

CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

H-3

333 West Ocean Blvd • Long Beach, California 90802

July 16, 2013

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the supporting documentation into the record, conclude the hearing and grant a permit with conditions on the application of Broadlind Lounge, LLC., DBA The Basement, 149 Linden Avenue, Unit B-100, for Entertainment with Dancing by Patrons. (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 is granted or denied.

The LBMC also requires that the City Council shall approve the issuance of the entertainment 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 Department of Financial Management every two years. This review process will consist of a multi-department analysis to determine compliance and identify if issues exist. This provision does not affect the City's ability to modify, revoke or suspend a permit at any time.

City departments have conducted their investigations in accordance with the LBMC. Attached for your review are the departmental investigative reports, history, entertainment permit application and floor plan. To review all supportive documents, as well as the documents included in this report, you may visit www.longbeach.gov/finance/business_relations/entertainment.asp.

The following summarizes departmental findings:

- The Police Department recommends that the permit for entertainment with dancing by patrons be approved subject to standard conditions.

- The Fire Department finds that the building/location meets department requirements for the proposed use.
- The Health and Human Services Department finds that 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 that the building/location meets department requirements for the proposed use.

The Department of Financial Management, Business Relations Bureau, has reviewed all submitted department documents and correspondence and, after a thorough investigative process, recommends that the permit for entertainment with dancing by patrons 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 bar/tavern/lounge with alcohol since July 2011.

This matter was reviewed by Deputy City Attorney Amy R. Webber on June 23, 2013.

TIMING CONSIDERATIONS

The hearing date of July 16, 2013, 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 and Zoning Review \$16 (Development Services), Police Investigation \$663 (Police Department), and Labels \$90 (Financial Management Department).

The following fees will be collected if the application is approved: Business License \$330.57 and Regulatory \$1,025 (Financial Management Department).

SUGGESTED ACTION:

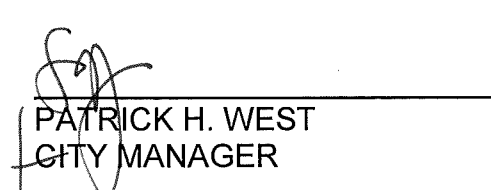
Approve recommendation.

Respectfully submitted,

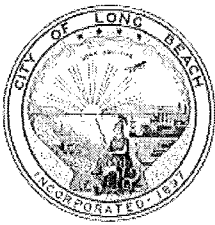


JOHN GROSS
DIRECTOR OF FINANCIAL MANAGEMENT

APPROVED:



PATRICK H. WEST
CITY MANAGER



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT
BUSINESS RELATIONS BUREAU

333 WEST OCEAN BOULEVARD 7TH FLOOR • LONG BEACH, CA 90802 • (562) 570-6200

Recommended Conditions of Operation

Broadlind Lounge LLC., DBA The Basement

149 Linden Avenue Suite B100

Application for Entertainment With Dancing

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

I. STANDARD CONDITIONS OF OPERATION

- 1) The operation of the establishment shall be limited to those activities and elements expressly indicated on the permit application and approved by the City Council. Any change in the operation, which exceeds the conditions of the approved permit, will require that a new permit application be submitted to the City Council for their review and approval.
- 2) Unless separately applied for, reviewed, and approved, no adult entertainment, as defined by section 21.15.110 LBMC shall be conducted on the permitted premises.
- 3) The establishment shall remain in compliance with all applicable sections of the Long Beach Noise Ordinance (LBMC Chapter 8.80). If any noise or disturbance complaints can be attributed to the speaker volume, the permittee shall modify or remove existing speakers at the direction of the Chief of Police.
- 4) 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.**
- 5) 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 8:00 A.M.
- 6) Deliveries to and from the premises shall be limited to the hours of 8:00 A.M. to 10:00 P.M.
- 7) The permittee shall provide a minimum of one (1) licensed 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 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.

