

CITY OF LONG BEACH
DEPARTMENT OF FINANCIAL MANAGEMENT

CH-1
~~**H-1**~~

333 West Ocean Blvd • Long Beach, California 90802

June 17, 2014

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 Rice & Bean, Inc., DBA 4th Street Vine, 2142 East 4th Street, for entertainment without 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 without dancing by patrons be approved subject to the 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 without 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 since February 2014.

This matter was reviewed by Deputy City Attorney Amy R. Webber on May 23, 2014.

TIMING CONSIDERATIONS

The hearing date of June 17, 2014, 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 \$1,240 (Police Department), and Mailing List \$90 (Financial Management Department).

The following fees will be collected if the application is approved: Business License \$337.30 and Regulatory \$1,025 (Financial Management Department).

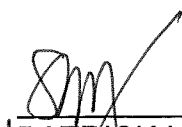
SUGGESTED ACTION:

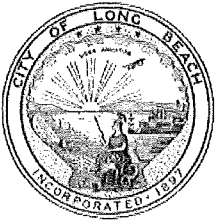
Approve recommendation.

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) 570-5596

Recommended Conditions of Operation

Rice & Bean, Inc., DBA 4th Street Vine

2142 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) 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.
- 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 7:00 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 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.

II. ADDITIONAL CONDITIONS OF OPERATION

- 1) Entertainment activities indicated on page #7 of your entertainment application shall be allowed **only** on Sunday through Thursday from 5:00 P.M. to 10:00 P.M. and Friday through Saturday from 5:00 P.M. to 11:00 P.M.
- 2) Patrons under twenty-one (21) years of age shall not be permitted to enter or to remain on the premises at any time.
- 3) The permittee shall ensure an employee monitors the parking lot, and the outside patio on an hourly basis after 8:00 PM, each night of the week. Employees shall maintain order and prevent the unlawful consumption of alcohol. Employees shall prevent any activity that would interfere with the quiet enjoyment of any nearby residential property. Employees must be identifiable as "4th Street Vine" employees.

- 4) The use of speakers to provide amplified sound on the patio shall be prohibited at all times. This restriction shall not apply to a self contained unit, such as a portable radio, so long as the speaker size does not exceed six (6) inches, and the sound cannot be heard more than 50 feet from the patio.

JM: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 Rice & Bean, Inc., DBA 4th Street Vine. Also, attached are reports from various departments stating their recommended disposition of the subject application. These are summarized as follows:

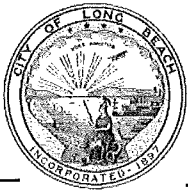
SUBMITTED FOR CITY COUNCIL ACTION

| | <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 | |
| Long Beach 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 |
| Long Beach Development Services..... | 570-6623 |

Compiled by: Department of Financial Management
Commercial Services Bureau



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

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

COMMERCIAL SERVICES DIVISION

FIVE YEAR HISTORY OF BUSINESS ESTABLISHMENT 2142 E 4th Street

Rice & Bean Inc.
DBA: 4th Street Vine
Lic#21400610
01/14 – Pending City Council approval

