



staff report

TO: Honorable Mayor and Members of the City Council

ATTENTION: Jeffrey L. Stewart, City Manager

FROM: Art Bashmakian, Director of Planning and Building Services
Jason P. Clarke, Senior Planner

SUBJECT: Consideration and possible action to conduct a public hearing to adopt Resolution No. 16-XX - A Resolution approving Dance and Entertainment Permit Case No. EP 16-01 to allow a disc jockey, dancing, live bands, comedy shows, and karaoke at an existing restaurant & bar on property located at 16728 Bellflower Boulevard within Area 1 of the Town Center (TC) District; Applicant: Ernest McIntyre (French Quarter Creole Bar & Grill).

DATE: May 23, 2016

EXECUTIVE SUMMARY

A Dance and Entertainment Permit is requested by Ernest McIntyre of French Quarter Creole Bar & Grill to allow a disc jockey, dancing, live bands, comedy shows, and karaoke within an existing restaurant and bar on property located at 16728 Bellflower Boulevard, located within Area 1 of the Town Center (TC) District. On August 10, 2015, the City Council revoked the previous permit (No. EP 08-02) issued to Spikes Bar & Grill (the previous operator). The requested Permit, with recommended conditions, must comply with Bellflower Municipal Code (BMC) Chapter 5.36 (Amusements, Dances and Entertainment Regulations).

RECOMMENDATION TO THE CITY COUNCIL

- 1) Open the public hearing; take testimonial and documentary evidence; and after considering the evidence, adopt Resolution No. 16-XX, approving Dance and Entertainment Permit Case No. EP 16-01, as conditioned; or
- 2) Alternatively, discuss and take other action related to this item.

FISCAL IMPACT

Annual fee is \$100 for a Dance and Entertainment Permit.

PUBLIC NOTICE

On May 11, 2016, a Public Hearing Notice was published in the *Herald American* newspaper; on May 12, 2016, notice of the hearing was provided to the Applicant and to all property owners within 300 feet of the subject site; on May 12, 2016, a Public Hearing Notice was posted at City Hall, Brakensiek Library, Bellflower Substation, Thompson Park, and Simms Park. A public hearing notice was posted on the street frontage of the subject property on May 14, 2016.

CEQA STATUS

Pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code §§ 21000, *et seq.*) and CEQA Guidelines (California Code of Regulations, Title 14, §§ 15000, *et seq.*), the City conducted an environmental assessment. Based on the environmental assessment, the project was determined to be categorically exempt from additional environmental review pursuant to CEQA Guidelines Section 15301, Class 1. Further, the adoption of this resolution is also exempt from review under CEQA pursuant to CEQA Guidelines § 15301, Class 1 because the resolution is for the establishment of a permit for live entertainment at an existing restaurant and bar. The permit establishes conditions that may affect the interior and exterior of the building only. The resolution will not adversely impact the environment and is therefore exempt from the provisions of CEQA.

PROJECT DATA

Applicant/Business Owner: Ernest McIntyre (French Quarter Creole Bar & Grill)
16905 Ardmore Avenue
Bellflower, CA 90706

Property Owner: 16728 Bellflower Blvd LLC
16728 Bellflower Boulevard
Bellflower, CA 90706

Assessor's Parcel Number: 7109-013-013

Property Size: 6,187 square feet

General Plan Designation: C (Commercial)

Zoning Designation: Town Center (TC) District

Surrounding Zones/Land Uses:

North: TC District – Commercial Business
South: TC District – Commercial Business and Chamber of Commerce Office
West: TC District – Commercial Businesses
East: Town Center (TC) District – Parking Lot

BACKGROUND

• **Past Approvals and Actions**

Planning Commission Resolution No. PC 01-72, adopted December 3, 2001, for CUP Case No. 01-31, allowed a restaurant named *National Sports Page* to utilize a Type 47 Alcohol License for on-sale alcohol use at this location; on-sale alcohol is permitted until 2:00 a.m. On the same date, the Planning Commission adopted Resolution No. PC 01-74 which issued a dance/entertainment permit for that address. *Attachment D* lists the required conditions for the CUP. However, the previously issued Dance and Entertainment permit is no longer active because it is not transferrable from operators to

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operators. Subsequent dance/entertainment permits were approved by the City Council on January 24, 2005 (Resolution No. 05-05) and November 10, 2008 (EP 08-02).

On June 22, 2015, the City Council conducted a Public Hearing to consider suspension, modification or revocation of EP 08-02 due to violation of the conditions of approval. *Attachment C* contains the Staff Report discussing this matter. This item was then continued to On August 10, 2015, the City Council adopted Resolution No. 15-49 which revoked a dance/entertainment permit held by Spikes Sports Bar and Grill. *Attachment C* contains the Staff Report discussing this matter.

- ***Proposed Dance and Entertainment Uses***

The City received the subject application for a dance/entertainment permit on August 31, 2015, along with a DRB application. As stated in the application, the new business (The French Quarter Creole Bar & Grill) seeks a permit for a disc jockey (DJ), dancing, live bands, comedy shows, and karaoke seven (7) days a week from 11 a.m. to 2 a.m. A proposed schedule from the applicant includes blues night with live music; taco nights with DJ or comedy show; Cajun nights & oldies tribute; karaoke & dinner to live zydeco (New Orleans type entertainment); and music & jazz bands each week. On October 15, 2015, the DRB recommended continuance of this item to provide the applicant time to address comments. On January 11, 2016, the DRB recommended approval of the request, subject to conditions of approval. After various reviews, the application was deemed complete on April 5, 2016.

- ***Existing Site Conditions***

The property is located on the east side of Bellflower Boulevard bounded by Flower Street to the south and Belmont Street to the north. It is developed with a 5,610-square foot, one-story building with a mezzanine. A patio area is located on the first floor, at the rear of the building. There are no onsite parking spaces. The existing Town Center parking lots and adjacent public parking is utilized by the establishment.

- ***Existing Business & Operations***

Proposed permittee is called “The French Quarter Creole Bar & Grill.” This business is owned, managed, and operated by Ernest McIntyre; Marcus Jenkins is also a General Manager. The French Quarters has 11 employees, including cooks, waitresses, bar tenders, etc. According to the Applicant’s business description, the current hours of operation is six (6) days a week as follows:

Mondays - Closed

Tuesday – Thursday from 4 p.m. to 9 p.m.

Friday – Saturday from 4 p.m. to 2 a.m.

Sunday from 11 a.m. to 8 p.m.

Since purchasing the establishment, the Applicant has tried to rebrand the location as a bona fide restaurant with a New Orleans theme, serving creole-style cuisine serving lunch and dinner. *Attachment E* includes the menu for the restaurant.

- ***Floor Plan Layout***

The subject building is accessible via the westerly front (along Bellflower Boulevard) and easterly rear doors (along the alley), the main door being the one along Bellflower Boulevard. Per the attached plans (*Attachment J*), the first floor of the subject building includes a bar area, a sound room with music equipment, an electrical room, a dance floor, a portable stage, restrooms, a kitchen area, storage area, and a patio area in the rear (east side). The mezzanine area is used for storage and mechanical equipment. The floor plan layout includes several TV's on the walls. The total maximum occupancy for the entire establishment with entertainment, as determined by the Building Official is one hundred thirty-five (135). The Applicant has also made the following improvements to the layout to comply with Building Codes or to address concerns with the layout:

- Added 8 new fire extinguishers inside the building;
- Removed unpermitted walls on the second floor mezzanine. A gate has been installed at the top of the stairs so no one goes up without approval. The space is permitted as storage only;
- Legalized the steps leading to the stage;
- Addressed loose wiring on the first floor;
- Removed the 2 pool tables from an area 20' by 26' and added tables, chairs and couches;
- Carpeted the area where the pools tables were located.

- ***Alcohol License Status***

Per California Department of Alcoholic Beverage Control (ABC), the establishment is currently operating with a type 47-alcohol license (on-sale general eating place) and utilizing the previous Alcohol license for Spikes Bar & Grill. Per ABC, the alcohol license for French Quarters is pending. According to Mr. Jenkins, the alcohol license for Spikes Bar & Grill will close when escrow closes on the property, which is contingent upon the approval of the Dance & Entertainment Permit. Per ABC, the primary owner of the pending alcohol license is "The French Quarter Bar & Grill LLC", doing business as "The French Quarter Bar & Grill". The Applicant is identified as the officer and member of the LLC.

DISCUSSION

- ***Dance and Entertainment Code Requirements***

BMC Chapter 5.36 regulates dance and entertainment permits (see *Attachment F*). If there is no basis for denial, the BMC requires the City Council to approve a permit (BMC § 5.36.090). Such permits may be appropriately conditioned.

ANALYSIS

- ***Proposed Dance and Entertainment Request***

The application includes a preference that the business choose the type, days, and hours of the entertainment for each day of the week. The Applicant is requesting entertainment 7-days/week, where entertainment on any one day could include one

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type of entertainment or all five types of entertainment (i.e. DJ, Dancing, Live Bands, Comedy) (*See attachment E*). The Public Safety Director would be provided with a planned weekly entertainment schedule at least one week before each event (**Condition No. 6 of Resolution No. 16-XX**). Note that the location of the entertainment areas is similar to what was approved in 2008, the comedy shows is a new component; all entertainment will be on the first floor only. Per the attached plans, the DJ area is in front of the sound room, dancing, karaoke is on the dance floor, and live bands, karaoke and comedy shows are located on the stage. The existing portable stage is 80-square feet. The dance floor is a 344-square foot, wood tiled area next to the stage. According to the applicant, the business will operate as a restaurant and not as a night club. To address the City's previous concerns related to entertainment operations, the application provides that 1) all DJ's will be booked by the business owner or business manager; and 2) outside promoters are not allowed to book events.