- 8) 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.
- 9) At the conclusion of each event, the permittee shall take reasonable measures to ensure that exiting patrons walk directly to their vehicles, and not loiter in the parking lot or the immediate area.
- 10) 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.
- 11) 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 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.

- 12) An identification card scanner shall be used for all patrons entering the establishment after 10:00 P.M. for the sole purposes of verifying patron age and/or authenticity of a patron's driver's license or identification card.
- 13) 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).
- 14) 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.
- 15) All promoters must have or obtain a City of Long Beach Business License **prior to** conducting entertainment activities governed by this permit. The permittee shall be responsible for all entertainment activities at the location, including those conducted by promoters.
- 16) The permittee must provide all promoters, independent contractors, and dancers, hired to conduct entertainment activities with a copy of the approved permit, which shall include a copy of the approved conditions of operation. The permittee shall not hire promoters with the intent to advertise/promote or hold any entertainment activities consistent with nightclub entertainment.
- 17) The business, its promoters, or agents, shall not distribute any advertising matter such as signs, posters, or promotional cards, in or upon any public 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 agent and promoter's contracts, including names, addresses and phone numbers, on file at all times, and must be available for inspection at anytime.
- 18) If the 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.
- 19) 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, the more stringent regulation shall apply.
- 20) The permittee, shall, within ninety (90) days of an approved entertainment permit, submit proof of attending the TIPS or LEAD program offered by

the Department of Alcoholic Beverage Control. In the event that the LEAD program class is not offered within this ninety-day period, the permittee shall attend the next available class. Proof of completion shall be submitted to the Long Beach Police Department Vice Investigations Section. The permittee shall keep employees proof of completion on file and available for inspection at any time.

II. **ADDITIONAL CONDITIONS OF OPERATION**

- 1) Entertainment activities indicated on page #7 of your entertainment application shall be restricted to **10:00 P.M. Sunday through Wednesday nights and 12:00 A.M. Thursday through Saturday nights.**
- 2) The Permittee shall ensure a security guard monitor the parking lots north of and west of the establishment on an hourly basis after 8:00 P.M., each night of the week. Security shall maintain order and prevent the unlawful consumption of alcohol. Security shall prevent any activity that would interfere with the quiet enjoyment of any nearby residential property. Security guards must be identifiable as "The Basement's" employees.

ES:smc



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

SUMMARY OF APPLICATION FOR BUSINESS PERMIT

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

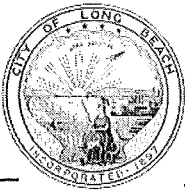
SUBMITTED FOR CITY COUNCIL ACTION

	<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	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.....	570-6623

Compiled by: Department of Financial Management
Business Relations Bureau



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Boulevard • Long Beach, CA 90802 • (562) 570-5700 • Fax (562) 570-6867

FIVE YEAR HISTORY OF BUSINESS ESTABLISHMENT 149 Linden Avenue Suite B100

Broadlind Lounge LLC
DBA: The Basement
Lic#21122540
07/11 – Current

Bar/Tavern/Lounge

Broadlind Lounge LLC
DBA: The Basement
Lic#21122610
07/11 – Current

Entertainment with Dancing
(12-Months Short Term)

Broadlind Lounge LLC
DBA: The Basement
Lic#21304310
02/13 – Pending Council Approval

