Floor Plan Submitted? YES NO

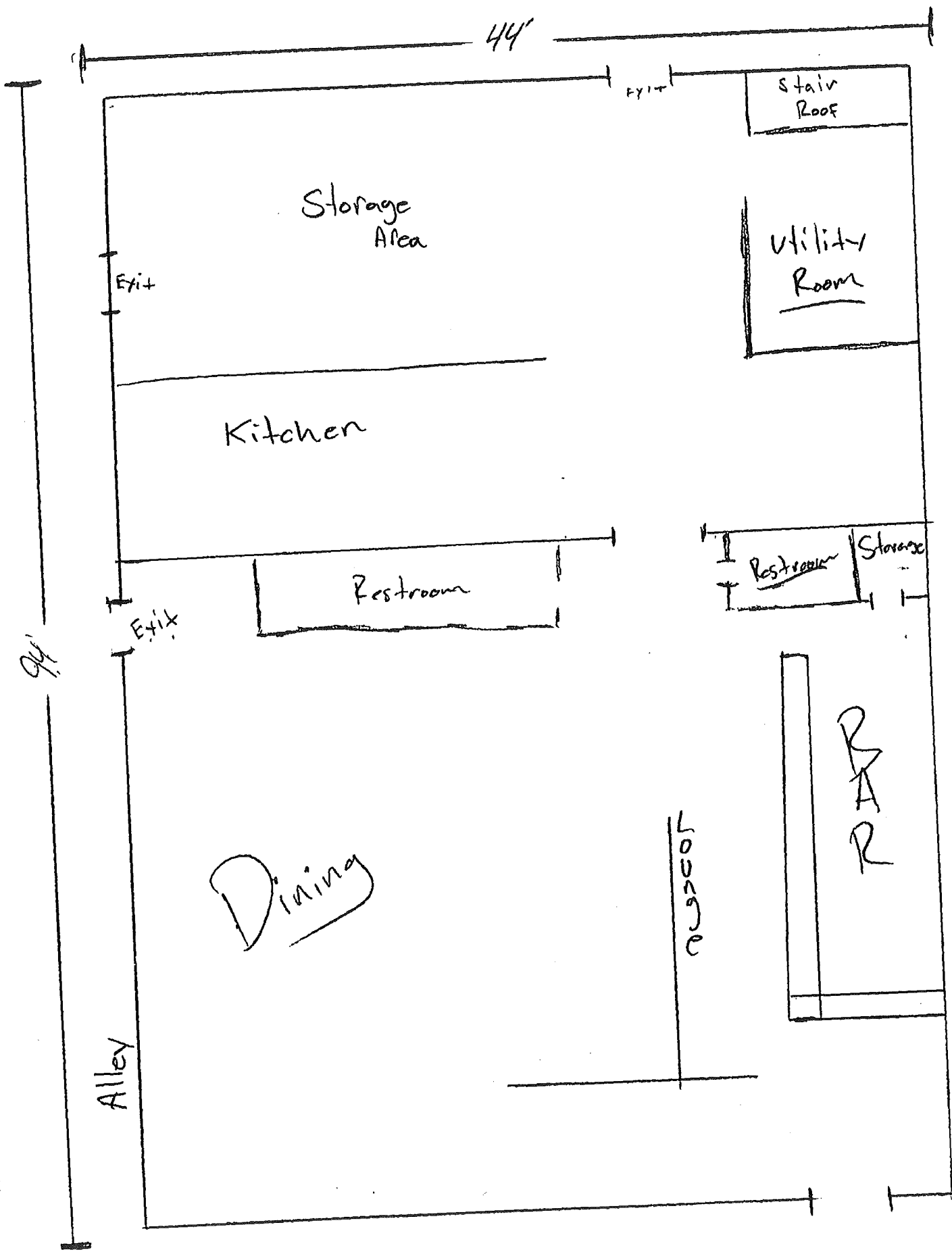
Date Approved: _____

Zoning Approved? YES NO

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

Departmental Inspections? YES NO

Comments: _____



4th St

Rose Ave



ADDITIONAL REQUIREMENTS FOR ENTERTAINMENT LICENSES

When applying for an entertainment license in an existing drinking and/or dining establishment, the following list of requirements in whole or part may apply to your business as follows:

1. Complete interior floor plan to include the following information:
 - a. Dimensions of interior floor plan.
 - b. Indicate location of all exit doors, widths of doors and panic hardware.
 - c. All fixed seating throughout.
 - d. Dance floor dimensions and type of flooring materials used.
 - e. If a stage is to be added, give exact measurements including height, location and materials used.
- ✓ 2. Copy of your Alcoholic Beverage Control (ABC) license with conditions.
- ✓ 3. Copy of your Seller' Permit.
- ✓ 4. Copy of your Fictitious Name Filing, if applicable.
5. Corporation, Limited Liability Companies, Limited Liability Partnerships:
 - a. Copy of your Articles of Incorporation.
 - b. Copy of your Statement of Information.