Entertainment Involving DJ: The DJ is proposed to play recorded music for patrons of the establishment from the designated area, as shown on the floor plan (*Attachment J*). The DJ will provide speakers, microphone, and laptop. The DJ's utilized are "resident" DJ's, personally trained by the applicant, and understand the concept of the business model.

Entertainment Involving Karaoke: Per the Applicant, patrons will be able to sing along to all genres of music. A hired karaoke jockey (KJ) will set up the equipment in the designated area and will host evening karaoke events. Equipment will include speakers, microphone, and monitor. All karaoke events will be booked by the Applicant/business owner or business manager.

Entertainment Involving Live Bands: Live bands will include one to several members and include zydeco bands, blues music, jazz bands, and oldies tribute.

Per the application submittal, there will either be no cover for events or a \$5 to \$20 cover charge for entertainment uses (**Condition No. 15 of Resolution No. 16-XX**). The Applicant is proposing to market entertainment to ages 30 years and up.

- ***Proposed Hours of Dance and Entertainment Permit by the Applicant***

Pursuant to BMC § 5.36.130, no entertainment shall be conducted between the hours of 2:00 a.m. and 6:00 a.m. of any day. The Applicant is proposing entertainment daily from 11:00 a.m. to 2:00 a.m. to be consistent with the operating hours of the existing CUP. The Applicant informed the City that it proposes entertainment activities earlier than the former business because entertainment could take place at lunch time or brunch on Sundays. On May 17, 2016, Staff spoke with the Applicant and he indicated that he would like to meet in the middle with Staff and is okay with ending the entertainment at 1:00 a.m. Should the Entertainment Permit get approved with either entertainment permitted with option 1: 11:00 a.m. to 1:00 a.m. or option 2: 11:00 a.m. to 2:00 a.m., then the Applicant plans on changing the restaurant business operation hours to match with the entertainment hours.

As a trial basis only, it is recommended that the entertainment hours be restricted from 11:00 a.m. to 12:00 a.m. for one year. The reason for restricting the hours is for the following: 1) the site has a history operating as a night club (former Spikes Bar & Grill); and 2) the Applicant has stated that it plans on operating the establishment similar to a restaurant called "Spaghetini" in Seal Beach. According to Spaghetini's website and staff, its operating hours are as follows:

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Monday and Tuesday: 11 a.m. to 2 p.m., 5:30 p.m. to 9 p.m.
Wednesday to Fridays: 11 a.m. to 2 p.m., 5:30 p.m. to 10 p.m.
Saturdays: 5:30 p.m. to 10 p.m.
Sundays: 5:30 p.m. to 9 p.m.

In addition, Spaghettini's entertainment typically runs until 10:30 p.m. only. A condition of approval is included restricting the entertainment hours for French Quarters Creole Bar & Grill from 11 a.m. to 12:00 a.m. daily (**Condition No. 3 of Resolution No. 16-XX**).

The City Council could elect to support Staff's recommendation to restrict entertainment hours from 11:00 a.m. to 12:00 a.m. for one year with the option to increase the time after the year is up as long as the applicant has not violated any of the conditions of approval of the D & E permit. However, City Council could grant one of the Applicant's requests and restrict entertainment hours to either 11:00 a.m. to 1:00 a.m. or 11:00 a.m. to 2:00 a.m. on a permanent bases. To extend the time after the trial period, the applicant would need to submit a request to extend the time.

- **Other Recommended Conditions of Approval**

The DRB recommended approval of the D & E permit request with the understanding the Applicant would comply with all the conditions outlined in the attached resolution (*Attachment A*). In an effort to ensure compliance with the City's requirements, the Applicant has made several changes to the attached floor plan to make the space compliant with City regulations and address outstanding issues from the previous business.

- **Security Personnel and Security Plan**

The Applicant contracted with a private security company for security guards who are trained, licensed, and bonded. A copy of the most recent Security Plan is included as *Attachment E*. Several conditions are included to address security at the site and the security plan (**Condition Nos. 7, 25-28 of Resolution No. 16-XX**). The following are the proposed hours of operation with security: Sunday through Thursday, two (2) unarmed security guards will be available for 20-60 people, and on Fridays and Saturdays, seven (7) unarmed security guards will be available for 100 people.

In addition to increased security guards on Fridays and Saturdays, there are also several surveillance cameras installed inside the establishment. The DRB recommended a minimum of eight (8) security personnel to be provided for all entertainment events (2 in the front, 2 in the rear, and 4 inside). Per the attached description, the Applicant is requesting one (1) to seven (7) security guards depending on the day; however, the attached layout plan shows 8 security guards. To ensure that patrons are cleared out of the subject property, the parking lot area, adjacent properties, and adjacent right-of-ways, a condition is recommended requiring that security personnel be provided at all times when live entertainment is proposed, one hour prior and one hour after the entertainment hours. Additional security guards may be required per the Public Safety Director, or designee (**Condition Nos. 27 of Resolution No. 16-XX**).

- **Public Safety Comments**

Calls for service - According to the Public Safety Department, three calls for service were received since the Applicant opened the business on August 31, 2015. The calls include:

- 8/31/15: Complaint regarding a physical assault in front of the establishment formerly known as Spikes Bar & Grill. The incident occurred on a day the business was closed (a Monday).
- 9/1/15: Complaint regarding construction noise. Construction work was located at Flower Street and Bellflower Boulevard.

- **2015 City Council Meeting**

Following are the Applicant's responses to issues that were raised during previous City Council Meetings:

Neighborhood Concerns - In the past, surrounding neighbors complained to the City Council about noise and patrons being a nuisance from the former Spikes Bar & Grill when leaving the location when events were over. The Applicant and business manager are aware of this issue since one was a business trainee and the other an employee of Spikes Bar & Grill. The business manager and the Applicant understand the complaints and are prepared to address the noise issues by being present in the establishment at all times. They intend to coordinate and cooperate with the Public Safety Department and Los Angeles County Sheriff's Department to address the concerns immediately. In addition, the hired security guards will assist with addressing complaints.

Since the Applicant started operation, the Applicant and/or business manager frequently visited the surrounding businesses in order to have constant communication in case there are any concerns. No confirmed complaints have been received thus far. In addition, from 6/15 to 3/16, 12 Temporary Use Permit events have been issued to the new operators that included DJ and Dancing, ending at 2:00 a.m. No complaints have been received from the residents. As recommended by Staff, restricting the entertainment hours to end by 12:00 a.m. would further alleviate noise concerns. The Applicant agreed to stay in constant communication with the Director of Public Safety to discuss neighborhood concerns and weekly entertainment events.

Previous Floor Plan Change – The dance floor and stage areas in the building were corrected and now comply with what was previously approved. The portable stage area measures 80 square feet (10 feet in length by 8 feet in width) and the dance floor area measures 344 square feet (approximately 20 feet in length by 17 feet in width). The two pool tables were removed from the floor, the area carpeted, and additional eating area and couches have been added to address the concern about the dance floor area being expanded.

Previous Night Club Concerns – Another issue with the former establishment was the operation of the business as a night club. At the DRB meeting, the Applicant considered limiting the age limit to 21 and over, after 9 p.m. The DRB recommended that there be no age limit for the entertainment component as restricting it to 21 and over (after 9

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p.m.) will make the business look and operate more like a night club. The Applicant is open for suggestions to address this concern. After further review of the CUP conditions of approval staff discovered the age restriction is already in place, Condition No. 6 of Resolution No. PC 01-72 indicates that *no customer under 21 should be allowed in the establishment after 9:00 a.m. any day of the week.*

Another issue that was previously discussed was having different promoters hosting events at the venue. The Applicant will address this by booking their own events and hiring a marketing company to assist with marketing. Furthermore, to ensure the establishment is in compliance with ABC and is operating as a bona fide restaurant, not a night club, a condition of approval is recommended requiring food to be served all day. A condition of approval is recommended requiring the full menu be provided during all business hours (**Condition No. 15 of Resolution No. 16-XX**).

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CITY OF BELLFLOWER

RESOLUTION NO. 16-XX

A RESOLUTION APPROVING DANCE AND ENTERTAINMENT PERMIT CASE NO. EP 16-01 TO ALLOW A DISC JOCKEY, DANCING, LIVE BANDS, COMEDY SHOWS, AND KARAOKE AT AN EXISTING RESTAURANT & BAR ON PROPERTY LOCATED AT 16728 BELLFLOWER BOULEVARD WITHIN AREA 1 OF THE TOWN CENTER (TC) DISTRICT; APPLICANT: ERNEST MCINTYRE (FRENCH QUARTER CREOLE BAR AND GRILL)

THE CITY COUNCIL RESOLVES AS FOLLOWS:

SECTION 1. The City Council finds and declares as follows:

- A. On August 31, 2015, Ernest McIntyre (the "Applicant"), filed an application seeking a Dance and Entertainment Permit to allow a disc jockey, dancing, live bands, comedy shows, and karaoke at an existing restaurant and bar named French Quarter Creole Bar & Grill;
- B. On January 16, 2016, the Development Review Board (DRB) conducted an advisory review of the pre-application regarding a Dance and Entertainment Permit and recommended approval of DRB Case No. DRB 8-15-6340 with conditions.
- C. Applicant's application was reviewed by the City for, in part, consistency with the General Plan and conformity with the Bellflower Municipal Code ("BMC");
- D. In addition, the City reviewed the project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, et seq., the "CEQA Guidelines");
- E. The City completed its review and scheduled a public hearing regarding the application before the City Council on May 23, 2016;
- F. On May 23, 2016, the City Council opened the public hearing to receive public testimony and other evidence regarding the application including, without limitation, information provided to the Council by Applicant; and
- G. The City Council considered the information provided by City staff, public testimony, and Applicant. This Resolution, and its findings, are made based upon the evidence presented to the City Council at its May 23, 2016, hearing including, without limitation, the staff report.

