



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Boulevard Long Beach, CA 90802

SUMMARY OF APPLICATION FOR BUSINESS PERMIT

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

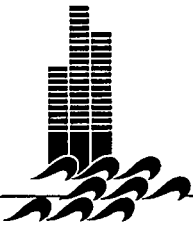
SUBMITTED FOR CITY COUNCIL ACTION

	<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	
Planning and Building 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
- Planning and Building Department, Director of Planning and Building.....570-6623

Compiled by: Department of Financial Management
Commercial Services Bureau



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT
COMMERCIAL SERVICES BUREAU

333 West Ocean Boulevard • Long Beach, CA 90802

FIVE YEAR HISTORY OF BUSINESS ESTABLISHMENT 149 Linden Avenue B-100

Broadlind LP
Lic# 07058501
10/02 - Active

Commercial/Industrial Space Rental

Broadlind LP
Lic# 20423690
05/04 - Active

17 Unit Apartment House

Broadlind Lounge LLC
DBA: Broadlind Lounge
Lic# 20515230
03/05 - Active

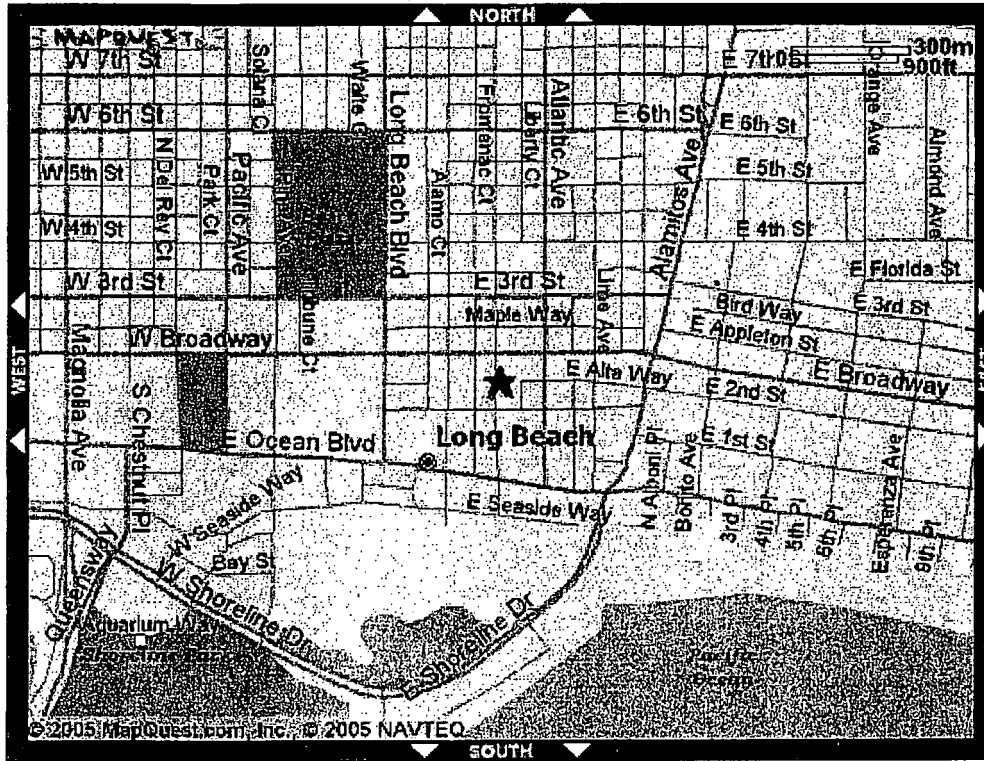
Restaurant With Alcohol

Broadlind Lounge LLC
DBA: Broadlind Lounge
Lic# 20522200
04/05 - Pending

Entertainment With Dancing

BROADLIND LOUNGE LLC

149 Linden Avenue, Suite B-100





OFFICE USE ONLY

Accepted By: Spicer Date: 04/27/05
 Zoning Approval Date: JM 4/27/05

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): _____ Business Phone: (562) 901-9096
 Business Name (DBA): Broadlind Lounge LLC
 Business Site Address: 149 Linden, B-100 Long Beach, CA 90802
 Date Business Proposes To Open: April 11, 2005
 Days & Time Premises Are Open For Inspection: May 16 8:00 AM - 5:00 PM, Mon - Fri