If you have any questions as to your occupant load, or if your business will change because of a change in use from a B occupancy with an occupant load less than fifty (50) persons to an A occupancy, (usually an A-3) fifty (50) persons or more but less than 300, a floor plan with the above requirements must be submitted to the 4th floor Planning and Building Department, Plan Check Engineer. For more information, please contact the Planning and Building Department at (562) 570-6651.

These additional requirements may be applicable:

1. Handicapped requirements may apply.
2. All Fire Department approvals to be obtained.
3. Electrical plan check and permit may be required for exit path illumination.



8/17/2018 17:13

INFORMATION - LICENSE # BS21801838

License Type BS
Application Type Secondary Business License
Description
Primary Applicant
Primary Applicant Last Name MEL HOSPITALITY LLC
Address Location 1731 E 4TH ST LONG BEACH CA 90802
 License is Pending.
 Current milestone is Council Approval.
 Current unpaid amount of \$0.00.
 Account: BS21801838

License Description

Status Dates

Processed Date 3/28/2018 14:49
by Nadia Lopez
Start Date 2/15/2018 00:00
by Nadia Lopez
Inactive Date 4/24/2018 14:37
by Tai Vu
Last Renewal
by
Next Renewal
Expires
Grace Exp
End Date

License Description

Property Type COM
License Category 300507
Business Name MEL HOSPITALITY LLC
DBA Name ASHLEY'S
 Detailed Description of Business Activities
 ENTERTAINMENT W/ DANCING
Application Reason NEWLICENSE
Description Entertainment With Dancing (Alcohol)

License Details

(Tab Not Loaded)

Endorsements

(Tab Not Loaded)

Reviews

Record Results

Reviews

Review #	Review Type	Add #	Add Date	Result	Comments	Result By	Completed	Completed By	Review Description	Started	Started By	Due Date
50141	BUSLIC	1	3/28/2018	NR	Auto resulted with NR	SYSTEM	4/24/2018 14:37	TAVU	Business License			6/20/2018
50142	BUILDING	1	3/28/2018	PENDING	Previously approved for	TAVU	4/24/2018 14:15	TAVU	Building Dept Review			5/9/2018

										<p>Entertainment without Dancing (No Dancing) on 3/16/2010 by Fire/Building inspection. For Dancing (adding to existing business license), require architectural plans to be submitted (with a project number and fees) to Building and Fire for plan check reviews and inspections.</p>	
50143	FIRE	1	3/28/2018	INSPECT		SYSTEM	3/28/2018 14:55		Fire Dept Review	6/20/2018	
50144	HEALTH	1	3/28/2018	INSPECT		SYSTEM	3/28/2018 14:55		Health Dept Review	6/20/2018	
50145	POLICE	1	3/28/2018	INSPECT		SYSTEM	3/28/2018 14:55		Police Dept Review	6/20/2018	
50146	PLANNING	1	3/28/2018	NR	Auto resulted with NR	SYSTEM	4/24/2018 14:37	TAVU	Planning Dept Review	5/9/2018	
51137	PLANNING	2	5/1/2018	APPROVED	updated	JORAMIR	8/17/2018 10:42	JORAMIR	Planning Dept Review	7/24/2018	
51138	BUSLIC	2	5/1/2018	APPROVED	Approved for entertainment without dancing	EMARMST	8/17/2018 11:07	EMARMST	Business License	7/24/2018	
53789	BUILDING	2	7/19/2018	APPROVED	Business updated the application to reflect entertainment without dancing. No longer need plans.	EMARMST	7/19/2018 11:49	EMARMST	Building Dept Review	7/24/2018	
55344	COUNCIL	1	8/17/2018						Council		
55345	HEARINGPRE	1	8/17/2018						Hearing Prep		

Inspections

Record Results

Inspections

Add Date	Inspection #	Inspection Type	Inspection Description	#	Result	Comments	Resulted By	Completed	Call	Due Date	Time Preference	Ass To
5/1/2018	65871	FIRE	Fire	1	APPROVED	updated due date	dazinne	6/22/2018 13:57		6/15/2018 00:00		dazinne
5/1/2018	65872	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.	MIYAMAD	5/3/2018 08:29		7/24/2018 00:00		MIYAMAD
5/1/2018	65873	POLICE	Police	1	APPRWCOND	updated due date	JEARZOL	6/19/2018 14:11		6/15/2018 00:00		JEARZOL

Periodic Inspection Schedules
(No Data)

Conditions

(Tab Not Loaded)

Fees

(Tab Not Loaded)

Applicants

(Tab Not Loaded)

Sites

(Tab Not Loaded)
Employees (Tab Not Loaded)
Related Records (Tab Not Loaded)
Logs (Tab Not Loaded)
Attachments (Tab Not Loaded)