SECTION 2. The City Council finds as follows:

- A. As conditioned, the conduct of the establishment or the granting of the application would not be contrary to the public health, safety, morals, or welfare because the subject site is an existing restaurant and bar within Area 1 of the Town Center (TC) District that is consistent and compatible with the existing surrounding commercial uses.
- B. The establishment has not been or is not being operated in an illegal, unlawful, or disorderly manner. The Applicant indicated on his application he has never been convicted before the date of the application in any court of competent jurisdiction of any offense involving the presentation, exhibition, or performance of any lewd, indecent, or obscene show of any kind, any felony, or any crime involving moral turpitude or any offense involving the possession of lewd or obscene matter which would require the Permit not to be issued.
- C. Granting the permit, as conditioned, will not create a public nuisance because the entertainment will only take place within the subject premises.
- D. The normal operation of the premises will not interfere with the peace and quiet of any surrounding residential neighborhood because the subject property is within a commercial building adjacent to a secondary arterial and an alley, and conditions of approval have been incorporated to mitigate noise.
- E. There is adequate parking available for the premises for which the Permit is applied for as the site is located in Area 1 of the Town Center (TC) District where public parking is provided in the area and near the establishment.
- F. Increased policing is not required by the entertainment for which the Permit is requested pursuant to an investigation by the Los Angeles County Sheriff's Department and a private security company will be provided for the establishment.
- G. The quiet and peaceful enjoyment of the neighborhood will not be substantially interfered with by the creation of noise or traffic hazards. The proposed use of the premises is in compliance with the provisions of the BMC. The proposed premises are in compliance with the provisions of all applicable law.

SECTION 3. Environmental Assessment. Because of the facts identified in Section 2 of this Resolution, the proposed project is exempt from additional environmental review because it is categorically exempt under the CEQA Guidelines Section 15301.

SECTION 4. *Notice of Determination.* The City Manager, or designee, is directed to file a Notice of Exemption in accordance with CEQA §§ 21152, 21167(f); CEQA Guidelines § 15094; and any other applicable law.

SECTION 5. *Approval.* Subject to the conditions listed on the attached Exhibit "A," which are incorporated into this Resolution by reference, the City Council approves the Dance and Entertainment Permit.

SECTION 6. This Resolution does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Resolution's effective date. Any such amended part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Resolution.

SECTION 7. If any part of this Resolution or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Resolution are severable.

SECTION 8. To the extent that any other resolution pertaining to Dance and Entertainment Permit Case No. EP 16-01 is incorporated into this Resolution, it is superseded in its entirety.

SECTION 9. This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 10. The City Clerk is directed to mail a copy of this Resolution to the Applicant and to any other person requesting a copy.

SECTION 11. The Mayor, or presiding officer, is hereby authorized to affix his signature to this Resolution signifying its adoption by the City Council of the City of Bellflower, and the City Clerk, or her duly appointed deputy, is directed to attest thereto.

SECTION 12. This Resolution is the City Council's final decision and will become effective immediately upon adoption. Any challenge brought to this resolution must be filed within 90 days pursuant to Code of Civil Procedure § 1094.6.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BELLFLOWER THIS _____ OF _____ 2016.

Dan Koops, Mayor

ATTEST:

Mayra Ochiqui, City Clerk

APPROVED AS TO FORM:

Karl H. Berger, City Attorney

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Exhibit A

CONDITIONS OF APPROVAL

EP 16-01

In addition to all applicable provisions of the Bellflower Municipal Code ("BMC"), Ernest McIntyre ("Applicant") agrees to comply with the following provisions as conditions for the City of Bellflower's approval of Permit No. EP 16-01 ("Conditions").

1. The Applicant must obtain and maintain all licenses required by the Alcohol Beverage Control Act (Business & Professions Code §§ 23300, *et seq.*). The Applicant must obtain and maintain a Type 47 license as provided in a separately approved conditional use permit issued in accordance with the BMC.
2. The maximum occupancy of building is limited to 150 persons for the restaurant only. With entertainment activities, the maximum occupancy load is 135 persons for the entire facility. The building may be utilized for dining with live entertainment and dancing with amplified sound in accordance with these Conditions.
3. Hours for entertainment are restricted from 11:00 a.m. to 12:00 a.m., seven days a week for one year, starting from the date of approval. The Applicant may apply for a modification of these operational hours after the first year of operations.
4. The business hours of operation for the restaurant and bar must comply with Resolution No. PC 01-72.
5. The business must comply with all conditions listed on DRB Case No. 8-15-6340, unless otherwise modified herein.
6. Only the applicant can book and coordinate all events and entertainment for the business. Entertainment cannot be booked by, or subleased to, "outside promoters." "Outside Promoters" do not include an advertising agency that designs or places advertising for the business. The Applicant must ensure the Public Safety Director, or designee, is provided with a weekly entertainment plan, one week before the start of each event.
7. The Applicant may seek a Temporary Use Permit in accordance with the BMC for four events in a calendar year outside the scope of the restrictions in these Conditions (e.g., New Year's Eve Party). Under such circumstances, the Applicant must (in addition to any other requirement in the BMC) submit an event plan including, without limitation, security, time, and types of entertainment, to the Public Safety Director for written approval. The plan must be submitted at least 15 days before the planned temporary event. A security plan must be approved by the Public Safety Director as recommended by the Los Angeles County Sheriff's Department (see below for minimum requirements). The security plan may be altered by the Sheriffs License Unit as needed without approval by the License and Permit Hearing Board. Events involving "go-go dancers" (professional or amateur), wet t-shirt contests, or any other similar activities are prohibited.

8. The project must substantially conform to submitted plans date-stamped April 5, 2016, except as modified by these Conditions. Live entertainment is restricted to the designated entertainment areas on the interior of the restaurant per those plans. Future modifications that are not in substantial conformance, as determined by the Planning Director or designee (the "Director"), require modification of this approval subject to the provisions of the BMC. Among other things, the Applicant must provide a lower counter at the bar for handicap and show at least four handicap symbols. Additionally, the rear patio side door must be clear to open not less than six feet.
9. The "LIGHTING AND SOUND BOOTH" room cannot be occupied by a DJ or by any performers and may only be used to store and operate the lighting and sound equipment.
10. The second floor mezzanine and interior stairs leading to the storage area and mechanical space on the second floor mezzanine of the subject building cannot be open for public use.
11. A security gate must be maintained at the top of the mezzanine stairway to prohibit public access. The mezzanine is only permitted for open storage space (no walls or rooms allowed).
12. A minimum of eight 5-lb. type ABC fire extinguishers must be provided, maintained and located in the following areas at all times:
 - (a) 2 by front main entrance;
 - (b) 2 by main rear entrance;
 - (c) 2 behind bar area;
 - (d) 1 mounted by stage platform; and
 - (e) 1 located at bottom of mezzanine stair.
13. The Applicant must obtain the Director's approval, in accordance with the BMC, for all permanent and temporary signage plans. This includes, but not limited to any exterior window signage, wall signs, A-Frame signs, and banners.
14. The use of blinking lights, flashing lights, strobe lights, cannon lights, or any signs that advertise alcohol sales (e.g., promotional signage for brands of alcoholic beverages) which are visible from the exterior of the building is prohibited.
15. The Director must provide written approval of any changes or alterations in the proposed entertainment format content set forth in the Applicant's Entertainment Plan and Business Plan date-stamped April 5, 2016. In sum, the business may utilize live entertainment consisting of disc jockey ("DJ"), dancing, live bands, comedy shows, and karaoke. A full food menu must be provided during all business and entertainment hours. This menu must include regular dinner/lunch and late night menu lists. The menu must include the days and times of service. Unless otherwise provided, entertainment cover charges cannot be more than \$20.

16. The Applicant must sign and have notarized an affidavit of acknowledging acceptance of the conditions of approval and return it to the Director within 30 days of the effective date of this approval.
17. A copy of the Conditions of Approval for Permit No. EP 16-01 must be kept on the premises of the establishment and presented to any authorized City official upon request.
18. The exterior lighting of the parking area must be kept at an intensity of between one and two foot-candles so as to provide adequate lighting for patrons while not disturbing surrounding residential or commercial areas. Passageways and recesses related to and within all sides of the building must be illuminated with a maintained minimum of .25-.50 foot candles during hours of darkness. Lighting devices must be enclosed and protected by weather and vandal resistant covers.
19. Street and unit addressing must be a minimum of four to six inches high, of contrasting color to the background and illuminated during hours of darkness.
20. Applicant must comply with all applicable laws pertaining to entertainment; building and safety; and fire safety not otherwise addressed in this Permit.
21. This permit may be suspended or revoked if any person owning or managing the business is convicted, or found to have been convicted within seven years before this permit was approved, of any criminal offense involving the presentation, exhibition or performance of any lewd, indecent, or obscene show of any kind, or of a felony or of any crime involving moral turpitude, or of any offense involving the possession of lewd or obscene matter, when such conviction or convictions are of the kind or nature reasonably related to the operation of the proposed entertainment under the proposed permit and such conviction or convictions reasonably show a clear and present danger that the proposed use of the permit by the applicant will result in violations of the law.
22. Entertainment cannot be audible from the exterior of the premises. All doors must be kept closed during the hours when live entertainment is offered, except for ingress and egress. The rear door(s) must be kept closed at all times during the operation of the premises except in cases of emergency and to permit deliveries. Said door(s) cannot consist solely of a screen or ventilated security door.
23. The establishment must be maintained neat and clean at all times. The Applicant is responsible for maintaining the business and immediately adjacent properties free of litter and graffiti. The Applicant must remove any debris or graffiti within twenty -four hours upon notification by the City.