Entertainment with Dancing

Broadlind Lounge LLC
DBA: The Basement
Lic#20515230
03/05 – 03/12 - Closed

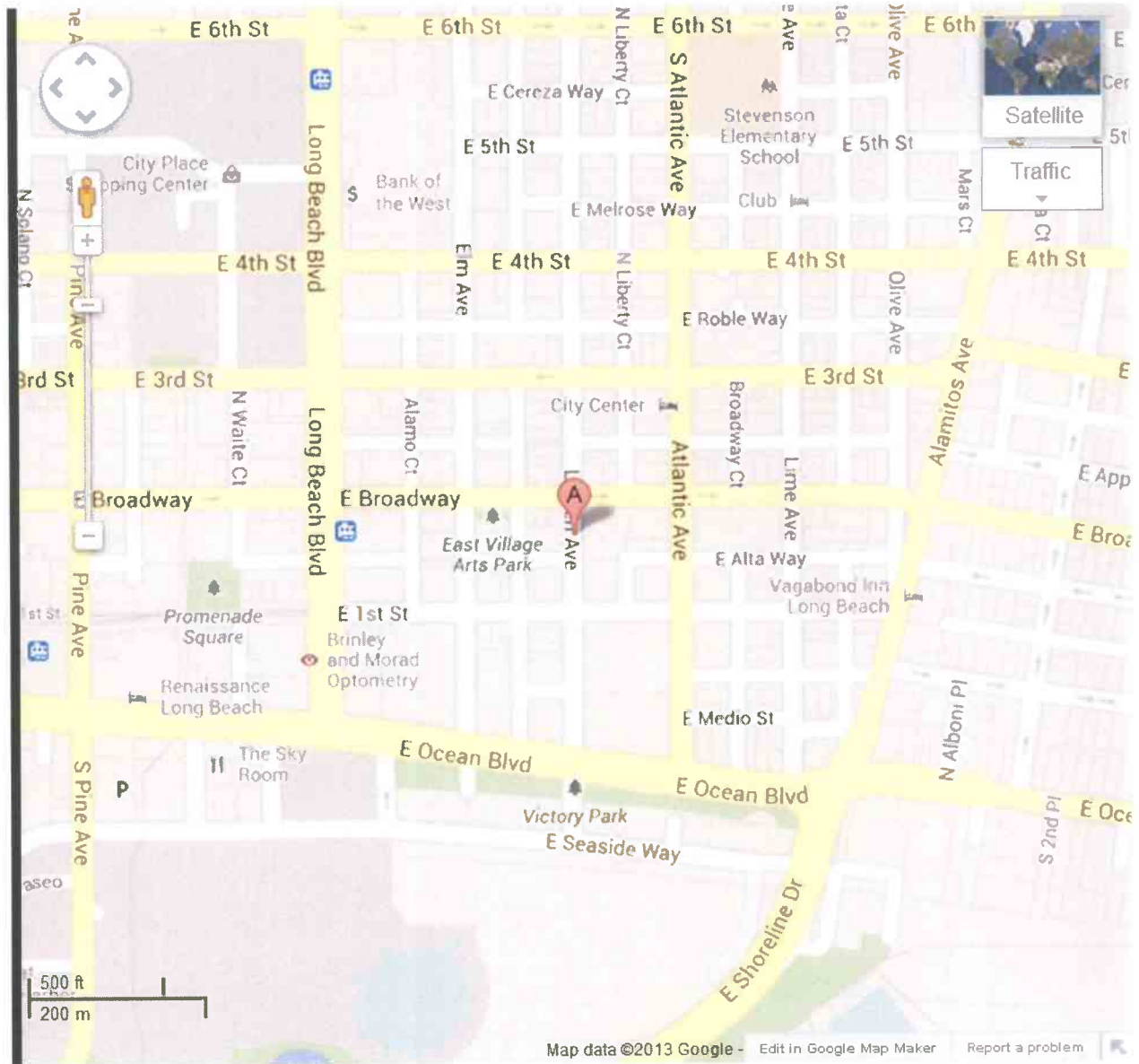
Restaurant With Alcohol

Broadlind Lounge LLC
DBA: The Basement
Lic#20522200
04/05 – 11/11 - Closed

Entertainment with Dancing

The Basement

149 Linden Avenue #B-100





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): Broadland Lounge LLC
 Business Name (DBA): The Basement Business Phone: (562) 901-9090
 Business Site Address: 149 Linden Ave B-100 Long Beach CA 90802
 Date Business Proposes To Open: already open
 Days & Time Premises Are Open For Inspection: Mon - Fri call first