Proposed Use(s):

Entertainment/Restaurant With Dancing Without Dancing
 Entertainment/Tavern With Dancing Without Dancing
 Social Club Pool or Billiard Hall Other (explain)

Explain briefly the proposed use of the rooms within the building:

Rooms to be used for proposed use a restaurant/lounge with entertainment

Contact Person(s) Name (authorized agent, manager, etc.): Jim Najah
 Contact Person(s) Phone Number: (562) 901-9090

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 for basis for denial Police Department finds basis for denial
 Police Department finds no for 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, Broadmind Lounge LLC

Place and date of filing fictitious business name statement: LA County, 4/1/5

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

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, 24892 Nellie Gail Rd Laguna Hills, CA 92653

Mark Akhavain, 4621 Wayne Rd, Corona Del Mar, CA 92625

Dennis Lloy, 208 Spurgeon St, Santa Ana, CA 92701

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? YES NO
If yes, explain:

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

Is the location: Owned? Rented/Leased?

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

Name: Jim Najah

Address: 24892 Nellie Gail Rd, Laguna Hills, CA 92653

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>47-351799</u>	<u>Type 47, Restaurant, Full Bar</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: Dinner & appetizer

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

3. Are non-alcoholic beverages sold? YES NO

4. How many tables for seating? _____

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: 1+ employee

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

a. If yes, describe type of security: Managers will also act as 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	5 PM	_____	_____	_____	_____	_____	→
Security	2 AM	_____	_____	_____	_____	_____	→

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: On specific evenings, a cover charge of \$5.00 - 30.00 will be charged for live entertainment.

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: Fees for live entertainment will range from \$3.00 - \$20.00

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	5 PM	_____	_____	_____	_____	_____	→
Close	2 AM	_____	_____	_____	_____	_____	→

PROXIMITY OF BUSINESSES AND RESIDENCES

19. Are there surrounding businesses? YES NO

a. What type? Retail stores, coffee shops

20. Are there surrounding residences? YES NO

a. Approximately how close? Residents on second and third floors of occupied building

PARKING FACILITIES AND ARRANGEMENTS

21. Is parking available? YES NO

a. If no, what is the street address of the off-premises parking facility? 133 Long Beach Blvd.

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)

Patrons can park on lot for a fee of \$5.00 per vehicle

c. Days and hours parking facility will be available:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
From	24 hrs.	_____	_____	_____	_____	_____	→
To							

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

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 5.72.180 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: live pop, jazz, rock & recorded music

Dance Floor? Y N Stage? Y N

If yes, provide dimensions and type of material of dance floor. L 37 X W 20 = 750 sq ft.

If yes, provide dimensions and type of material of stage. L 14 W 14 H 4"

Describe floor material and surface type: Currently carpeted ~~over concrete~~ over concrete stage: Portable stage units wood with metal legs

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	Jazz Blues Rock Pop Dee Jay	_____					→
Start Time	5 PM	_____					→
End Time	2 AM	_____					→

RELEASE FORM

The undersigned, on behalf of (owner('s)) Mark Akhavan, 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) Broadlined Lounge LLC

to obtain the (entertainment type) _____ permit/license.

The applicant by signing this application consents service of any notice required or provided for by the laws, rules, regulations, or ordinances of the City of Long Beach upon the person at the address designated in this application as the business address, will constitute sufficient and legal notice. Any change in the person or the address listed in the application may be made only in writing to the Director of Financial Management.

The applicant consents and agrees full compliance will be made with all applicable State laws and City ordinances governing the conduct of the particular type of business activity for which a business license or permit is requested. The applicant by signing this application understands any incomplete or false information may constitute grounds for denial.

I swear under penalty of perjury I have read the forgoing application and all information and statements made by the undersigned/applicant regarding this applicant are true and correct.