24. All violations of applicable law including, without limitation, these Permit conditions, must be reported to the Los Angeles County Sheriff's Department, Lakewood Station. Neither the Applicant, nor any of Applicant's employees or representatives, may perform "self-help" or other law enforcement activities.
25. The Applicant, its employees and representatives including, without limitation, private security retained by the Applicant, must fully cooperate with lawful directions of public officials including law enforcement. Applicant must grant free access to the business to public officials exercising their lawful duties.
26. Security personnel approved as part of the Applicant's security plan are responsible for monitoring safety and security of the interior and exterior of the building as well as the parking lot and surrounding area.
27. A minimum of eight security personnel are required for all entertainment events (2 in the front, 2 in the rear, and 4 inside). Security personnel must be provided at all times when live entertainment is proposed, one hour prior and one hour after the entertainment hours to ensure that patrons are cleared out of the subject property, parking lot area, adjacent properties, and adjacent right-of-ways. Additional security guards may be required at the direction of the Public Safety Director, or designee.
28. The Applicant must provide the Public Safety Director, or designee, and Los Angeles County Sheriff's Department a copy of its contract with a licensed private security company.
29. The waiting line for patrons must be located at the front door along Bellflower Boulevard and not off the alley. The rear entrance can only be used for loading and emergency purposes.
30. The business must have security video cameras operating during all hours that the business is open. All cameras must record onto a media device, such as a videotape, digital storage CPU, DVR or similar recording device. The recordings of the security video cameras must be maintained for a minimum period of 30 days, and the recordings must be made immediately available for any law enforcement officer who is making the request as a result of official law enforcement business. The video cameras must be located to cover the main areas that are accessible to the public, all areas of the cash register/cashier and all areas where cash is stored. If the Public Safety Director, or designee, determines that there is a necessity to have additional security cameras installed, the manager/owner of the business must comply with the request within 7 days. The Public Safety Director, or designee, can also require the position of the video cameras to be changed if it is determined that the position of the camera does not meet security needs. The manager/owner of the business must comply with the request within 7 days. The picture quality of the video cameras and recording devices installed on the complex must meet the approval of the Public Safety Director, or designee.

31. The security and video-taping plans are subject to review and revision by the Los Angeles County Sheriff's Department at any time. Video recordings must be stored for a minimum of a 10-day period.
32. The Applicant or occupant of the premises must maintain with the City a current register of the names and addresses of any and all persons having management and /or control of the business as approved by the Public Safety Director, or designee, and Los Angeles County Sheriff's Department.
33. The entire premises are subject to inspection by the Los Angeles County Sheriff's Department at any time. Any locked or otherwise secured rooms must be opened upon demand by authorized public officials including, without limitation, uniformed Sheriff's Deputies.
34. During business hours, all persons employed by the Applicant must possess a valid government identification such as a California driver's license. Employees must present such identification upon demand of any regulatory official.
35. A manager must be present on the premises during business hours. That person must be familiar with all applicable law regulating the business including, without limitation, this Permit. Such person must meet the following minimum qualifications:
 - (a) Be at least twenty-one (21) years of age;
 - (b) Be able to communicate effectively; and
 - (c) Have the ability to immediately contact the owner.
36. If complaints are received regarding excessive noise, lighting, building access, or other disturbances associated with alcohol service at the restaurant, the City may, in its discretion, take action to review the Conditional Use Permit, including without limitation, adding conditions or revoking the permit.
37. Three or more violations of applicable law including, without limitation, these conditions within a one-year period (as calculated starting on the Entertainment Permit approval date and every anniversary date thereafter) may result in the City commencing revocation of this Permit.
38. The business must be equipped with an alarm system that covers break-ins and robberies. The alarm must be monitored by an alarm monitoring company who will notify the Los Angeles County Sheriff's Department of any break-ins or robberies. Employees must have access to a hidden button that will trigger a silent alarm, notifying the alarm monitoring company that a robbery is taking place.
39. The Director will monitor this Permit and report to the City Council every 6 months as to the Applicant's performance. The City Council may, upon minute order, extend this reporting period at its sole discretion.

40. The applicant agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of this permit. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of this Permit, the applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of Bellflower's elected officials, appointed officials, officers, and employees.

By signing this document, Applicant certifies that it has read, understood, and agrees to the Project Conditions listed in this document.

Ernest McIntyre
Applicant

The City of Bellflower

Families. Businesses. Futures.

16600 Civic Center Drive, Bellflower, CA 90706

Tel 562.804.1424 Fax 562.925.8660 www.bellflower.org



February 11, 2016 (Revised)

Ernest McIntyre
16905 Ardmore Avenue
Bellflower, CA 90706

**RE: DRB Case No.8-15-6340 (Request for a Dance & Entertainment Permit)
"French Quarter Bar & Grill" at 16728 Bellflower Boulevard
APN: 7109-013-013**

Dear Mr. McIntyre:

On January 19, 2016, the Development Review Board (DRB) conducted an advisory review of the pre-application regarding a Dance and Entertainment Permit within Area 1 of the Town Center (TC) District zone at the establishment called "French Quarter Bar & Grill" located at 16728 Bellflower Boulevard. This meeting was continued from the October 15, 2015 DRB meeting. At the conclusion of the meeting, the DRB recommended approval of the proposed project to the City Council. The DRB's recommendation is advisory only as the final approval for this proposal is made by the City Council. The attached comments and conditions are included for you to complete your application for the City Council review process. You will need to revise your plans prior to submitting 13 copies for the City Council meeting. All documents will need to be revised and submitted for review. I recommend that you revise 1 set of plans and documents and submit for my review prior to making 13 copies. Furthermore, the project is subject to additional conditions from City Council.

This letter includes the following correction:

Recommended Entertainment Days and Hours for the first year:

A. Monday to Sunday from 11 a.m. to 12:0030 a.m.

If you have any questions regarding this matter, do not hesitate to contact me by phone at 562-804-1424, ext. 2248 or via email at jclarke@bellflower.org:

Sincerely,

A handwritten signature in black ink that reads "Jason P. Clarke".

Jason P. Clarke,
Interim Planning Manager

cc Property Owner - 16728 Bellflower Blvd., LLC, 16728 Bellflower Blvd, Bellflower, CA 90706

DRB Case File

Enclosures

RECOMMENDED CONDITIONS OF APPROVAL FOR
PRE-APPLICATION FOR DRB CASE NO. 8-15-6340
MEETING DATE: January 19, 2016
16728 BELLFLOWER BOULEVARD

The following comments for the proposed project are based on the project plans date-stamped January 4, 2016. The following comments should be considered when preparing your project plans for resubmittal.

PLANNING DIVISION

Plan Corrections – Revise the plans to address the comments below.

Site Plan (Sheet A-1.0)

2. **Dance and Entertainment Permit Request:** Include your Dance and Entertainment Permit request on sheet A-1.0. For example, "Request: Dance and Entertainment Permit request for DJ, Dancing, Live Bands and Karaoke."
3. **Property Dimensions:** Include the property dimensions for each parcel the property is comprised of. The depth is 121 feet. The width is 10 feet, 25 feet and 16 feet. See attached parcel map.
4. **Project Data:** Include the following project data on sheet A-1.0: Zoning: Town Center (TC) District, Area 1; and Lot Size; 6,171 square feet.

As Built Floor Plan (Sheet A-2.1)

5. **Former Pool Tables:** Include the former pool tables along the new dining area to show as removed.
6. **Entertainment Area:** Outline the entertainment area. Specify which activities will take place in each area. For example dancing will be on the dance floor, the stage will include live bands/music, etc. Indicate where the DJ and Karaoke will be set up.

Existing Floor Plan (Sheet A-2.3B)

7. **Existing and Proposed Floor:** I recommend that you relabel this sheet as the "Existing and Proposed Floor Plan" because there are several existing conditions and some new conditions. For example, the plans include a new dining area.
8. **Entertainment Area:** Outline the entertainment area. Specify which activities will take place in each area. For example dancing will be on the dance floor, the stage will include live bands/music, etc. Indicate where the DJ and Karaoke will be set up.
9. **Fire Extinguishers:** Show the location of all fire extinguishers.

A. 2 by front main entrance;

- B. 2 by main rear entrance;
- C. 2 behind bar area;
- D. 1 mounted by stage platform; and
- E. 1 located at bottom of illegal Mezzanine stair

10. **Occupancy Analysis:** According to the Building Division, the maximum occupancy for the subject location is 165 for the restaurant and 135 for the restaurant with entertainment. Please specify this on the plans.

11. **Project Notes:** The project notes include comments about removing a demising wall and other items on the second floor/mezzanine. This work has already been completed, therefore remove those notes from the plans.

12. **Legal Notes:** Under Legal Notes correct the following:

A. **Building Code:** The plans include 2014, Los Angeles County codes. Make sure the correct building codes are indicated on the plans. Please consult with the City of Bellflower's Building Division for the correct/current code to use.

B. **Assessor's Parcel Number:** The APN has too many numbers, please correct. Incorrect: 71090-013-013; correct: 7109-013-013.

C. **Zoning:** The zoning is incorrect as CG Town Center District. The correct zone is Town Center (TC) District.

D. **Legal Description:** The legal description is incorrect. Provide the correct legal description.

E. **Tract:** The tract information is missing.

13. **Existing Patio Area:** Label all the existing patio furniture. For example, call out the seating, tables, etc.

14. **Existing Stairs:** The sheet has several notes indicating the stairs are new. The stairs have already been inspected and the permit was finalized for the stairs. You can keep or remove the stair details. However, if you keep it on this sheet, you must indicate the stairs are existing.

15. **New Dining Area:** Dimension the distance between the tables and chairs.

Existing Floor Plan (Sheet A-2.2)

16. **Existing Mezzanine:** Remove the plan labeled "Existing Mezzanine because this conditions has been removed.

17. **Proposed Mezzanine:** Label the proposed mezzanine as "Existing Mezzanine". Show the water heater on the existing mezzanine. Label all new construction notes as existing.