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.): Jim Najah

Contact Person(s) Phone Number: [REDACTED]

Type of Organization:

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

OFFICE USE ONLY	
<input type="checkbox"/> Building <input type="checkbox"/> Fire <input type="checkbox"/> Health (Check Inspecting Department) Date Received: _____	
<input type="checkbox"/> Building/Location meets Department Requirements for the proposed use.	
<input type="checkbox"/> Building/Location meets Department Requirements for the proposed use subject to the following conditions:	

<input type="checkbox"/> Building/Location does not meet Department requirements for the proposed use.	
Inspection Completed On (date): _____	By: _____
POLICE DEPARTMENT	
<input type="checkbox"/> Police Department finds no basis for denial	<input type="checkbox"/> Police Department finds basis for denial
<input type="checkbox"/> 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: The Basement

Place and date of filing fictitious business name statement: County of Los Angeles

Filing Date 4/8/2005

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

Jim Najah



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

Jim Najah



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

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

YES NO

How long has the corporation or business been in operation?

May 2005

Is the location: Owned? Rented/Leased?

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

Name: BroadLind LP.

Address: 149 Linden Ave

Long Beach CA 90802

IF APPLYING AS A PARTNERSHIP

Check One Box:

General Partnership

Limited Partnership

LLC (Limited Liability Co.)

Name of Partnership:

Broadland lounge LLC

Federal Tax ID Number:

[Redacted]

Seller's Permit Number:

[Redacted]

Percentage of Partnership

Name and residence addresses of *General Partners*:

Interest:

Jim Najak

[Redacted]

[Redacted] %

%

%

%

%

Names and residence addresses of *Limited Partners*:

Interest:

Mark Akhavan

[Redacted]

[Redacted] %

%

%

%

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

Jan 16 2004

State of California

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: Jamshid Najeh Title: Owner Manager
Residence Address: [REDACTED] Phone: [REDACTED]
Business Address: 144 Linden Ave Long Beach CA 90802 Phone: 562 901 9090
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: _____ Title: _____
Residence Address: _____ Phone: _____
Business Address: _____ Phone: _____
Race: _____ Sex: _____ Hair: _____ Eyes: _____ Height: _____ Weight: _____
Date of Birth (mm/dd/yyyy): _____ Place of Birth: _____
Driver's License Number: _____ Issuing State: _____

PRINCIPAL PARTNER III

Name: _____ Title: _____
Residence Address: _____ Phone: _____
Business Address: _____ Phone: _____
Race: _____ Sex: _____ Hair: _____ Eyes: _____ Height: _____ Weight: _____
Date of Birth (mm/dd/yyyy): _____ Place of Birth: _____
Driver's License Number: _____ Issuing State: _____

PRINCIPAL PARTNER IV

Name: _____ Title: _____
Residence Address: _____ Phone: _____
Business Address: _____ Phone: _____
Race: _____ Sex: _____ Hair: _____ Eyes: _____ Height: _____ Weight: _____
Date of Birth (mm/dd/yyyy): _____ Place of Birth: _____
Driver's License Number: _____ Issuing State: _____

Attach a list for additional partners

GENERAL OPERATING CONDITIONS

Complete Each Question

ALCOHOL/FOOD/ADDITIONAL BUSINESSES

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

a. If Yes, complete the following box:

Check one box to indicate License Type

Alcohol Beverage Control License No.

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

On sale beer

On sale beer and wine

On sale distilled spirits

48-417979

club

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: _____

b. If no, list any products (such as snacks sold): N/A

3. Are non-alcoholic beverages sold?

YES NO

4. How many tables for seating? 11

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: 8
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	<u>9pm - 2am</u>	_____	_____	_____	_____	_____	→
Security	<u>9pm - 2am</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: 10:00 pm - 1:00 am \$15 to \$10
17. Is there a private area for exclusive use of members and their guests only? YES NO
 a. If yes, types of membership fees: _____
18. Will guests of members pay an admission fee or other charges? YES NO
 a. If yes, describe the fee schedule and other charges: _____

GENERAL OPERATING CONDITIONS (continued)

Complete Each Question

HOURS OF OPERATION

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

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	9am						→
Close	2am						→

PROXIMITY OF BUSINESSES AND RESIDENCES

19. Are there surrounding businesses? YES NO

a. What type? restaurant, Retail, lounge, club.