Entertainment Without Dancing with Alcohol

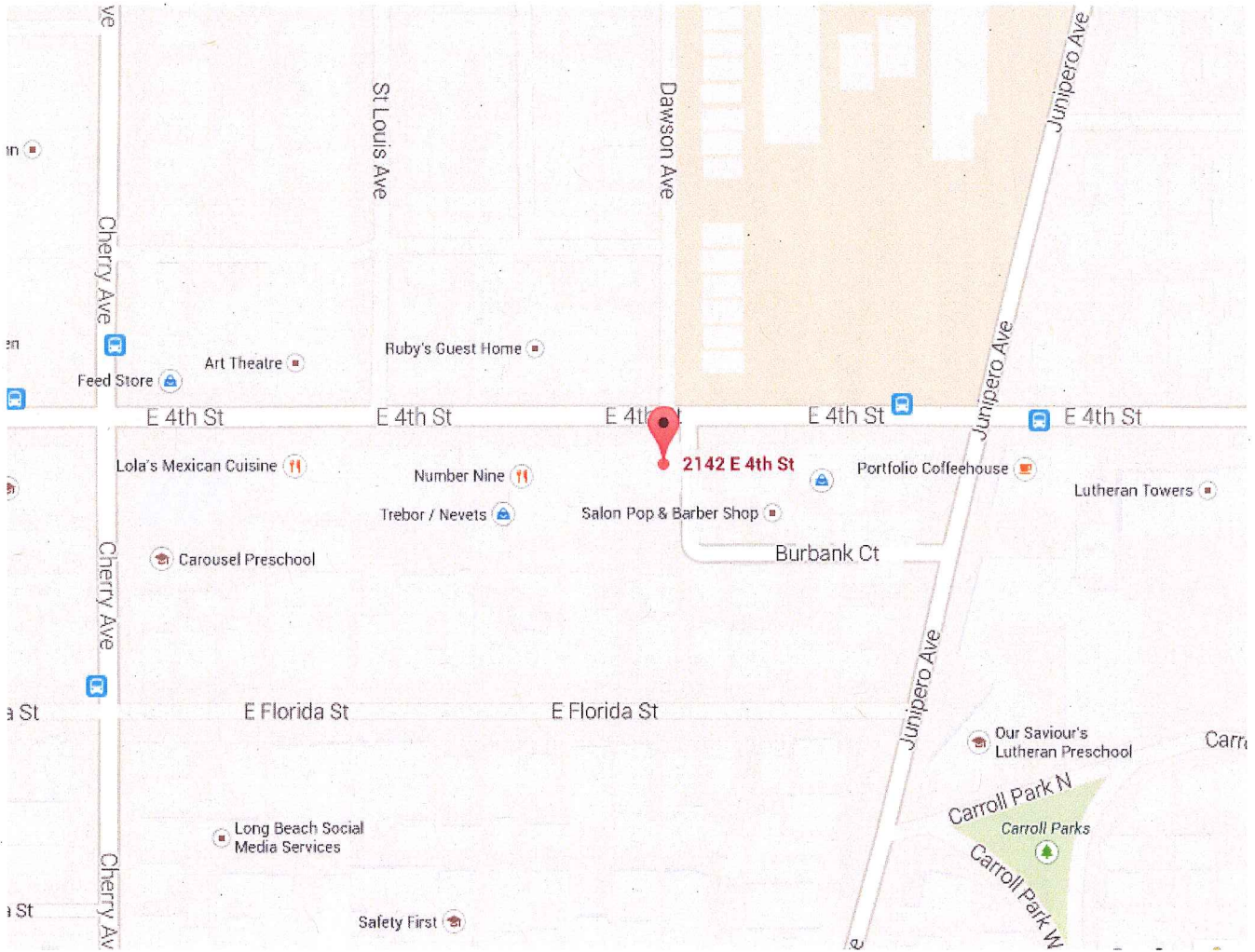
Rice & Bean Inc.
DBA: 4th Street Vine
Lic#21406180
02/14 – Active

Bar/Tavern/Lounge

Sandoval, Sophia
DBA: 4th Street Vine
Lic#20821130
05/08 – 05/13

Retail Sales

Rice & Bean, Inc.
Db: 4th Street Vine
2142 E 4th Street





Pre Approval

Accepted By: PK Date: 1-7-11
 Zoning Approval By: PK OK Date: _____

RECEIVED
PURCHASING

APPLICATION FOR ENTERTAINMENT PERMIT 112:17

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

Applicant's Name (Legal Ownership Structure): Rice & Bean, Inc.
 Business Name (DBA): 4th Street Vine Business Phone: (907) 343-5463
 Business Site Address: 2142 E 4th St.

Date Business Proposes To Open: open November 4, 2008

Days & Time Premises Are Open For Inspection: Mon-Fri 5 pm or anytime with prior notice (business opens at 5pm)

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.): Sophia Sandoval

Contact Person(s) Phone Number: [REDACTED]

Type of Organization:

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

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2011 JAN - 7 PM 12:17

OFFICE USE ONLY

Building Fire Health (Check Inspecting Department) Date Received: _____

Building/Location meets Department Requirements for the proposed use.

Building/Location meets Department Requirements for the proposed use subject to the following conditions:

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

Inspection Completed On (date): _____ By: _____

POLICE DEPARTMENT

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

Police Department finds no basis for denial with conditions

Conditions or Basis for Denial: _____

By: _____ Title: _____ Date: _____

GENERAL INFORMATION (All Applicants)

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

Fictitious business names(s) or dba(s) used: 4th Street Vine

Place and date of filing fictitious business name statement: Los Angeles County
- filed renewal on Jan. 4, 2013

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:
Sophia Sandoval 2142 E. 4th St. Long Beach 90814
Jim Pitson " " " " "

Name and address of person (agent) authorized to accept service of process in California:
Sophia Sandoval 2142 E. 4th St. Long Beach, Ca 90814

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? 5 years



Is the location: Owned? Rented/Leased?

If Rented/Leased, state the name and address of property owners:
Name: Joani Wierz / JW Global
Address: 3350 E. 7th St.
Long Beach, Ca 90804

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: Rice & Bean, Inc.
Corporation Number: C3609828
Date and Place of Incorporation: Oct. 4, 2013 Calif.
Location Headquarters: 2142 E. 4th St. Long Beach, Ca 90814
Federal Tax ID Number: 
Seller's Permit Number: 


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>Sophia Sandoval</u> | <u>President/CEO</u> |  |  |
| _____ | _____ | _____ | () _____ |
| _____ | _____ | _____ | () _____ |

Numbers of shares issued by Corporation: 100,000
Number of share retained by Corporation: 0

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

Sophia Sandoval  100,000 shares

Name and address of agent for service of process designated by Corporation with the Secretary of State of California:
Sophia Sandoval 2142 E. 4th St. Long Beach, Ca
90814