18. **Scope of Work:** Remove the scope of work notes because this has already been completed.
19. **New Security Wall w/Door and Wall:** Label all new construction notes as existing.
20. **Attachment Detail – D1:** The word “Attachment” is spelled incorrectly. Label all new construction notes as existing.
21. **Legal Notes:** Under Legal Notes correct the following:
 - A. **Building Code:** The plans include 2014, Los Angeles County codes. Make sure the correct building codes are indicated on the plans. Please consult with the City of Bellflower’s Building Division for the correct/current code to use.
 - B. **Assessor’s Parcel Number:** The APN has too many numbers, please correct. Incorrect: 71090-013-013; correct: 7109-013-013.
 - C. **Zoning:** The zoning is incorrect as CG Town Center District. The correct zone is Town Center (TC) District.
 - D. **Legal Description:** The legal description is incorrect. Provide the correct legal description.
 - E. **Tract:** The tract information is missing.

Other

22. **Night Club Concerns:** You mentioned at the DRB that you are considering limiting the age limit to 21 and over after 9 p.m. As mentioned at the DRB, limiting the age requirements for the entertainment component could be viewed as a night club.
23. **New Carpet:** At the DRB meeting on 10/15/15, staff recommended that you change the floor material where the pool table area was to differentiate it from the maximum allowable dance floor area. The material has since been changed to carpet.
24. **New Dining Area:** The plans include a new dining area because the pool tables have been removed. Normally a change on the plans requires a CUP modification; however, since there is no increase in building square footage, this change can be processed as substantial conformance to the existing CUP (Case No. CU 01 -31). This will need to go before the Planning Commission to update the files.
25. **Stage Steps:** Paint the steps to match with the stage.

26. Requested Entertainment Days Hours:

A. Monday to Sunday from 11 a.m. to 2 a.m.

27. Recommended Entertainment Days and Hours for the first year:

A. Monday to Sunday from 11 a.m. to 12:00~~30~~ a.m.

As indicated at the DRB, staff will present the above information to City Council.

28. Correct Business Name: Please clarify the business name on all documents submitted to the City. Several documents state the business name is "French Quarter Creole Bar & Grill vs French Quarter Bar & Grill".

29. Fingerprinting Process: The fingerprinting process is complete. The licensing unit has recommended approval of your Entertainment permit request.

30. Entertainment Application: Please submit a revised entertainment application with the applicant's current address. *See attached application.*

31. All Parking Locations: According to the applicant, adjacent public parking lots and street parking are used for the establishment.

32. Chase Parking Lot: At the meeting on 10/15/15, your group indicated that you will use the Chase Bank parking lot (located at 16804 Bellflower Blvd.) to accommodate the patrons for your entertainment activities. Please provide a written agreement from Chase Bank indicating they will allow you to use their parking lot. Include detailed information (i.e. dates, times, number of spaces, etc.) on the written agreement. On 1/19/16, your group indicated that you will not be requesting to use Chase's parking lot.

33. Submitted Business Description: Revise the business description to address the following:

A. **Business Address:** Place the business address on all pages of the business description. (see attached)

B. **Hours of Operation:** This sheet indicates Entertainment Ideas. It does not include "dancing". Please clarify "Cajun 7 Oldies" (see attached)

C. **Security:** This sheet indicates the bulk of the hours for entertainment will be from 7 p.m. to 2 a.m. Based on the DRB meeting, the hours of entertainment will be from 11 a.m. to 2 p.m. Also, there are several blacked out information on this sheet. Please revise this sheet to include the correct entertainment hours and blacked out information. (see attached)

D. **The Menu (first):** The menu is different from the other submitted menu. Make sure all submitted documents are consistent. For example, the following items are on one menu and not the other "Creole Egg Rolls,

Short Ribs and Bourbon BBQ Shrimp". Include the business hours on the menu. (see attached)

- E. **Other Menu (Second):** The most recently submitted menu has several spelling errors. Add the business address to the menu. Also include non-alcoholic and kids drink on menu. Include business hours and days. (See *attached menu*)

34. **Entertainment Request:** Please clarify your entertainment request. The documents submitted for the DRB meeting indicate the following entertainment request: DJ, Comedy, Live Bands and Karaoke. Dancing is not indicated in the request. Please revise request to include all entertainment.
35. **Security Plan:** The most recent security plan submitted for the DRB meeting, has several errors and missing information. Also provide a security floor plan layout. *See attached*
36. **Security Agreement:** The most recent security agreement submitted via email on February 1, 2016, has several errors and missing information. For example, the security company's address and contact number are missing. See attached document for the complete list of corrections.

General Conditions (Entertainment Permit Process)

37. Approval of an Entertainment Permit (Fees: \$200.00 application fee) is required for the proposed project pursuant to subsection 5.36 of the Bellflower Municipal Code. The fee must be accompanied by a completed application and required documents as listed on BMC Subsection 5.36.040. **COMPLETED**
38. The applicant shall complete and submit a revised Entertainment Permit application for City Council review.
39. Submit 13 sets of revised plans with your Entertainment Permit application.
40. Include one (1) revised set of plans (i.e. site, floor, and building elevations) reduced to 8 ½ inches by 11 inches.
41. Three (3) sets of address labels of all property owners located within a three hundred (300) foot radius of the subject property, along with a 300-foot radius map are required prior to City Council submittal. For additional information please refer to the project application. **COMPLETED**
42. As part of the public noticing process, you are required to post at least one (1) sign on the property (per public hearing) to notify the public of your development. The poster should face Bellflower Boulevard. The poster will need to be installed by you (the applicant/property owner) no later than 10-days prior to your City Council meeting. The cost of the poster sign is approximately \$100 per sign. Please see the attached handout for further details on the poster sign process.

BMC Subsection 5.36.080 Grant or Denial of Application. After the DRB process only

43. At the conclusion of the hearing before the City Council, the City Council shall grant or deny the application. The City Council shall deny said application if it shall find and determine any of the following:
- A. The conduct of the establishment or the granting of the application would be contrary to the public health, safety, morals or welfare for any reason; provided however, that this provision shall not be applicable where the proposed entertainment is one protected by the provisions of the First Amendment to the Constitution of the United States; or
 - B. The premises or establishment have been or are operated in an illegal, unlawful or disorderly manner; or
 - C. The applicant or any other person associated with him/her as principal or partner, or in a position or capacity involving partial or total control or management over the conduct of the premises for which the applicant is applying, has been convicted within seven (7) years prior to the date of the application in any court of competent jurisdiction of any offense involving the presentation, exhibition or performance of any lewd, indecent or obscene show of any kind, or of a felony or of any crime involving moral turpitude, or of any offense involving the possession of lewd or obscene matter, when such conviction or convictions are of the kind or nature reasonably related to the operation of the proposed entertainment under the proposed permit and such conviction or convictions reasonably show a clear and present danger that the proposed use of the permit by the applicant will result in violations of the law; or
 - D. That granting the application would create a public nuisance; or
 - E. That the normal operation of the premises would interfere with the peace and quiet of any surrounding residential neighborhood; or
 - F. That there would not be adequate parking available for the premises in the conduct of the proposed entertainment for which the permit is applied for; or
 - G. That increased policing would be necessitated by the entertainment for which the permit is requested; or
 - H. That the quiet and peaceful enjoyment of the neighborhood would be substantially interfered with by the creation of noise or traffic hazards; or

- I. That the proposed use of the premises is not in compliance with the provisions of the Zoning Regulations and Zoning Ordinances of the City;
or
- J. That the proposed premises are not in compliance with the provisions of the Building Code or Electrical Code or Plumbing Code or Fire Prevention Code of the City.

44. **Conditions of Approval** - See the attached comprehensive list of conditions the project may be subject to should this project move forward:

PUBLIC SAFETY

- 45. The entire premises are subject to inspection by the Sheriff's Department at anytime. Any locked or otherwise secured rooms shall be opened upon demand.
- 46. The approved site plan and floor plan and/or room use shall not be changed without prior approval from the Sheriff's Department and the City of Bellflower.
- 47. To request a change in time to operate entertainment you must modify permit.
- 48. See additional general comments on the comprehensive list of conditions.

TRAFFIC ENGINEERING

- 49. The site plan shall continue to show which parking spaces are available to the public, which are private, show the number of spaces, and show the location and dimension of any disabled parking spaces and associated loading zones.
- 50. The site plan shall show the designated disabled access path from the public right-of-way.

CITY ENGINEERING

- 51. Fire Protection: This development may require construction of fire protection improvements. Prior to the approval of any development plans the applicant is required to contact Los Angeles County Fire Department, Engineering Division, to obtain the fire flow and access requirements for any proposed development.
- 52. The applicant shall contact the local Water Company to determine the existing fire flow rate in this area. If the existing fire flow capabilities are below the required minimum, the applicant shall provide the necessary means for meeting the fire flow rates required by the Fire Department.
- 53. Submit a preliminary title report with legal description.
- 54. The contractor shall meet with the City Public Works Inspector before starting any construction within the public right-of-way.

55. All work within the public right-of-way, including placing and removal of traffic control devices, shall be restricted to the hours between 8:30 A.M. and 3:30 P.M., Monday through Friday. No work requiring continuous inspection or traffic control shall be done on Saturday, Sunday or Holidays, unless prior arrangements have been made at least one week in advance with the approval of the City Engineer.

56. The developer, at his/her cost, shall be responsible for the relocation as necessary of any public or private utility or other obstruction to facilitate the construction within the public right-of-way.

57. Permits are required for all work within the public right-of-way.

BUILDING DIVISION

58. The project must fully comply with the 2013 California Green Building Standards Code, the 2013 California Building Code, Plumbing, Mechanical, and Electrical Codes, the 2013 California Energy Standards Code, the 2014 Los Angeles County Fire Code, and the Bellflower Municipal Code as adopted and amended by the City of Bellflower and the County of Los Angeles or the version of these Codes in effect at the time of permit application.

59. The occupant load may be modified and impact on the occupant load, if so then you may need to increase the bathroom stalls.