20. Are there surrounding residences? YES NO

a. Approximately how close? 1 Block

PARKING FACILITIES AND ARRANGEMENTS

21. Is parking available? YES NO

a. If no, what is the street address of the off-premises parking facility? Elm & Broadway

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 Parking
Provided by City

c. Days and hours parking facility will be available:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
From	3pm						
To	24 Hrs						→

d. How many individual parking spaces (approximately)? Over 100

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 6 X W 10 = 60 sq ft.

If yes, provide dimensions and type of material of stage.

L 20 W 10 H 200

Describe floor material and surface type: stone

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	Dancing & music DJ						
Start Time	5 PM						
End Time	2 AM						

RELEASE FORM



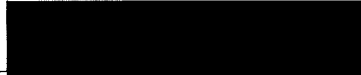
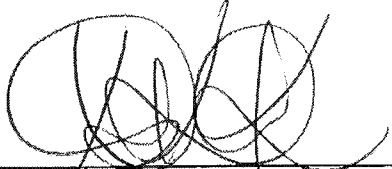
The undersigned, on behalf of (applicant) Etamshid Nayah, hereby authorizes the City of Long Beach, by and through its appropriate officers, agents and employees to verify and confirm the information contained in this application, and to conduct such other investigations as may be reasonably required by the City of Long Beach, its officers, agents and employees for the purpose of determining the capability, fitness and capacity of:

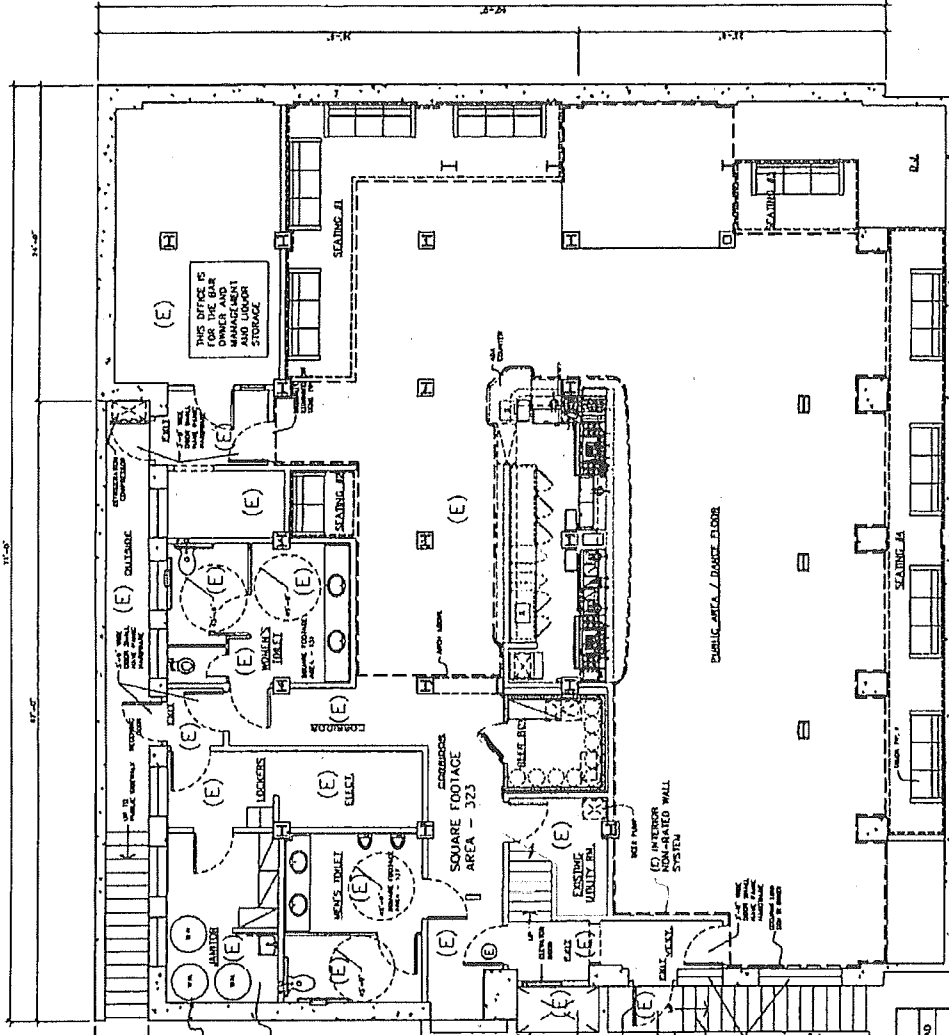
(DBA) The Basement to obtain the entertainment permit.