IF APPLYING AS A CORPORATION

INFORMATION IS REQUESTED FOR POLICE DEPARTMENT IDENTIFICATION AND INVESTIGATION

CORPORATE OFFICER I

Name: Sophia Sandoval Title: President/CEO
Residence Address: [REDACTED] Phone: [REDACTED]
Business Address: 2142 E 4th St. 90814 Phone: [REDACTED]
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]

CORPORATE OFFICER II

Name: None 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: _____

CORPORATE OFFICER III

Name: None 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: _____

CORPORATE OFFICER IV

Name: None 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: _____

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 checked="" type="checkbox"/> | <u>42-539292</u> | <u>Club</u> |
| On sale distilled spirits <input type="checkbox"/> | _____ | _____ |

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): Cheese, salami, pickles, cold foods

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): Art gallery

6. Are pool tables provided? YES NO

a. If yes, indicate number: n/a

7. Is there a license for the pool table? YES NO

a. If yes, license number: n/a

8. Are amusement machine(s) and/or jukebox(es) provided? YES NO

a. If yes, indicate number and type: n/a Amusement Machines n/a Jukebox(es)

9. Is there a license for the amusement machine(s) and/or jukebox(es)? YES NO

a. If yes, decal number(s): n/a

10. Owner of machine(s) and/or jukebox(es):

Name: n/a

Address: _____

Telephone No. () _____

GENERAL OPERATING CONDITIONS (continued)

Complete Each Question

SECURITY

11. Will security officers be provided? YES NO

a. If yes, number of security officers: _____

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

a. If yes, describe type of security: _____

unless required, although it has not proved to be necessary to date.

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

| Day | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | Sunday |
|----------|--------|---------|-----------|----------|--------|----------|--------|
| Hours of | | | | | | | |
| Security | | | | | | | |

13. Will a private security firm be used? YES NO

a. If yes, provide the following information of the contracted security firm:

Name: n/a 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: n/a

17. Is there a private area for exclusive use of members and their guests only? YES NO

a. If yes, types of membership fees: n/a

18. Will guests of members pay an admission fee or other charges? YES NO

a. If yes, describe the fee schedule and other charges: n/a

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 p | 5 p | 5 p | 5 p | 5 p | 2 p | 2 p |
| Close | 10:30 p | 10:30 p | 10:30 p | 10:30 p | 11:30 p | 11:30 p | 10:30 p |

PROXIMITY OF BUSINESSES AND RESIDENCES

19. Are there surrounding businesses? YES NO

a. What type? Retail and Restaurants and Bars

20. Are there surrounding residences? YES NO

a. Approximately how close? SAME 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? _____

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 | | | | | | | |
| 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 5.69.090 of the LBMC? Y N
- Any other type of entertainment not listed above? Y N

If yes, briefly describe the entertainment activity. n/a

Describe entertainment by performers: live music, DJs

Dance Floor? Y N Stage? Y N

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

If yes, provide dimensions and type of material of stage. n/a L _____ W _____ H _____

Describe floor material and surface type: n/a

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 | Live Music | Live Music | Live Music | Live Music | Live Music | Live Music | Live Music |
| Start Time | 5 pm | 5 pm | 5 pm | 5 pm | 5 pm | 5 pm | 5 pm |
| End Time | 10 pm | 10 pm | 10 pm | 10 pm | 11 pm | 11 pm | 10 pm |

RELEASE FORM

The undersigned, on behalf of (applicant) Pica & Bean, Inc, 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) 4th Street Vine 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)

President/owner
(TITLE)

12.30.13
(DATE)