Date: June 15, 2018
To: Sandy Palmer, Bureau Manager, Business Relations Bureau
From: Robert G. Luna, Chief of Police
Subject: **APPLICATION FOR ENTERTAINMENT WITH DANCING AT ASHLEY'S BAR & GRILL – 1731 EAST 4TH STREET**

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 conditions of operation:

Ashley's Bar & Grill is located on the north side of 4th Street, between Walnut and Hermosa Avenues, and has been in business since 1938. The establishment serves a domestic food menu for lunch and dinner. Ashley's parking lot is located directly across the street from the business, on the south side of 4th Street, and has approximately 20 parking spaces. The establishment is under new ownership.

Based upon the Long Beach Police Department's investigation, the South Division Patrol Commander's recommendation and input from neighborhood residents, the Long Beach Police Department does not believe the issuance of an Entertainment With Dancing Permit will have an adverse impact on Patrol Division resources.

CONDITIONS OF OPERATION

- 1) The operation of the establishment shall be limited to those activities and elements expressly indicated on the permit application and approved by the City Council. Any change in the operation which exceeds the conditions of the approved permit will require that a new permit application be submitted to the City Council for its review and approval.
- 2) Unless separately applied for, reviewed and approved, no adult entertainment, as defined by Section 21.15.110 LBMC, shall be conducted on the permitted premises.
- 3) Entertainment activities indicated on Page 9 of your entertainment application shall be restricted from 5:00 p.m. to 12:00 a.m., Monday through Sunday.
- 4) Entertainment on the following holidays is permitted until 12:00 a.m.: New Year's Eve, New Year's Day, St. Patrick's Day, Cinco de Mayo, Memorial Day Eve, July 3rd, Labor Day Eve and Halloween night.

ENTERTAINMENT WITH DANCING AT ASHLEY'S BAR & GRILL
1731 EAST 4TH STREET
Page 2

- 5) 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.
- 6) "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.

- 7) 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.
- 8) An identification card scanner shall be used for all patrons entering the establishment after 8:00 p.m. for the sole purposes of verifying patron age and/or authenticity of a patron's driver's license or identification card.
- 9) The establishment shall remain in compliance with all applicable sections of the Long Beach Noise Ordinance (LBMC Chapter 8.80).
- 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) 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.

ENTERTAINMENT WITH DANCING AT ASHLEY'S BAR & GRILL
1731 EAST 4TH STREET
Page 3

- 12) The parking lot shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot. The position of such lighting shall not disturb the normal privacy and use of any neighboring residences.
- 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 p.m. and 7 a.m.
- 15) Due to the proximity of neighboring businesses and residences, all doors and windows shall be kept closed at all times during any musical entertainment, except in cases of emergency and to permit deliveries. Said doors shall not consist solely of a screen or ventilated security door. **Sound shall not be audible beyond 50 feet from the exterior of the premises in any direction.**
- 16) Persons under 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.
- 17) 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 and the parking lot. For crowds up to 50 people, the permittee shall provide a minimum of one security guard. For crowds over 50 people, the permittee shall provide a minimum of one additional security guard per 50 people. Security guards must be identifiable as "Ashley'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.
- 18) The permittee shall take reasonable measures to prohibit and prevent the loitering of persons immediately outside any of the entrance/exit doors and the parking lot, at all times while open for business. This should be done by utilizing security guards and signage with verbiage such as, "Please respect our neighbors," or something similar.
- 19) 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.
- 20) 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.

ENTERTAINMENT WITH DANCING AT ASHLEY'S BAR & GRILL
1731 EAST 4TH STREET
Page 4

- 21) Alcoholic beverages shall not be consumed on any property adjacent to the premises.
- 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) Ashley's Bar & Grill, 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.
- 24) The permittee shall maintain full compliance with all applicable laws, Alcoholic Beverage Control (ABC) laws, ordinances, and stated conditions. In the event of a conflict between the requirements of this permit, your conditional use permit or your ABC license, the more stringent regulation shall apply.
- 25) The permittee shall ensure that all employees attend an alcohol awareness class, such as TIPS or LEAD, within the first 90 days of employment. The permittee shall keep employee's proof of completion on file and be available for inspection at any time.
- 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 rights-of-way and any parking lot under the control of the permittee. The video system must be capable of delineating on playback the activity and physical features of persons and areas within the premises. Recordings shall be retained for a minimum of 30 days and be accessible via the Internet by the Long Beach Police Department. A Public Internet Protocol (IP) address and user name/password is also required to allow the Long Beach Police Department to view live and recorded video from these cameras over the Internet. All video security cameras shall be installed to the satisfaction of the Chief of Police, Director of Technology Services and Director of Development Services. At the discretion of the Chief of Police, the permittee may be required to add additional video cameras.