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.

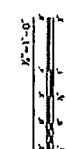
The applicant consents and agrees full compliance will be made with all applicable State laws and City ordinances governing the conduct of the particular type of business activity for which a business license or permit is requested. **The applicant by signing this application understands any incomplete 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 OR AUTHORIZED AGENT)	<u>Owner</u> _____ (TITLE)	<u>2/5/13</u> _____ (DATE)
 _____ DRIVER'S LICENSE OR ID CARD NUMBER	 _____ STATE	
 _____ ACCEPTED BY (CITY STAFF)	<u>AAA</u> _____ TITLE	<u>02/14/13</u> _____ DATE



THIS ENTIRE BUILDING IS EQUIPPED WITH A MONITORED AUTOMATIC FIRE SPRINKLER SYSTEM
 THIS EXISTING FACILITY WHICH WAS AN EXISTING CLUB, WILL BE A NEW A2 OCCUPANCY.
 SQUARE FOOTAGE TOTAL = 4,351



PROVIDE 8.5"x11" COPY OF PLANS TO BE POSTED ONCE PERMIT IS APPROVED

OCCUPANCY TABLE

AREA	SQ. FOOTAGE/FLOOR	OCC. LOAD
PUBLIC	1,700 SQ. FT./5	337
SEATING #1	202 SQ. FT./15	13
SEATING #2	28 SQ. FT./15	1
SEATING #3	31 SQ. FT./15	3
SEATING #4	200 SQ. FT./15	13
OCCUPANT LOAD TOTAL		387



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): Broadland Lounge LLC
 Business Name (DBA): The Basement Business Phone: (562) 901-9090
 Business Site Address: 149 Lindan Ave B-100 Long Beach CA 90802
 Date Business Proposes To Open: already open
 Days & Time Premises Are Open For Inspection: MON - Fri call first

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.): Jim Najah

Contact Person(s) Phone Number: [REDACTED]

Type of Organization:

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

OFFICE USE ONLY	
<input type="checkbox"/> Building	<input type="checkbox"/> Fire <input type="checkbox"/> Health (Check Inspecting Department) Date Received: _____
<input type="checkbox"/> Building/Location meets Department Requirements for the proposed use.	
<input type="checkbox"/> Building/Location meets Department Requirements for the proposed use subject to the following conditions: _____	
<input type="checkbox"/> Building/Location does not meet Department requirements for the proposed use.	
Inspection Completed On (date): _____ By: _____	
POLICE DEPARTMENT	
<input type="checkbox"/> Police Department finds no basis for denial <input type="checkbox"/> Police Department finds basis for denial	
<input checked="" type="checkbox"/> Police Department finds no basis for denial with conditions	
Conditions or Basis for Denial: _____	
By: <u>R. Pura for JMCO</u>	Title: <u>Acting cop</u> Date: <u>5-22-13</u>