DRIVER'S LICENSE OR ID CARD NUMBER

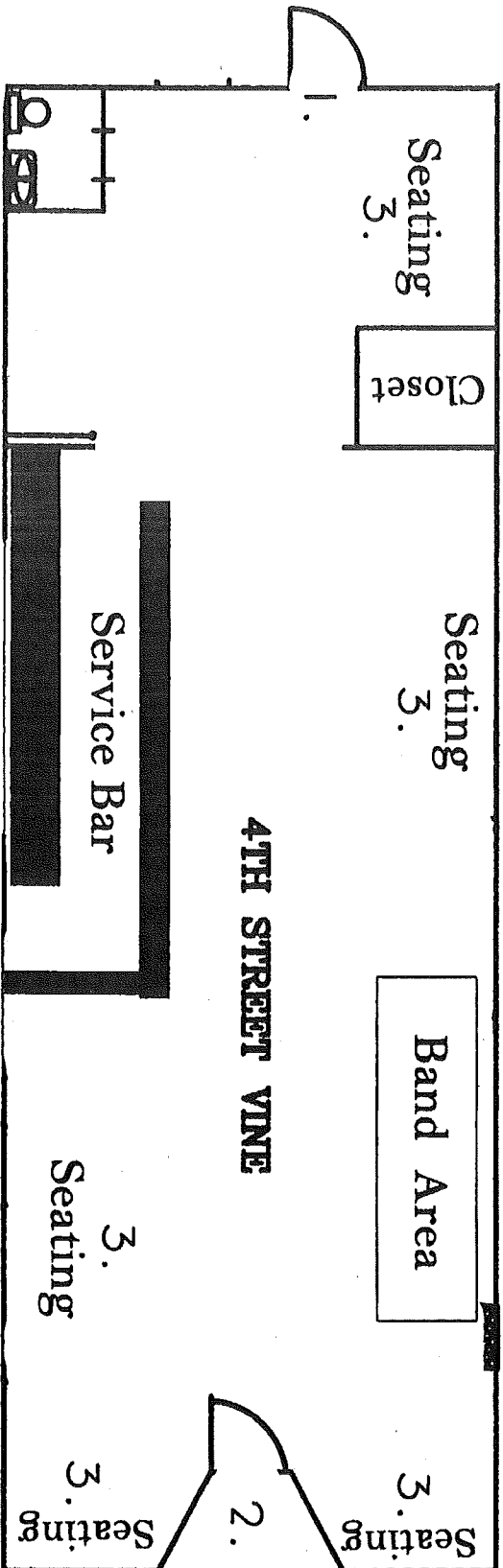
CA
STATE

ACCEPTED BY (CITY STAFF)

TITLE

DATE

4th Street Vine
2142 E. 4th St.
Long Beach, CA. 90814



- 1. - Back Door, unlocked during all business hours, 2 way swinging door
- 2. - Back Door, unlocked during all business hours, 2 way swinging door
- 3. - Fixed seating

NO DANCE FLOOR
NO STAGE



Accepted By: PLC Date: 1-7-14
 Zoning Approval By: PLC Date: RECEIVED PURCHASING

APPLICATION FOR ENTERTAINMENT PERMIT #12: 17

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

Applicant's Name (Legal Ownership Structure): Rice & Bean, Inc.

Business Name (DBA): 4th Street Vibe Business Phone: (913) 743-5463

Business Site Address: 2142 E 4th St.

Date Business Proposes To Open: open November 4, 2008

Days & Time Premises Are Open For Inspection: Mon-Fri 5 pm or anytime with prior notice (business opens at 5pm)

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.): Sophia Sandoval

Contact Person(s) Phone Number: [REDACTED]

Type of Organization:

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

RECEIVED PURCHASING 2008 JAN 7 PM 12:17

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: [Signature] Title: CHIEF OF POLICE Date: 3-19-14



Date: March 14, 2014
To: Jason MacDonald, Bureau Manager, Business Relations Bureau
From: Jim McDonnell, Chief of Police 
Subject: **APPLICATION FOR AN ENTERTAINMENT WITHOUT DANCING PERMIT AT
4TH STREET VINE – 2142 EAST 4TH STREET**

In response to your request for a recommendation regarding the above named permit application for an Entertainment without Dancing Permit, the Police Department recommends **approval** of an **Entertainment without Dancing Permit**, subject to the conditions that follow.

4th Street Vine is a bar located on the south side of 4th Street between Cherry Avenue and Junipero Avenue. The establishment is a boutique beer and wine bar that offers a small variety of food plates to compliment the beer and wine menu. 4th Street Vine currently holds a Type 42 (On-Sale Beer and Wine Public Premise) and Type 20 (Off-Sale Beer and Wine) Alcoholic Beverage Control License. The establishment promotes local bands and artists, and primarily provides live entertainment. 4th Street Vine received 24 Occasional Event Permits in 2013. 4th Street Vine has applied for an Entertainment without Dancing Permit requesting live music by more than two (2) performers, live amplified music, and a disc jockey seven days a week.

Based upon the Vice Section's investigation, residential contacts, 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 without 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 Sunday through Thursday 5:00 P.M. to 10:00 P.M. and Friday through Saturday 5:00 P.M. to 11:00 P.M.**

- 4) Due to the proximity of neighboring residences, all door(s) and window(s) shall be kept closed at all times during any entertainment, except in cases of emergency, and to permit deliveries. Said door(s) and window(s) shall not consist solely of a screen or ventilated security door. **Sound shall not be audible beyond fifty feet (50') from the exterior of the premises in any direction.**
- 5) The establishment shall remain in compliance with all applicable sections of the Long Beach Noise Ordinance (LBMC Chapter 8.80).
- 6) 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.
- 7) The use of speakers to provide amplified sound on the patio shall be prohibited at all times. This restriction shall not apply to a self contained unit, such as a portable radio, so long as the speaker size does not exceed six (6) inches, and the sound cannot be heard more than 50 feet from the patio
- 8) The permittee is required to monitor the outside patio area for any nuisance activity that could disturb the surrounding neighbors. This shall be done by utilizing security guards or employees.
- 9) 4th Street Vine, 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 have this information available for inspection at any time.
- 10) Patrons under twenty-one (21) years of age shall not be permitted to enter or to remain on the premises at any time.
- 11) 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.