[Signature]
(SIGNATURE OR AUTHORIZED AGENT)

President
(TITLE)

3/14/05
(DATE)

C3883121
DRIVER'S LICENSE OR ID CARD NUMBER

Ca
STATE

[Signature]
ACCEPTED BY (CITY STAFF)

CSR
TITLE

04/27/05
DATE



Date: June 30, 2005
To: Pamela Wilson-Horgan, Manager, Commercial Services Bureau
From: Anthony ^{W.B.} Batts, Chief of Police
Subject: **APPLICATION FOR ENTERTAINMENT WITH DANCING AT THE BROADLIND LOUNGE – 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**, subject to the following twenty-one (21) conditions of operation:

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) Entertainment activities indicated on page #7 of your entertainment application shall be restricted to no later than 12 midnight Sunday through Thursday nights, and 2:00 a.m. on Friday and Saturday nights.
- 3) 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.
- 4) Patrons under twenty-one (21) years of age shall not be permitted to enter nor to remain on the premises after the restaurant (food services) portion of the establishment has closed, or 10 p.m., whichever comes first. Private functions not open to the public are exempt from this condition.
- 5) The permittee shall not require an admission charge or cover charge prior to 9:00 p.m., nor shall there be a requirement to purchase a minimum number of drinks.
- 6) The premises shall be maintained as a full service restaurant providing an assortment of full meals normally offered in such establishments. In the event that the restaurant ceases operations, the entertainment permit becomes null and void.

- 7) Broadlind Lounge shall not advertise, procure, nor allow any person, performance, show, promotion, or any other event or entertainment that exposes or promotes, encourages, or allows the exposure of the male or female genitals, cleft of the buttocks, the areola or any portion of the female breast below the areola, while at or inside the business.
- 8) Current occupancy loads shall be posted at all times, and the licensee shall have an effective system to keep count of the number of occupants present at any given time. (LBMC section 18.48.320)
- 9) Smoking shall not be allowed inside Broadlind Lounge at any time. "No Smoking" signs shall be posted in conspicuous places inside the club and at the entrance to the business. (LBMC Chapter 8.68)
- 10) The door(s) or windows shall be kept closed at all times during any entertainment activity described in your application, except in cases of emergency and to permit deliveries. Said door(s) are not to consist solely of a screen or ventilated security door.
- 11) Sound shall not be audible from the exterior of the premises in any direction.
- 12) The permittee shall not allow employees to discard trash or beer bottles into the outside dumpster between the hours of 10 p.m. and 8 a.m.
- 13) 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 one hundred people. For crowds over one hundred people the permittee shall provide a minimum of one (1) additional uniformed security guard per fifty (50) people. Security guards must be identifiable as "Broadlind Lounge 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 security as directed by the Chief of Police.
- 14) 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 open for business. This should be done by use of security guards and/or signage indicating, words to the effect of, "Please respect our neighbors."
- 15) 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.

- 16) The permittee agrees to reimburse the City whenever excessive police services, as determined by the Chief of Police, are required as the result of any incident or nuisance arising out of or in connection with the permittee's operations.
- 17) 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.
- 18) The permittee must provide all promoters hired to conduct entertainment activities with a copy of the approved permit, which shall include a copy of the approved conditions of operation.
- 19) Broadlind Lounge, its promoters, or agents, shall not distribute any advertising matter 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.
- 20) The permittee shall maintain full compliance with all applicable laws, ABC laws, ordinances and stated conditions.



OFFICE USE ONLY

Accepted By: Frederick Date: 04/27/05
 Zoning Approval Date: 4/27/05 BY: _____

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): _____ Business Phone: (562) 901-9090
 Business Name (DBA): Broadline Lounge LLC
 Business Site Address: 149 Linden, B-100 Long Beach, CA 90802
 Date Business Proposes To Open: April 11, 2005
 Days & Time Premises Are Open For Inspection: 8:00 AM - 5:00 PM, Mon - Fri

Proposed Use(s):

Entertainment/Restaurant With Dancing Without Dancing
 Entertainment/Tavern With Dancing Without Dancing
 Social Club Pool or Billiard Hall Other (explain)