Date: May 9, 2013
To: Erik Sund, Bureau Manager, Business Relations Bureau
From: Jim McDonnell, Chief of Police *R. Luna for JMAO.*
Subject: **APPLICATION FOR AN ENTERTAINMENT WITH DANCING PERMIT AT
THE BASEMENT – 149 LINDEN AVENUE #B-100**

In response to your request for a recommendation regarding the above named permit application for Entertainment With Dancing, the Police Department recommends **approval** of an **Entertainment with Dancing Permit**, subject to the following twenty-three (23) conditions:

The Basement is a bar located in the basement of the Broadlind building, which is located on the southwest corner of Broadway and Linden Avenue. The business is a corporation, Broadlind Lounge, LLC, and is owned and operated by Jim Najah. The corporation currently holds a Type 48 (On-Sale General Public Premise) Alcoholic Beverage Control license. The business has been in operation since 2005, and has a valid One-Year Short Term Entertainment with Dancing Permit. On February 14, 2013, The Basement applied for an Entertainment with Dancing Permit requesting outdoor entertainment, dancing by patrons and performers, live and recorded amplified music, a disc jockey and karaoke.

Based upon the Vice Section's investigation, West Division Patrol Commander's recommendation, and the crime analysis, the Long Beach Police Department has determined the public's peace, safety, and welfare would not be adversely impacted by the issuance of this permit, provided the appropriate conditions are imposed and observed by the applicant. The Police Department recommends approval of an Entertainment with Dancing Permit.

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) Entertainment activities indicated on page #7 of your entertainment application shall be restricted to 10:00 p.m. Sunday through Wednesday, and until 12:00 a.m. Thursday through Saturday.

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- 4) No owner, operator, or manager shall permit any person under the age of twenty-one (21) years within the premises at any time during the hours of operation.
- 5) Due to the proximity of neighboring businesses and residences, all door(s) and windows shall be kept closed at all times during any musical entertainment, except in cases of emergency, and to permit deliveries. Said door(s) is not to consist solely of a screen or ventilated security door. **Sound shall not be audible within fifty feet (50') from the exterior of the premises in any direction.**
- 6) There shall be no live entertainment or amplified music outside the premises at any time.
- 7) The Basement, or its agents, shall not distribute any advertising matter such as signs, posters, or promotional cards, in or upon any public property, any vehicle, or in any other such place in the City of Long Beach. Distribution of any advertising matter upon private property shall adhere to the following guidelines: By placing the same matter in a receptacle, clip, or other device designed or intended to receive advertising matter. The permittee shall keep all agent contracts, including names, addresses, and phone numbers, on file at all times, and be available for inspection at any time.
- 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 people. For crowds over fifty people, the permittee shall provide a minimum of one (1) additional uniformed security guard per fifty (50) people. Patrons awaiting entry in a defined queue shall be counted toward the calculation of required security staffing levels.

Security guards must be identifiable as The Basement employees. Should the permittee's operations give rise to a substantial increase in complaints/calls for police service, the permittee may be required to increase security staff, implement the use of electronic metal detection equipment, increase outside lighting, or make other changes to the premises or operation, as the Chief of Police determines are necessary.
- 9) The permittee shall ensure a security guard monitor the parking lots utilized by patrons on an hourly basis after 8:00 p.m., each night of the week. Security shall maintain order and prevent the unlawful consumption of alcohol. Security shall prevent any activity that would interfere with the quiet enjoyment of any nearby residential property. Security guards must be identifiable as "The Basement" employees.