- 12) The permittee shall be responsible for maintaining adequate security staff during any entertainment activity, to supervise patrons inside the establishment, on the outside patio, and those waiting to enter. For crowds up to fifty (50) patrons, the permittee shall provide a minimum of one (1) security staff member. For crowds over fifty (50) patrons, the permittee shall provide an additional security staff member per fifty (50) patrons. Security staff members must be identifiable as "4th Street Vine" employees. Should the permittee's operations give rise to a substantial increase in complaints/calls for service, or trash found in the parking lot or neighborhood, the permittee shall increase staff, or employ uniformed licensed security guards, as directed by the Chief of Police.
- 13) The permittee shall ensure an employee monitors the parking lot, and the outside patio on an hourly basis after 8:00 PM, each night of the week. Employees shall maintain order and prevent the unlawful consumption of alcohol. Employees shall prevent any activity that would interfere with the quiet enjoyment of any nearby residential property. Employees must be identifiable as "4th Street Vine" employees.
- 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 hire any promoters with the intention of holding nightclub activities.
- 18) The permittee shall be responsible for all entertainment activities at the location, including those conducted by promoters. Each permittee and promoter conducting business within the City of Long Beach must have a business license prior to entertainment activities governed by this permit. The permittee shall provide all promoters and agents hired to conduct entertainment activities with a copy of the approved permit, which shall include a copy of the approved conditions of operation.

- 19) 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.
- 20) 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.
- 21) 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.
- 22) 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 employee's proof of completion on file, and be available for inspection at any time.



file papers.

| | |
|----------------------------------|----------------------------------|
| Accepted By: <u>[Signature]</u> | Date: <u>1-7-14</u> |
| Zoning Approval By: <u>PREOK</u> | Date: <u>RECEIVED PURCHASING</u> |

APPLICATION FOR ENTERTAINMENT PERMIT # 12: 17

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

Applicant's Name (Legal Ownership Structure): Rice & Bean, Inc.
 Business Name (DBA): 4th Street Vibe Business Phone: (602) 343-5463
 Business Site Address: 2142 E 4th St.

Date Business Proposes To Open: open November 4, 2008

Days & Time Premises Are Open For Inspection: Mon-Fri 5pm or anytime with prior notice

Proposed Use(s): (business opens at 5pm)

- 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.): Sophia Sandoval

Contact Person(s) Phone Number: [Redacted]

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

RECEIVED PURCHASING 2008 JAN 7 PM 12:17

| OFFICE USE ONLY | |
|--|--|
| <input type="checkbox"/> Building <input checked="" type="checkbox"/> Fire <input type="checkbox"/> Health (Check Inspecting Department) | Date Received: _____ |
| <input checked="" 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: <u>[Signature]</u> | Title: <u>Inspector</u> Date: <u>2/11/14</u> |



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: 12.30.13

Name of Business (DBA): 4th Street Vine

Name of Business Owner: Sophia Sandoval

Business Address: 2142 E. 4th St.
Long Beach, Ca 90814

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) [Redacted Signature]

Title President/CEO

Phone # [Redacted Phone Number]

FAX # none



file request.

Accepted By: [Signature] Date: 1-7-17
 Zoning Approval By: [Signature] Date: RECEIVED PURCHASING

APPLICATION FOR ENTERTAINMENT PERMIT H 12: 17

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

Applicant's Name (Legal Ownership Structure): Rice & Bean, Inc.

Business Name (DBA): 4th Street Vine Business Phone: (602) 743-5463

Business Site Address: 2142 E 4th St.

Date Business Proposes To Open: open November 4, 2008

Days & Time Premises Are Open For Inspection: Mon-Fri 5 pm or anytime with prior notice (business opens at 5pm)

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.): Sophia Sandoval

Contact Person(s) Phone Number: [Redacted]

Type of Organization:

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

RECEIVED PURCHASING 2008 JAN 7 PM 12: 17

OFFICE USE ONLY

Building Fire Health (Check Inspecting Department) Date Received: 1-9-14

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): 2-26-14 By: [Signature]

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: _____

BBUS162312



Date: May 19, 2014
To: Dennis Strachota, Manager of Business Relations Bureau
From: Jeff Winklepleck, Planning Administrator *JW*
Subject: REVIEW OF ENTERTAINMENT LICENSE REQUEST

Site Address: 2142 E. 4th Street
Long Beach, Ca 90802

Applicant: Rice & Bean, Inc.
DBA 4th Street Vine

Zoning District: CNP (Neighborhood Pedestrian District)

Proposed Use: Entertainment without Dancing

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

A review of the permit history for 2142 E. 4th Street indicates that a Modification to an Approved Conditional Use Permit (Case No. 1003-04) was approved by the Zoning Administrator to allow new hours of operation to an existing wine bar.

The applicant is seeking to obtain a permit for entertainment without dancing. An entertainment permit without dancing is allowed as an accessory use at a restaurant and or bar in the CNP zone. No extra parking is required.