60. The path of travel cannot be obstructed.

61. Please provide engineering calculation for the portable stage and the load number of people that can be on stage.

62. Revise the plans to show and provide handicap provisions for the seating and seating bar area. Show the handicap symbol on the tables and counter. Please also provide a lower counter at the bar for handicap and show the handicap symbol. Four (4) min required.

63. The rear patio side door must be clear open not less than six feet.

64. The approval for restaurant occupant load is 150, if you modify the use it will go to what was said at the last DRB meeting which was 135 occupant load for the entire facility. If you want to break up in two portions the occupant load will still remain at 135.

PUBLIC WORKS DIVISION

65. No comments

FIRE DEPARTMENT

66. Tenant improvements shall be submitted to the Fire Prevention Building Plan Check Unit. See attached contact information.

Doc 335410

New language is **Bold**

Removed language is ~~strike-through~~

16728 Bellflower Blvd. - COA

1. The applicant or any other person associated with him/her as principal or partner, or in a position or capacity involving partial or total control or management over the conduct of the premises for which the applicant is applying, has not been convicted within seven (7) years prior to the date of the application in any court of competent jurisdiction of any offense involving the presentation, exhibition or performance of any lewd, indecent or obscene show of any kind, or of a felony or of any crime involving moral turpitude, or of any offense involving the possession of lewd or obscene matter, when such conviction or convictions are of the kind or nature reasonably related to the operation of the proposed entertainment under the proposed permit and such conviction or convictions reasonably show a clear and present danger that the proposed use of the permit by the applicant will result in violations of the law.
2. Pursuant to BMC Section 5.36.120, No permit shall be issued to any applicant for any premises where the proposed premises are not in compliance with any of the provisions of the Zoning Ordinance, the Building Code or the Electrical Code or the Plumbing Code or the Fire Prevention Code of the City.
3. Pursuant to Bellflower Municipal Code Section 5.36.100, after the public hearing as to any application, the City Council in granting any permits may also impose such reasonable conditions as to the use or extent of such permit as it deems appropriate based upon any evidence or facts presented at the hearing. A condition of any permit must be that the permittee or occupant of the premises must maintain with the City a current register of the names and addresses of any or all persons having management and/or control of the business.
4. Anything which is not shown on application/plans, or which is not specifically reviewed, or which is not in compliance with this section, is not being recommended for approval. Any application and/or plans which are defective as to, but not limited to, omissions, dimensions, scale, use, colors, materials, encroachments, easements, etc., must render any entitlements granted by this section null and void. Construction (if any) must cease until all requirements of this section are complied with. Development entitlements may be withheld until Code violations are abated.
5. The Applicant must comply with all conditions listed on Resolution No. PC 01-31. The business must be operated in a consistent manner as granted under Conditional Use Permit Case No. CU 01-72. Any violations of any applicable laws and/or the conditions of approval for the establishment is grounds for suspension and/or revocation of the license.

6. The Applicant must comply with all conditions listed in DRB Case No. DRB 8-15-6340 and all other applicable conditions set forth for the subject site.
7. Any approved floor plan, room use(s), and/or entertainment format content must not be changed and/or expanded without prior approval from the City.
8. Provide a full regular dinner/lunch menu and late night menu list for Planning Staff to review. Make sure each menu includes the days and times. The full menu must be provided during all business operation.
9. Granting the application will not create a public nuisance in that all entertainment must take place within the subject premises.
10. The normal operation of the premises will not interfere with the peace and quiet of any surrounding residential neighborhood in that the subject property is within a commercial corridor along a major boulevard.
11. There will be adequate parking available for the premises for which the Permit is applied for as the site is accommodated by the City parking lot to the rear of the building.
12. Increased policing will not be necessitated by the entertainment for which the Permit is requested, provided that the Applicant closely follows and practices the security plan that the Sheriff's Department would be reviewing and approving.
13. The quiet and peaceful enjoyment of the neighborhood will not be substantially interfered with by the creation of noise or traffic hazards.
14. The proposed use of the premises is in compliance with the provisions of the Zoning Code.
15. The proposed premises are in compliance with the provisions of all City, local, and State codes and regulations.
16. Anything which is not shown on application /plans, or which is not specifically approved, or which is not in compliance with this permit, is not approved. Any application and /or plans which are defective as to, but not limited to, omissions, dimensions, scale, use, colors, materials, encroachments, easements, etc., must render any entitlements granted by this section null and void. Construction (if any) must cease until all requirements of this section are complied with.
17. Development entitlements may be withheld until Code violations are abated. The Applicant and its successors in interest must indemnify, protect, defend (with legal counsel reasonably acceptable to the City), and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees, and agents from and against any and all liabilities, claims, actions,

causes of action, proceedings, suits, damages, judgments, liens, levies, costs, and expenses of whatever nature, including reasonable attorneys' fees and disbursements (collectively "Claims ") arising out of or in any way relating to this project and its operation, any discretionary approvals granted by the City related to the development of the project or the environmental review conducted under California Environmental Quality Act, Public Resources Code Section 21000 et seq., for the project. If the City Attorney is required to enforce any conditions of approval, then all costs, including attorneys' fees, must be paid for by the Applicant.

18. All improvements to the subject property must be in compliance with all City rules, regulations and laws and must conform to all requirements of the Building Code as adopted by the City of Bellflower.
19. In cases where the agencies' or approving bodies' requirements conflict, the more restrictive requirement must be applied.
20. All licenses, permits, and adopted conditions of approval must be posted and maintained in a place conspicuous to all employees and the public.
21. All required permits and licenses must be valid at all times.
22. All conditions and requirements must be implemented prior to operation of the subject business.
23. Failure to comply with all applicable laws and /or these conditions must be grounds for suspension and /or revocation of this Permit. Project Specific Conditions of Approval Operational.
24. The Applicant must comply with B.M.C. Chapter 5.36 (Amusements, Dances, and Entertainment Regulations).
25. The Dance and Entertainment Permit is approved for live entertainment consisting of live band, karaoke, disc jockey ("DJ"), and dancing at an existing restaurant and bar.
26. Entertainment hours must be restricted to 11:00 a.m. to ~~2:00~~ 12:00~~30~~-a.m., seven (7) days a week **for 1 year starting from the date of approval.**
27. The business hours of operation for the restaurant and bar must comply with Condition of Approval No. 12 of Resolution No. PC 01 -72. The business may open as early as 6:00 a.m. and may close as late as 2:00 a.m. every day, unless the operating hours as outlined on the Conditional Use Permit are modified and approved by the Planning Commission.

28. No person who is intoxicated, or under the influence of any drug, may be allowed to enter, be, or remain within the licensed premises (Section 25602 [a] of the California Business & Professions Code).
29. No employee or agent must be permitted to accept money, or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor must the Permittee permit or provide, or make available, either gratuitously or for compensation, male or female persons who act as escorts, companions, or guests of and /or for customers.
30. Live entertainment must be restricted to the designated entertainment areas on the interior of the restaurant.
31. No employee or agent must solicit or accept any beverage from any customer while in the premises.
32. Solely the Applicant **on the Entertainment Permit** is permitted to book and coordinate all events and entertainment for the restaurant and sports bar. Entertainment must be solely provided by the Applicant and no "outside promoters" must be allowed to sublease or host functions at the subject property. "Outside Promoters" does not include an advertising agency that designs or places advertising for the business.
33. There must be no adult business or entertainment uses as defined under Bellflower Municipal Code Chapter 17.08 (Definitions) and the Applicant must comply with all of the provisions of the Bellflower Municipal Code.
34. Random distribution of flyers or advertising materials in person for the subject property, within the City boundary, is prohibited.
35. In the case of special event(s) at which the maximum occupant load is expected, the Applicant must submit to the ~~Community Development~~ **Planning** Department for review and approval within fifteen (15) business days of the special event, a security plan, event time(s), date(s), and types of special use, subject to approval by the Director of **Planning** ~~Community Development~~. Fees may be assessed in the amount set by resolution of the City Council. Additionally, all special events require clearance from the Sheriff's Department prior to the commencement of the special events. You may be required to provide additional security personnel and possible inclusion of Sheriff's Deputy personnel, at the discretion of the City Manager.
36. "Go -go dancers" (professional or amateur), wet t -shirt contests, or any other similar activities is prohibited.

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37. Smoking on or within the premises must comply with all provisions of applicable State of California statutes and the Bellflower Municipal Code. Otherwise, smoking is not allowed within the subject building.
38. The Dance and Entertainment Permit is subject to a review /inspection period every 6 months, unless extended by the City Council.
39. To request a change in time to operate entertainment you must modify the permit.

Noise

40. The proposed use must not cause noise or other nuisance, which is, or may be, detrimental to other property in the neighborhood or to the welfare of the occupants thereof.
41. Entertainment provided must not be audible from the exterior of the premises.
42. All doors must be kept closed during the hours when live entertainment is offered, except for ingress and egress. The rear door(s) must be kept closed at all times during the operation of the premises except in cases of emergency and to permit deliveries. Said door(s) must not consist solely of a screen or ventilated security door.
43. All the noise requirements of the Town Center Zone must be met. If the Applicant and /or business manager is approached by an adjoining property owner and /or tenant due to vibration interference originating from the subject tenant space, the Applicant and /or business manager will respond immediately by lowering the vibration to a level deemed reasonable by all parties.
44. The Applicant is responsible for maintaining the subject property, and the adjacent properties for which he /she has control, free of litter.
45. The establishment must be maintained neat and clean at all times. The site must be maintained free from debris and graffiti at all times. The Applicant must remove any debris or graffiti within twenty -four (24) hours upon notification by the City.

Alcohol

46. The Applicant must comply with all regulations of the State Alcoholic Beverage Control Department (ABC). A type 47 (on-sale general eating) license must be maintained and active at all times prior to selling alcohol to patrons 21 and over.
47. The sale of alcoholic beverages for consumption off the premises is prohibited.