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- 10) There shall be no "queue" allowed after 10 p.m. Sunday thru Wednesday nights, and 11 p.m. Thursday thru Saturday nights. All persons gathering outside after the allowed hours shall be considered to be loitering. Queue is defined as persons awaiting entry after the business is at capacity
- 11) The Permittee shall not block the public street, or cone off any public parking spaces without first obtaining a permit from the office of City Special Events and Filming.
- 12) The Permittee shall encourage patrons to utilize public parking lots rather than neighborhood parking spaces. This should be done by utilizing security guards, signage, and/or advertising.
- 13) 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.
- 14) 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.
- 15) Current occupancy loads shall be posted at all times, and the permittee shall have an effective system to keep count of the number of occupants present at any given time. This information shall be provided to public safety personnel upon request.
- 16) The permittee agrees to reimburse the City of Long Beach whenever excessive police services, as determined by the Chief of Police, are required as the result of any incident, or nuisance arising out of, or in connection with the permittee's operations.
- 17) 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.
- 18) All independent contractors must have or obtain a City of Long Beach Business License prior to conducting entertainment activities governed by this permit. The permittee shall be responsible for all entertainment activities at the location, including those conducted by promoters or independent contractors.
- 19) The permittee must provide all promoters, independent contractors, and dancers, hired to conduct entertainment activities with a copy of the approved permit, which shall include a copy of the approved conditions of operation.

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- 20) 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.
- 21) Any graffiti painted or marked upon the premises, or on any adjacent area under the control of the permittee shall be removed or painted over within 24 hours of being applied.
- 22) The permittee shall be responsible for installing and maintaining a video surveillance system that monitors no less than the front and rear of the business, with full view of the public right-of-ways, and any parking lot under the control of the permittee. These cameras shall record video for a minimum of 30 days and be accessible via the Internet by the Long Beach Police Department. A Public Internet Protocol (IP) address and user name/password is also required to allow the Long Beach Police Department to view live and recorded video from these cameras over the internet. All video security cameras shall be installed to the satisfaction of the Chief of Police, Director of Technology Services, and Director of Development Services. At the discretion of the Chief of Police, the permittee may be required to add additional video cameras.
- 23) 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 be available for inspection at any time. Proof of completion shall be submitted to the Long Beach Police Department's Vice Investigation Section.



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): Broadland Lounge LLC
 Business Name (DBA): The Basement Business Phone: (562) 901-9090
 Business Site Address: 149 Linden Ave B-100 Long Beach CA 90802
 Date Business Proposes To Open: already open
 Days & Time Premises Are Open For Inspection: Mon - Fri call first

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.): Jim Najah / DE DEBBIE
 Contact Person(s) Phone Number: [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): 3/19/13 & 4/10/13 By: J. FORT 70682

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: _____



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: 2/5/13

Name of Business (DBA): The Basement

Name of Business Owner: Jim Nayach

Business Address: 149 Linden Ave, B100
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 Owner

Phone # [Redacted]

FAX # [Redacted]



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): Broadland Lounge LLC

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Date Business Proposes To Open: already open

Days & Time Premises Are Open For Inspection: MON - Fri call first

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.): Jim Najah

Contact Person(s) Phone Number: [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: 2-28-13

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): 3-18-13 By: DNW

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: _____



Date: February 27, 2013
To: Erik Sund, Manager of Business Relations Bureau
From: Derek Burnham, Planning Administrator 
Subject: REVIEW OF ENTERTAINMENT LICENSE REQUEST

Site Address: 149 Linden Ave B-100
Long Beach, Ca 90802

Applicant: Broadlind Lounge LLC, DBA The Basement

Zoning District: PD-30 (Downtown Planned Development District)

Proposed Use: Entertainment with Dancing

The Planning Bureau of the Department of Development Services has the following comments:

A review of the permit history for 149 Linden Ave B-100, indicates that a Conditional Use Permit (case No. 0402-16) was approved by the Planning Commission for a Type-47 alcohol license to an existing bar Lounge.

The subject site was previously approved for an entertainment permit with dancing in March of 2012. Based on the floor plans submitted with the previous application and the current application, there have been no significant changes made to the floor plan.

Planning Bureau recommends that the entertainment permit with dancing for "The Basement " be approved.

If you have any questions regarding this response, please call Jorge Ramirez, Planner, at (562) 570-6952