Explain briefly the proposed use of the rooms within the building:
Rooms to be used for proposed use of restaurant/lounge with entertainment

Contact Person(s) Name (authorized agent, manager, etc.): Jim Najah
 Contact Person(s) Phone Number: (562) 901-9090

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 for basis for denial Police Department finds basis for denial
 Police Department finds no for basis for denial with conditions
 Conditions or Basis for Denial: _____

By: AW Butler Title: cop Date: 6-24-05



OFFICE USE ONLY

Accepted By: [Signature] Date: 04/27/05
 Zoning Approval Date: [Signature] 4/27/05

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): _____ Business Phone: (562) 901-9090
 Business Name (DBA): Broadline Lounge LLC
 Business Site Address: 149 Linden, B-100 Long Beach, CA 90802
 Date Business Proposes To Open: April 1, 2005
 Days & Time Premises Are Open For Inspection: 8:00 AM - 5:00 PM, Mon - Fri

Proposed Use(s):

Entertainment/Restaurant With Dancing Without Dancing
 Entertainment/Tavern With Dancing Without Dancing
 Social Club Pool or Billiard Hall Other (explain)

Explain briefly the proposed use of the rooms within the building:

Rooms to be used for proposed use a restaurant/lounge with entertainment

Contact Person(s) Name (authorized agent, manager, etc.): Jim Najeh
 Contact Person(s) Phone Number: (562) 901-9090

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): 9/15/05 By: [Signature]

POLICE DEPARTMENT

Police Department finds no for basis for denial Police Department finds basis for denial

Police Department finds no for basis for denial with conditions

Conditions or Basis for Denial: _____

By: _____ Title: _____ Date: _____



OFFICE USE ONLY

Accepted By: Joe Gray Date: 04/27/05
 Zoning Approval Date: JM 4/27/05

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): _____ Business Phone: (562) 901-9096
 Business Name (DBA): Broadline Lounge LLC
 Business Site Address: 149 Linden, B-100 Long Beach, CA 90802
 Date Business Proposes To Open: April 11, 2005
 Days & Time Premises Are Open For Inspection: 8:00 AM - 5:00 PM, Mon - Fri

Proposed Use(s):

Entertainment/Restaurant With Dancing Without Dancing

Entertainment/Tavern With Dancing Without Dancing

Social Club Pool or Billiard Hall Other (explain)

Explain briefly the proposed use of the rooms within the building:

Rooms to be used for proposed use of restaurant/lounge with entertainment

Contact Person(s) Name (authorized agent, manager, etc.): Jim Najah

Contact Person(s) Phone Number: (562) 901-90-90

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:

This establishment must remain in a conspicuous location near business starting
 warning sound levels within may cause permanent hearing impairment.

Building/Location does not meet Department requirements for the proposed use.

Inspection Completed On (date): 6/2/05 By: [Signature]

POLICE DEPARTMENT

Police Department finds no for basis for denial Police Department finds basis for denial

Police Department finds no for basis for denial with conditions

Conditions or Basis for Denial: _____

By: _____ Title: _____ Date: _____



OFFICE USE ONLY

Accepted By: [Signature] Date: 04/27/05

Zoning Approval Date: JM 4/27/05

APPLICATION FOR ENTERTAINMENT PERMIT

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

Applicant's Name (Legal Ownership Structure): Business Phone: 562 901-9096

Business Name (DBA): Broadline Lounge LLC

Business Site Address: 149 Linden, B-100 Long Beach, CA 90802

Date Business Proposes To Open: April to 2005

Days & Time Premises Are Open For Inspection: May 16 8:00 AM - 5:00 PM, Mon - Fri

Proposed Use(s):

Entertainment/Restaurant With Dancing Without Dancing

Entertainment/Tavern With Dancing Without Dancing

Social Club Pool or Billiard Hall Other (explain)

Explain briefly the proposed use of the rooms within the building:

Rooms to be used for proposed use of restaurant/lounge with entertainment

Contact Person(s) Name (authorized agent, manager, etc.): Jim Najeh

Contact Person(s) Phone Number: (562) 901-9090

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: 11/1/05

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): 11/1/05 By: [Signature]