Planning Bureau recommends that the entertainment permit without dancing for "4th Street Vine" be approved.

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

Tuesday, June 17, 2014

Robert Brolin, Resident
2135 E. 4th St. #202
Long Beach, CA. 90814

Dear Jason MacDonald,

I have lived in unit 202 at 2135 E. 4th St. for the past four years. My unit is on the 2nd floor in the apartment building directly across the street from 4th Street Vine. During the 4 years that I have lived here I have found 4th Street Vine to be respectful neighbors. With my apartment situated directly across from their front door I am not ever disturbed by their entertainment. As this area has evolved over the past several years 4th Street Vine has been a cornerstone of progress on the block and represents a passing of the baton of the days past when you had to worry about strong arm robberies and petty theft to a more vibrant and festive culture. I am in support of this small business and their development. I know that they are a part of a positive movement in the neighborhood. I hope that the City of Long Beach will allow this business to grow and thrive because it is not only better for the street, it is also better for the neighborhood as well as the City of Long Beach.

Thank you for your time and attention.

Regards,

Robert (Bobby) Brolin

H-1
CORRESPONDENCE - Ingrid Crane

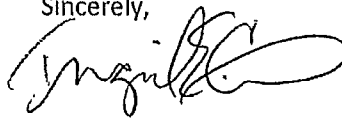
June 12, 2014

Ingrid Crane
2130 E. 4th St.
Long Beach, CA 90814

Dear Jason MacDonald and the City of Long Beach,

I am writing in response to the letter of notification that was sent out regarding the application for entertainment by 4th Street Vine. I live in the apartment building immediately to the west of 4th Street Vine. I've lived in this unit for over 5 years and I would like to formally say that this business has never been a disturbance to me or my family which consist of myself, my boyfriend and our school aged daughter. In fact, 4th Street Vine represents an improvement to the block that has increased the quality of life on 4th Street. The owners of 4th Street Vine are always around participating in neighborhood events from street clean-ups to local art projects and other community-focused projects that the street and this neighborhood have always been known for. I hope that the City will support this growing business and allow them to move forward with their entertainment license. It is something that will greatly compliment the other growing businesses on the street as well as the neighborhood overall.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ingrid Crane', with a large, stylized flourish extending to the right.

Ingrid Crane



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- Treatment Advocacy
- Preventative Case Management
- Rental Assistance
- Substance Abuse Support Services
- Cultural Programs
- Workshops

Non-Profit Tax ID:#95-3523149
 United Way Agency ID:#36419

Dr. Suja Lowenthal
 Councilmember, 2nd District
 333 West Ocean Blvd.
 Long Beach, CA 90802

June 17, 2014

Dear Councilmember Lowenthal,

The LGBTQ Center of Long Beach (The Center) strongly supports 4th Street Vine's (2142 E. 4th Street Long Beach, CA 90814) application for an entertainment permit as we believe this will lead to increased public safety along the 4th Street corridor.

4th Street Vine's presence on 4th Street, particularly in the evening hours when retail stores are closed, is integral to the increasing sense of safety our staff, volunteers, and clients report when entering and leaving our organization. The Center deeply respects, and maintains a strong professional relationship with, the owners, management, and staff of 4th Street Vine and we have never experienced any nuisance from customers entering or leaving their business. On the contrary, the increased foot traffic resulting from customers patronizing 4th Street Vine creates a safer 4th Street for residents, customers, and business owners.

The customers patronizing 4th Street Vine represent the "right kind of people" we want on 4th Street; people who support local businesses and our local economy, conduct themselves with respect, and create additional foot traffic in the evening hours. The customers of 4th Street Vine, in addition to contributing to increased foot traffic in the evening hours, act as a deterrent to those patronizing 4th Street with the intent to engage in criminal activity. As businesses keep later hours along 4th Street, The Center has noticed a decrease in graffiti and vandalism and our staff, volunteers, and clients feel safer entering and leaving our organization in the evening hours. Additionally, many of us patronize 4th Street Vine for business and pleasure and have never experienced any nuisance or disruption from other customers.

Again, we strongly support 4th Street Vine's application for an entertainment permit. We support them as a thriving local business on 4th Street and we rely on their customers to serve as eyes and ears on the street in the evening hours. Their entertainment permit will only serve to improve public safety and create a stronger more vibrant "Retro Row."