48. The quarterly gross sales of alcoholic beverages must not exceed the gross sales of food during the same period. The Permittee must at all times maintain records which reflect separately the gross sale of food and the gross sale of alcoholic beverages of the licensed business. Said records must be kept no less frequently than on a quarterly basis and must be submitted to the City automatically.
49. The sale of distilled spirits by the bottle (i.e. "bottle service ") and "drink specials" are prohibited. The sale of distilled spirits by the bottle for same day or future consumption is prohibited.
50. The subject alcoholic beverage license must not be exchanged for a Type 48 (On Sale General — Public Premises) Alcohol License nor operated as a public premise (i.e., strictly bar or nightclub), without modifying Conditional Use Permit Case No CU 01 -31 and this Dance and Entertainment Permit.

Security and Sheriff's Department

51. The Applicant must comply with B.M.C. Section 9.04.080 (Use of Sheriffs Personnel at Loud or Unruly Assemblages).
52. The approved site plan and floor plan and/or room use must not be changed without prior approval from the Sheriff's Department and the City of Bellflower.
53. The person designated responsible for the operation of the business and /or security personnel must not perform official police or investigative activities but must immediately report every violation of law and every unusual occurrence to the Lakewood Sheriff's Station.
54. Security personnel, as well as the owner, corporate officers, and managers must cooperate fully with City officials and law enforcement personnel and must not obstruct or impede their entrance into the licensed premises while in the course of their official duties.
55. The security personnel must be responsible for safety and security of the interior and exterior of the building as well as the parking lot and surrounding area.
56. The parking lot of the premises must be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot. The position of such lighting must not disturb the normal privacy and use of any neighboring residences.
57. A minimum of 8 security personnel must be provided **for all entertainment events**. Security personnel must be provided at all times when live entertainment is proposed, one hour prior and one hour after the entertainment hours to ensure that patrons are cleared out of the subject property, parking lot area, adjacent

properties, and adjacent right-of ways. Additional security guards may be required per City Council.

58. Keeping the peace and order on adjacent areas and parking lots is also the responsibility of the Applicant. Losing control over these areas may affect the establishment's Alcohol License, Conditional Use Permit, and Dance and Entertainment Permit.
59. Prior to the initial commencement of the Dance and Entertainment activities by the Applicant, the Applicant must provide a detailed security plan, which will be subject to review and approval by the Sheriff's Department.
60. The security plan must not be altered at any time without first receiving approval by the Los Angeles County Sheriff's Department and the City of Bellflower Public Safety Department. The security plan may be altered by the Sheriffs License Unit as needed without approval by the License and Permit Hearing Board.
61. A copy of the contract with the hired security company must be submitted to the Los Angeles County Sheriff's Department and the City of Bellflower Public Safety Department.
62. The waiting line must be moved to the front door along Bellflower Boulevard and not off the alley. The rear entrance must be used for loading and emergency purposes only.
63. The security and video-taping plans are subject to review and revision by the Sheriff's Department at any time. Video recordings must be stored for a minimum of a 10-day period.
64. Approval of the Dance and Entertainment Permit is contingent upon the successful completion of a background investigation by the Sheriff's Department of the Applicant (i.e., Business Operator), Manager(s) /Supervisor(s) related to the business or entertainment with the tentative findings provided to the City Council. If such findings are modified or rescinded by the Sheriff's Department within one hundred eighty (180) days from the City Council's approval, the Dance and Entertainment Permit must be brought back to the City Council for hearing as to whether the permit must be revoked.
65. The Applicant or occupant of the premises must maintain with the City a current register of the names and addresses of any and all persons having management and /or control of the business.
66. The entire premises are subject to inspection by the Sheriff's Department at anytime. Any locked or otherwise secured rooms must be opened upon demand.

67. All employees must possess, at the site, a valid California Department of Motor Vehicles driver's license or identification card. Employees must present such identification upon demand of any regulatory official.
68. A person in charge must be present at all times the business is open. The person in charge must be familiar with all codes and adopted conditions regulating this establishment. The person in charge must meet the following qualifications:
 - (a) Be at least twenty-one (21) years of age,
 - (b) Possess, on their person, a valid DMV issued California driver's license or identification card,
 - (c) Be able to communicate effectively with regulatory officials, and
 - (d) Have the ability to immediately contact the owner.
69. The person in charge must immediately introduce him /herself to any regulatory officials who enter the premises and identify themselves as regulatory officials.
70. ~~The Applicant shall revise the floor plan to clearly delineate the dance floor area, which is must not to exceed three hundred forty-four (344) square feet in area~~ **(which is 20 feet by 17 feet)**. The Applicant **must** shall physically **separate** reduce the dance floor area **from the dining area** by providing a physical delineation (i.e., placement of pool tables, chairs and dining table, taping /roping of the area) within the unpermitted enlarged dance floor area, subject to review and approval by the Planning Division.
71. ~~The Applicant shall physically reduce the stage area by removing the unpermitted stage expansion. The Applicant shall revise the floor plan to indicate the reduction of the stage area. The~~ **mobile** stage area must not exceed eighty (80) square feet in size.
72. The "LIGHTING AND SOUND BOOTH" room must not be occupied by a D.J. or by any performers and must only be used to store and operate the lighting and sound equipment.
73. The second floor **mezzanine** and interior stairs leading to the **storage area and mechanical space on the second floor mezzanine** of the subject building must not be open for public use. The space is subject to review and approval by the Building and Safety Division.
74. The floor plan layout for the establishment must be in substantial conformance with what was approved for the Conditional Use Permit; otherwise, the Applicant must request approval from the Planning Commission for a modification of Conditional Use Permit Case No. CU 01 -31.

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75. The approved floor plan and /or room use must not be changed without prior approval from the Alcoholic Beverage Control Department, the Sheriff's Department, and the City of Bellflower. Signs, Exterior Effects and Exterior Modifications.
76. Any unpermitted window signs and the A -frame sign placed on the public right-of-way shall **must** be removed or obtain approval.
77. The use of blinking lights, flashing lights, strobe lights, cannon lights or any signs that advertise alcohol sales (e.g., promotional signage for brands of alcoholic beverages) which are visible from the exterior of the building is prohibited.
78. Any future exterior building facade changes or installation of new signs requires approval from the Planning Division prior to installation.

Traffic Engineering/City Engineer/Public Works

- ~~79. The applicant stated at the October 15, 2015 Development Board Review meeting that it is their intent to enter into an agreement with the Chase Bank located at 16804 Bellflower Boulevard for additional parking to be provided. Said agreement is in writing and define the days, times, hours and number of parking spaces to be made available during the term of the agreement. Said agreement shall comply with any additional requirements established by the City of Bellflower.~~
80. The site plan provided presented several parking areas located east of the subject property. The site plan **must continue to** show which parking spaces are available to the public, which are private, show the number of spaces, and show the location and dimension of any disabled parking spaces and associated loading zones.
81. The site plan must show the designated disabled access path from the public right-of-way.
82. Fire Protection: This development may require construction of fire protection improvements. Prior to the approval of any development plans the applicant is required to contact Los Angeles County Fire Department, Engineering Division, to obtain the fire flow and access requirements for any proposed development.
83. The applicant must contact the local Water Company to determine the existing fire flow rate in this area. If the existing fire flow capabilities are below the required minimum, the applicant must provide the necessary means for meeting the fire flow rates required by the Fire Department.
84. The contractor must meet with the City Public Works Inspector before starting any construction within the public right-of-way.

85. All work within the public right-of-way, including placing and removal of traffic control devices, is restricted to the hours between 8:30 A.M. and 3:30 P.M., Monday through Friday. No work requiring continuous inspection or traffic control is done on Saturday, Sunday or Holidays, unless prior arrangements have been made at least one week in advance with the approval of the City Engineer.
86. The developer, at his/her cost, must be responsible for the relocation as necessary of any public or private utility or other obstruction to facilitate the construction within the public right-of-way.
87. Permits are required for all work within the public right-of-way.

Building and Safety

88. Any improvements must fully comply with the 2013 California Green Building Standards Code, the 2013 California Building Code, Plumbing, Mechanical, and Electrical Codes, the 2013 California Energy Standards Code, the 2014 Los Angeles County Fire Code, and the Bellflower Municipal Code as adopted and amended by the City of Bellflower and the County of Los Angeles or the version of these Codes in effect at the time of permit application.
89. ***The occupant load may be modified and impact on the occupant load, if so then you may need to increase the bathroom stalls.***
90. ***The path of travel cannot be obstructed.***
91. ***Please provide engineering calculation for the portable stage and the load number of people that can be on stage.***
92. ***Revise the plans to show and provide handicap provisions for the seating and seating bar area. Show the handicap symbol on the tables and counter. Please also provide a lower counter at the bar for handicap and show the handicap symbol. Four (4) min required.***
93. ***The rear patio side door must be clear open not less than six feet.***
94. ***The approval for restaurant occupant load is 150, if you modify the use it will go to what was said at the last DRB meeting which was 135 occupant load for the entire facility. If you want to break up in two portions the occupant load will still remain at 135.***
95. The maximum number of occupants is established by the Fire Department and the Building and Safety Division.