POLICE DEPARTMENT

Police Department finds no for basis for denial Police Department finds basis for denial

Police Department finds no for basis for denial with conditions

Conditions or Basis for Denial: _____

By: _____ Title: _____ Date: _____



Date: May 27, 2005
To: Jim Goodin, Business Services Officer
From: Carolyne Bihn, Zoning Administrator *CB*
Subject: **REVIEW OF ENTERTAINMENT LICENSE REQUEST**

This is in response to your request regarding the following site:

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

Applicant: Broadlind Lounge LLC

Zoning District: East Village Mixed Use District of PD-30 (Downtown
Planned Development)

Proposed Use: Entertainment With Dancing

The Zoning Division of the Department of Planning and Building has the following comments:

- Approve entertainment with dancing as an accessory to a bar including 750 square feet of dance floor on the basement level.
- Applicant has secured an agreement with Diamond Parking services for parking at 133 Long Beach Boulevard to provide a minimum of 37 parking spaces through a valet parking service.
- A Conditional Use Permit and Standards Variance (Case No. 0402-16) were approved for the use, distance of parking (900' from site), and lack of deed restriction for off-site parking.

If you have any questions regarding this response, please call Joe Recker, Planner, at X86004.



CITY OF LONG BEACH

DEPARTMENT OF PLANNING & BUILDING

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • FAX (562)570-6068

NOTICE OF FINAL ACTION

Case No.: 0402-16

Project Location: 149 Linden Avenue

Applicant: Jim Najah
27068 La Paz Road, #452
Aliso Viejo, CA 92656

Permit(s) Requested: Standards Variance
Conditional Use Permit

Project Description: The proposal is to establish a restaurant and bar with entertainment in the basement level of the Broadlind Hotel building. The Standards Variance is to provide off-site parking over 600' away without a deed restriction.

Action was taken by the: Planning Commission on:
May 20, 2004

Decision: Conditionally Approved


Action is final on: June 1, 2004

This project is NOT in the Coastal Zone.

"If you challenge the action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or issues raised via written correspondence delivered to the (public entity conducting the hearing) at or prior to the public hearing."

See other side for City of Long Beach and California Coastal Commission appeal procedures and time limits.


Greg Carpenter
Zoning Administrator


Jamilla Vollmann, Planner
Phone No.: (562)570-6108

Attachments

Council District: 2

**CONDITIONAL USE PERMIT
STANDARDS VARIANCE
CONDITIONS OF APPROVAL**

Case No. 0402-16

Date: May 20, 2004

1. This permit and all development rights hereunder shall **terminate one year** from the effective date (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date) of this permit unless *construction is commenced or a time extension is granted*, based on a written and approved request submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
2. The use permitted on the subject site (149 Linden Avenue), in addition to other uses permitted in the PD-30 district, shall be a restaurant, bar and night club providing the sale of beer, wine and distilled spirits for on-premise consumption and the sale of beer and wine for off-premise consumption. The **code exception(s) approved** for this project is (are) as follows:
 - a. To provide off-site parking approximately 900' away (instead of not more than 600').
 - b. To provide off-site parking without a deed restriction.
3. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return **written acknowledgment** of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30 days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date). Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval to the satisfaction of the Zoning Administrator.
4. If, for any reason, there is a **violation of any of the conditions** of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.
5. In the event of **transfer of ownership** of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions which are a part thereof. These specific requirements must be recorded with all title conveyance documents at time of closing escrow.
6. This approved land use is required to comply with these conditions of

approval as long as the use is on the subject site. As such, the site shall be available for **periodic re-inspections**, conducted at the discretion of City officials, to verify compliance. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by the City Council.