Sincerely,

Porter Gilberg
 Executive Director

2017 East Fourth Street
 Long Beach, California
 90814-1001

T 562-434-4455
 F 562-433-6428

www.centerlb.org

From: Daisuke Kinouchi [<mailto:dkinouchi1@gmail.com>]

Sent: Friday, June 13, 2014 2:46 PM

To: LBBIZ

Subject: Submitting my opinion: the issuance of a permit for Entertainment without Dancing by Patrons, to Rice & Bean, Inc., DBA 4th Street Vine

Dear Mr. Jason MacDonald,

As advised in the Public Notice by City of Long Beach that I received in mail, I am sending my comments concerning; The issuance of a permit for Entertainment without Dancing by Patrons to Rice & Bean INC DBA 4th Street Vine 2142 E 4th Street Long Beach, CA 90814

I am a resident at the address, 2130 E. 4th Street Apt.7, which is right next to and facing the business premises in question called 4th Street Vine, about 5 feet apart from my apartment building. I strongly oppose any permission granting the business to cause any more harm to our neighborhood. I do respect any other businesses in our neighborhood that respect well-beings of others so that the businesses and residents can co-exist. But 4th Street Vine does not show such respect. The problems that the business already causes that I have already reported to the Long Beach Police in the past are;

- Music is too loud when they have amplified or live music, and it goes on till 11:00 pm or later. My decibel meter read about 110 db in my bedroom at one point.
- The business allows its customers loiter in the back of its building which is less than 10 feet from my apartment building. There, people make loud voices (like drunken people do), and smoke cigarettes and the smoke comes in through my windows, which is very unpleasant and unhealthy. And the crowds stay there well past 11:00 pm.

If the business, 4th Street Vine, is to exercise its rights to conduct business as it requests, I do not believe it is currently equipped to do so responsibly, nor is located in a suitable location for types of business they are pursuing. The premises shows no sign of sound-proofing efforts. The rooftop window has been kept open at all time, and the front and the back doors are made of mere glass. The business also needs a better crowd control. It is simply too close to residential buildings to have live or amplified music.

If the business, 4th Street Vine, is to continue exercising its rights to conduct business and to pursue the permit for Entertainment without Dancing by Patrons, I find the below compromises are reasonable:

- The business to install sound-proofing materials all around its premises including but not limited to the sound-proof front/ back doors, and the roof-top window.
- Any music or any sound should not exceed 70 db right outside of the premises at all direction including the roof-top, at all time.
- No live and amplified music after 10:00 pm everyday.
- No smoking within 20 feet from the neighboring residential buildings at all time.
- No loitering in front and the back of the business building after 10:00 pm everyday. (They converted a part of their parking lot behind the building for its customers to hang out and smoke cigarettes).
- No rehearsal by performers outside the sound-proofed building.
- The business to install some type of roofing over the area in the back of the business building where its customers hand out, in order to lessen the noise from the rowdy customers not staying inside the building and to prevent cigarette smoke from coming into neighboring residential buildings.

In conclusion, I have lived at my current address for about 15 years because I liked the people and the whole neighborhood that respected others' lives, but ever since 4th Street Vine became in operation, the quality of life for me has greatly been degraded. I am no longer able to go to bed until the business ceases its disturbance well past 11:00 pm. Even worse, during the summer I can't even stay in my apartment until the business closes because I have to keep

windows closed so the cigarette smoke won't come in and that makes my apartment too hot to stay. Sometimes the noise from the business is simply too loud to bear in my apartment.

My mental and physical health have been affected by how 4th Street Vine has been conducting its business that causes me the stress and the lack of sleep, and any further disturbance from the business may likely force me to seek medical help.

I hope that you find my comments above reasonable and that you will have a sound decision on this matter. I am unfortunately unable to attend the public hearing on 6/17/2014 at 5:00 pm, but if you'd like more details, I'd be happy to speak with you over the phone or in person at another time. And I'd like to request that I receive the decision in writings when it is made.

And I'd also appreciate if you could reply to this email when you have a moment so I know that my comments have been received.

Best regards,

Daisuke Kinouchi
2130 E. 4th. Street Apt. 7
Long Beach, CA 90814
phone. (562)209-4651
dkinouchi1@gmail.com

From: Raquel Martinez [mailto:raquelmartinezpersonal@yahoo.com]
Sent: Tuesday, June 10, 2014 8:20 PM
To: LBBIZ
Subject: Public Notice; Hearing June 17, 2014; Rice and Bean, Inc

Almost every single event at this location already results in several calls to me (as the landlord at 2130 - 2136 E 4th St.) to complain about the noise level. One of my tenants installed a \$1,000 noise reduction window and this is NOT acceptable because I cannot and should not be expected to incur this type of expense across 11 units and multiple windows at each unit just to retain tenants. Already I've lost one tenant and I will lose more if this type of establishment is allowed to do business next door to family rented apartments.

The greatest violation to my tenants is NOT that "dancing" is or is not allowed, but rather, that with "entertainment" there is NOISE. I cannot condone this and I will NOT try to mitigate this myself anymore. If this continues and is expanded, I believe that the LBPD should expect MANY more calls to mitigate the problem. Until now, I have been acting as the intermediary but instead, I will have no choice but to encourage each and every one of my tenants to call the police to have them dispatched every single time my tenants feel disturbed.

Thanks,

Raquel Martinez

-----Original Message-----

From: jellijabar [mailto:jellijabar@gmail.com]

Sent: Monday, June 16, 2014 10:49 PM

To: LBBIZ

Subject: 4th street vine public hearing on june 17th 2014

> Dear City of Long Beach Public Hearing Committee,

>

>

>

> I am writing on behalf of the Public Hearing for 4th street Vine held on June 17th at 5pm regarding the issuance of a permit for entertainment without dancing by Patrons.

>

>

> We are tenants (a couple) living at 2130 east 4th street, Long Beach CA 90814 owned by Racquel Martinez.

>

>

> 4th street vine is a neighborhood bar hosting Live Bands and solo artists with Microphones in the space. They have both of their doors open to the general public.

The patrons drink in the bar and are both standing outside the front talking and smoking cigarettes and in the back drinking and smoking.

> I am unsure as to what the bar hours are however they have the outdoor patio open and available till at least 11:30pm or later.

> When the music is playing all doors are open. When the garbage is taken out at night and the bottles are being disposed of, someone throws a garbage can or two of bottles in the garbage can waking us up from the bottles crashing in the can late at night. I have lived in my building for over 9 years and have complained to the city regarding the loud noises from its patrons and its music. We are very unhappy that this business has been allowed to infiltrate what once was a nice, safe, quiet neighborhood. It would be smart if the business owners themselves would have visited each apartment and listen to the loud noise from their business that has gone on until midnite. There is no other business on 4th street that has been allowed to do this. Please help put a stop to the insensitivity of our living environments.

> Sincerely,

>

>

> We are Tenants (a couple) living together @ 2130 E 4th street Long Beach CA 90814

-----Original Message-----

From: Sophia [mailto:lovesophia@me.com]

Sent: Monday, June 16, 2014 10:37 PM

To: LBBIZ

Subject: Public Hearing Entertainment without Dancing to Rice and Bean Inc. 4th street Vine

Dear City of Long Beach Public Hearing Committee,

I am writing on behalf of the Public Hearing for 4th street Vine held on June 17th at 5pm regarding the issuance of a permit for entertainment without dancing by Patrons.

I am a tenant at 2130 east 4th street, long beach Ca 90814. (we are directly next door to this Bar).

When 4th street vine petitioned for a business license it stated to our neighborhood that this would become a shop that carried wine-spirits.

Within several months 4th street vine began building an outdoor patio that allowed customers to sit outside with their drinks and smoke cigarettes.

It was no longer a liquor shop, it became a neighborhood bar with Live Bands.

4th street vine serves liquor to its patrons that sit outside and talk and scream outside. There have been moments on the patio where there were over 75 people at one time (i counted).

When patrons drink they talk loudly and begin to smoke heavily outside. This is outside my window and I can hear all the conversations going on. Simultaneously, there is loud music playing throughout the evening. It was become so loud especially over the summertime that I needed to purchase an in window air conditioner so I can drown out the noise from the loud music and highly stimulated consumers drinking through the evening.

In the evenings they close the outdoor patio by 11:30 PM . I have two children that I take care of and the loud noise and music keeps my kids up.

There is no signs posted outside to be considerate of neighbors. (Be quiet signs etc.)

On top of this issue, on the other side of our apartment complex is number nine restaurant which also has an outdoor patio where alcohol is served. Sometimes they have larger parties so the combination of two restaurant-bars is overwhelming.

Ever since this outdoor bar-patio and music has become a nightly event I no longer have peace and quiet in my apartment. Our neighborhood used to be friendly, intimate, community family oriented and peaceful. It has now

turned into a commercial enterprise and the buildings renters and homeowners are in are older and are not soundproofed.

Please help stop this nonsense. No one minds any business making a good living. Doing it each night till 11:30 pm at night is ridiculous. The tenants of this building agree.

Sincerely,

Tenant of 2130 E 4th street Long Beach CA 90814

H-1 – Correspondence – D. Mallory

Subject: Rice & Bean, Inc., DBA 4th Street Vine

To whom it may concern,

I am writing in protest to the "Rice & Bean., DBA 4th Street Vine receiving their "Entertainment" without dancing permit. My reasons are as follows.

The business DBA 4th Street Vine does not follow noise level ordinance. The music from live bands, and other types of music is so very loud that I can hear it throughout my apartment across the street and 5 buildings down! The music goes on well past 10pm. and when I have called to request that they be considerate that this is a family neighborhood too, they do not respond with kindness. I have called the police due to the noise well past 10 pm, but do to the "nuisance call" and the Long Beach Police Department having more important crimes to attend to, they finally stop the noise at or around 11:30pm.

Since they have opened, there has been more sidewalk noise when they close due to the amount of alcohol consumed by that establishment, and my bedroom window faces the street, as well as my car has been vandalized, tires slashed the night I had to park in front of there establishment due to the lack of street parking for residents. I fear that if they are allowed a permit, that the noise, and violent acts will increase, without any concern by the establishment.

Thank you,

Darlana D. Mallory
2117 E 4th Street #1
Long BEach Ca. 90814
562-274-2995