7. All operational conditions of approval for this permit **must be posted** in a location visible to the public in such a manner as to be readable when the use is open for business.
8. All conditions of approval **must be printed** verbatim on all plans submitted for plan review to the Planning and Building Department. These conditions must be printed on the site plan or a subsequent reference page.
9. The Director of Planning and Building is authorized to make **minor modifications** to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project. **No substantial changes** shall be made without the prior written approval of the Site Plan Review Committee and/or Planning Commission.
10. Site development, including landscaping, shall conform to the approved plans on file in the Department of Planning and Building. At least **one set of approved plans** containing Planning, Building, Fire, and, if applicable, Redevelopment and Health Department stamps **shall be maintained at the job site**, at all times for reference purposes during construction and final inspection.
11. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, fences and the perimeter of the site (including all public parkways).
12. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
13. Any graffiti found on site must be removed within 24 hours of its appearance.
14. The operator of the approved use shall **prevent loitering and loud noises** around the project site and in all parking areas serving the use during and after hours of operation. Failure to comply with this condition shall be grounds for permit revocation. If loitering and/or noise problems develop, the Director of Planning and Building may require additional preventative measures such as, but not limited to, additional lighting, private security

- guards and/or alteration of business hours. The use shall comply with the City Noise Ordinance, Chapter 8.80 of the Long Beach Municipal Code. The doors shall be closed during operating hours.
15. The operator of the approved use shall **remove all litter and debris** from the public sidewalk and alley abutting the subject site, and from the parking lot on the site, on a daily basis to the satisfaction of the Director of Planning and Building.
 16. **Energy conserving equipment**, lighting and construction features shall be utilized on the buildings.
 17. All rooftop mechanical equipment shall be fully screened from public view. Said screening shall be architecturally compatible with the building in terms of theme, materials, colors and texture. If the screening is not specifically designed into the building (i.e., parapet walls), a rooftop mechanical equipment plan must be submitted showing screening and must be approved by the Director of Planning and Building prior to the issuance of a building permit.
 18. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau must be secured.
 19. Separate building permits are required for any signs, fences, retaining walls, trash enclosures, flagpoles, pole mounted yard lighting foundations and planters, as applicable.
 20. Approval of this project is expressly conditioned upon payment (prior to building permit issuance or prior to Certificate of Occupancy, as specified in the applicable Ordinance or Resolution for the specific fee) of impact fees, connection fees and other similar fees based upon additional facilities needed to accommodate new development at established City service level standards, including, but not limited to, sewer capacity charges, Park Fees and Transportation Impact Fees.
 21. All required utility easements shall be provided to the satisfaction of the concerned department or agency.
 22. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):
 - a. Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;
 - b. Saturday: 9:00 a.m. - 6:00 p.m.; and
 - c. Sundays: not allowed

23. Any **off-site improvements** found to be damaged as a result of construction activities shall be reconstructed by the applicant to the satisfaction of the Director of Public Works.
24. Passenger loading and unloading area shall be provided to the satisfaction of the Department of Public Works.
25. The applicant shall provide exterior lighting and security measures to the satisfaction of the Planning Department and Police Department. Exterior queuing shall not be permitted on the public right-of-way.
26. Parking shall be provided at a rate of 20/1,000 sq. ft. of area for the bar use. The proposal requires 33 off-street parking spaces. Parking may be provided off-site with valet service during business hours of the restaurant and bar. The off-site parking shall be located within 900' of the site.
27. Prior to issuance of a building permit or business license, the applicant shall satisfy the conditions as outlined in the attached memorandum from the Building Department, dated March 31, 2004.
28. An adequately sized **trash enclosure** shall be designed and provided for the building large enough to accommodate the commercial and residential uses and recycling area. The enclosure shall be designed to match the building and screened with landscaping to the satisfaction of the Director of Planning and Building.
29. The applicant shall file a separate plan check submittal to the **Long Beach Fire Department** for their review and approval prior to the issuance of a building permit. The applicant shall provide occupancy load calculations. Should it be necessary to change the occupancy of the building, additional provisions for emergency exiting shall be provided.
30. The **entertainment use** for the subject property requires City Council approval.
31. A Certificate of Appropriateness may be required. Please contact the Historic Preservation Officer for details.
32. Any new signage shall be subject to approval by the Planning Department and Historic Preservation Officer.
33. Please note the location of the required washers and dryers on the floor plan. The site shall comply with the previous conditions of approval from Case No. 0209-15.

34. Permit #369635 to convert the hotel to apartments shall be finalized prior to issuance of a permit for the nightclub.

35. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action, or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach.



CITY OF LONG BEACH

DEPARTMENT OF CITY CLERK

333 W. Ocean Blvd | Long Beach, CA 90802 | 562.570.6101

DATE: November 15, 2005

TO: Honorable Mayor and City Council

FROM: *LH*
Larry Herrera, City Clerk

SUBJECT: Correspondence Re: Public Hearing for the Broadlind Lounge

Attached please find correspondence received by the Department from R. Blackshere dated November 9, 2005.

City Clerk
City of Long Beach
333 W. Ocean Boulevard
Long Beach, CA 90802
562.570.6789

9 Nov 05

Re: Public Hearing, Broadlind Lounge, LLC Entertainment with Dancing Permit
Application

City Clerk and Board Members,

I am a resident of the East Village Arts District in part because I enjoy being part of a vibrant and active community. I enjoy the sense of community, the variety of shopping options, dining, theatre, live band, arts, transportation opportunities (i.e. blue line and bus systems to both LA and Orange Counties) and entertainment in our neighborhood. In my leisure time I do not have to seek activities too far from home to be in the mix of things. However, there has been an addition to our neighborhood that, although they provide another venue for enjoyment, it has considerably impacted my life. The Basement bar at 149 Linden appears to be very upscale; they provide valet parking (not nearly enough) and prevent undesirable guests thru the use of a bouncer at the door. What they have not addressed to my dismay, is the traffic increase, the destructive nature of patrons as they depart from the establishment and most bothersome, the noise. Patrons apparently feel the need to exit the bar and have another party on the local streets and sidewalks.

I live on the fourth floor of the Lafayette, facing Linden Avenue and I cannot recall a weekend where I have not been awakened between 1:30 am and 1:55 am (sometimes the street party goes as late as 3 am) overhearing the people leaving the bar. Surprisingly, to me, is that Thursday night is the loudest. Shouts of farewell to departing friends, reliving 'the funniest thing that ever happened', mistired car alarms, noise from vandalism, romantic hook-ups, I have (unwillingly) been privy to it all.

Others whose units do not face Linden and whom live on higher floors have stated their frustrations at prior Lafayette Home Owner's Association Meetings. After some of the Lafayette residents complained about the noise, the owners and management of the bar had a meeting in the establishment to allow residents to vocalize their frustration with the noise and disturbances. They offered a sympathetic ear, saying all the right and contrite things about following thru on noise reduction, the bouncers would be more active, better control in the valet parking lot, etc. All the while they have been making application in the city to do what they can to increase the quantity of patrons, and the potential for more noise, traffic, and potentially increased damage thru disregard for the improvements local residents and business owners have made to the pedestrian and shopping areas. The bouncer passed out cards and stated that he will attend to any complaints made to him about noise; it seems unreasonable that someone in our building should have to call him nightly. Good neighborliness would dictate that they develop a better plan for self-maintenance. Theirs has been a weak response at best.

As someone interested in keeping our neighborhood from becoming the scourge of Long Beach, (most mornings after the bar has been open I find more than the usual amount of abandoned paper, beer containers and club promotion cards on the street and sidewalks) I want to recommend that the City Council not grant the request to add dancing to the existing permit for the owners at the Basement Bar.

The development of the condominium project Mr. Najah (partner of the Broadlind LLC) has recently received approval for has every potential to continue/increase the parking and noise problem(s). This project is another in his effort to sell an idea to the neighbors of one size and scope, while working the city to allow increases in every direction. I was dismayed to learn that the project was presented as having no opposition when I had faxed a letter (since I was unable to attend the meeting) with concerns. I have come to doubt an equitable solution can be reached, but the problems that have already arisen lead me to strongly urge you to deny the Basement Bar request.

We've already got blight on our street. The Hotel at the corner of 1st and Linden just had the scaffolding removed (after years of poor maintenance), and the first dog walker who came by left a steaming pile of pet waste for all to avoid – quite an allegorical statement. Both were/are ugly! Don't encourage more, please.

Sincerely,
R Blackshere
140 Linden Avenue
#453
Long Beach, CA 90802