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96. Exit signs must be provided at each exit of the building. In addition, the exit signs must be illuminated pursuant to California Building Code and Fire Code.
97. Prior to the issuance of the business license, the Applicant must set up an inspection with the Fire Department and the Building and Safety Division to conduct a maintenance inspection and assessment to verify fire and life safety provisions, as needed.
98. Maximum occupant load signs must be posted and continuously maintained in a conspicuous location on the premises and areas adjacent to the exits of the building, pursuant to the California Building Code. The most restrictive maximum occupancy must apply. This occupancy limitation must not be violated.
- ~~99. Absolutely ZERO use of mezzanine level by owners, staff, customers, guests, or any individual.~~
- ~~100. The mezzanine area SHALL have a Security Guard located at bottom of Mezzanine the stairway to prohibit anyone from attempting to use any portion of facility that is upstairs.~~
101. A minimum of 8 - 5 lb. type ABC fire extinguishers located as follows;
 - A. 2 by front main entrance;
 - B. 2 by main rear entrance;
 - C. 2 behind bar area;
 - D. 1 mounted by stage platform; and
 - E. 1 located at bottom of illegal Mezzanine stair
- ~~102. Steps leading to stage platform to be in Code compliance as far as "Rise and Run" dimensions.~~
- ~~103. A Licensed Type B Contractor to perform work on stage steps.~~
- ~~104. Please be advised there will be significantly more requirements for any future TUP or Permitted Use. These will include, but not be limited to, ADA requirements, Complete Electrical repair and upgrade, conversion of upstairs to a legal storage area only (no walls or rooms allowed), and exiting system upgrades.~~
- ~~105. The maximum occupant load reductions must not exceed 135.~~
- ~~106. Other criteria may be required based on submitted USE package contents.~~
- ~~107. All work will be required to be drawn by a licensed Architect in the State of California and all work to be performed must be done by a "B" licensed contractor in the state of California.~~

Doc 335411



staff report

TO: Honorable Mayor and Members of the City Council

ATTENTION: Jeffrey L. Stewart, City Manager

FROM: Rafael Guzman, Director of Planning

SUBJECT: Public Hearing to Consider the Suspension, Modification or Revocation of a Dance and Entertainment Permit to Allow Live Musical Entertainment, a Disc Jockey, Dancing, and Karaoke on Property Located at 16728 Bellflower Boulevard (Spike's Bar & Grill) within the Town Center (TC) District

DATE: June 22, 2015

EXECUTIVE SUMMARY

A shooting on April 12, 2015, prompted the City Manager to request a formal review of conditions of approval for Spike's Sports Bar & Grill located at 16728 Bellflower Boulevard. Spike's is operating under a Dance and Entertainment Permit issued by the City Council in 2008 and Conditional Use Permit (CUP) issued in 2001 by the Planning Commission. Staff has determined that Spike's is operating in violation of at least fifteen (15) conditions of approval of the Dance and Entertainment Permit. The City Council has the authority to modify, suspend, or revoke the Dance and Entertainment Permit.

RECOMMENDATION

After hearing public testimony, consider modification, suspension or revocation of Dance and Entertainment Permit Case No. EP 12-01 by taking one or some of the following four options:

1. Status Quo: This option requires no further action by the City Council or the Business Owner.
2. Suspension: Suspend the Dance and Entertainment Permit for a defined period of time. A resolution would need to be brought back to the City Council for adoption. Upon adoption of such a resolution, the business would be permitted to remain open without dance and entertainment for the defined period of time, but would still be subject to the conditions of approval of the existing Conditional Use Permit, which allows on-site alcohol sales. Upon conclusion of the suspension period, the Dance and Entertainment Permit (as it exists or as modified) would be reinstated.

3. Revocation. Revoke the Permit. A resolution would need to be brought back to the City Council for adoption. Notwithstanding a revocation of the Dance and Entertainment Permit, the business would be permitted to remain open without dance and entertainment pursuant to the existing Conditional Use Permit, which allows on-site alcohol sales in conjunction with food sales.
4. Continue the Hearing. Direct Staff to work with the Permittee to see if mutually agreeable conditions can be crafted to address any violations and/or to protect the peace, health, safety, and general welfare of the public. A resolution would need to be brought back to the City Council for adoption if any agreement can be reached.

FISCAL IMPACT

None anticipated.

NOTICE

On June 11, 2015, notice of the hearing was provided to the Permittee (Ismael Sevilla)

BACKGROUND

On November 10, 2008, the City Council adopted Resolution No. 08-66 approving Dance and Entertainment Permit Case No. EP 12-01, authorizing Ismael Sevilla to provide/allow live band, karaoke, disc jockey ("DJ") and dancing at an existing restaurant and sports bar (DBA: Spike's Sports Bar and Grill) located at 16728 Bellflower Boulevard, Bellflower. During the Dance and Entertainment Permit review process, City Officials confirmed that the layout of the establishment was inconsistent with the floor plan that had been approved by the Planning Commission in connection with Resolution No. PC 01-72 (granting Conditional Use Permit Case No. 01-31 to allow alcohol use at 16728 Bellflower Boulevard, Bellflower). As a result of the inconsistency, the City Council imposed a specific condition of approval that the existing and proposed dance floor and stage be reduced in size to match the CUP approved floor plan – in addition to numerous other reasonable conditions designed to ensure that Spike's Sports Bar and Grill was operated in a manner consistent with a restaurant with ancillary dance and entertainment, and in a manner that best protects the peace, health, safety, and general welfare of the public.

On July 2, 2012, a letter was sent to the business owner, Ismael Sevilla, informing him that a July 3, 2012, event billed "Pre 4th of July Bash" was inconsistent with the Dance and Entertainment Permit because of the type of entertainment proposed and that outside promoters, "Club Symmetry," were promoting the event.

On August 24, 2012, a Manager/resident of Belmont Place Apartments called to report being awakened at night by some after-hours parking lot noise at Spike's Bar & Grill. Public Safety Director Joel Hockman attempted to reach the business owner, Ismael Sevilla, but he was not available. Mr. Hockman left a message with another staff

member named Brianna, explaining the complaint and requested a call from Ismael Sevilla. Two weeks later, a Sheriff's representative spoke to Marcus Jenkins and was informed that Spike's staff would direct all parking to the street and also behind the bank, after hours. Mr. Sevilla never called Mr. Hockman back.

On September 26, 2013, a shooting victim informed Los Angeles County Sheriff's Deputies that he was shot at Spike's. The Sheriff's Department had also received a call for service in the area of Spike's regarding an illegal shooting from an independent source. Spike's management did not contact the City's Public Safety Department or the Los Angeles County Sheriff's Department to address this issue and did not submit any changes to their security plan in response to the incident and/or to prevent future reoccurrence.

On December 8, 2014, two residents of Belmont Court informed the City Council that they were awakened almost every Friday and Saturday morning around 2 a.m. when the patrons of Spike's leave the premises. They reported patrons with loud voices echoing from the alley, patrons playing their vehicle radio very loud, and that patrons sometimes fight and have minor car accidents. It was also reported that when the patrons of Spike's are asked to be quiet, they have thrown beer bottles.

Other problematic events have taken place at Spike's, including but not limited to, events on March 24, 2012, April 23, 2013, and in April of 2015 where Sheriff's personnel were made aware of a significant gathering of gang members for a special event. The Sheriff's Department closed the event down because of concerns for officer and public safety. Spike's management did not contact the City's Public Safety Department or Los Angeles County Sheriff's Department to address this issue and did not submit any changes to their security plan in response to the incident and/or to prevent future reoccurrence.

On April 12, 2015, a shooting occurred involving a Spike's patron. This incident is still under investigation by the Los Angeles County Sheriff's Department.

On April 13, 2015, the City Manager asked for a formal review of Spike's compliance with the conditions of approval of its entitlements and other applicable laws and regulations.

On April 14, 2015, Marcus Jenkins, representing himself as the Manager of Spike's Bar, met with Director of Public Safety Joel Hockman to discuss the April 12, 2015, shooting. Mr. Jenkins provided Mr. Hockman with a copy of a letter to be submitted to the Los Angeles County Sheriff's Department that read, "the incident was an isolated incident that happen [sic] not due to Spikes but an outside problem that has nothing to do with the visit to Spikes Bar." Mr. Jenkins also personally informed Mr. Hockman that the shooting was not related to Spike's. The Sheriff's Department later confirmed that the victim and suspect were involved in an altercation inside Spike's that escalated to the shooting outside of the building. The owner of Spike's also subsequently stated that Mr. Jenkins is not, in fact, a manager of the business.

On April 30, 2015, a meeting and site inspection were conducted at Spike's Bar and Grill, at the request of the City. The Business Owner Ismael Sevilla and Manager Teresa Solis were present.

On May 7, 2015, a letter was issued by the Planning Department informing the business owner that there are growing concerns about the impact the business activities are having upon the peace, health, safety, and welfare of the patrons and the general public as a result of the reports received by the City and/or the Los Angeles County Sheriff's Department pertaining to incidents of violence, illegal parking, and breaches of the peace that stem from the ongoing business activities at or adjacent to Spike's Sports Bar & Grill. In addition, the business owner was informed of several conditions of approval that are not in compliance.

- **Dance and Entertainment Uses**

On November 17, 2008, the City Council adopted Resolution No. 08-66 approving Dance and Entertainment Permit No. EP 08-02 to allow live musical entertainment, a disc jockey, dancing, and karaoke for Spike's Bar & Grill.

- **Conditional Use Permit**

On December 3, 2001, the Planning Commission adopted Resolution No. PC 01-74 approving Conditional Use Permit No. PC 01-31 to allow the on-site sale of alcohol. The CUP was obtained by Mike Fagan for National Sports Page. The alcohol license (Type 47 "On-Sale General Bona Fide Public Eating Place") was transferred from the previous business owner to the current business.

DISCUSSION

- **Dance and Entertainment Regulations**

Bellflower Municipal Code Section 5.36.110 (Suspension or Revocation of Permit) states:

"After notice of at least ten (10) days to the permittee and hearing thereon, the City Council may suspend or revoke any permit granted pursuant to this chapter if the City Council finds and determines that any permittee, his/her agent or employee, or any person connected or associated with the permittee as partner, director, officer, general manager or other person who is exercising managerial authority of, or in behalf of the permittee, or any entertainer, acting under the authority of such permit:

A. Made any false, misleading or fraudulent statement of a material fact in the application for permit, or in any report or record required to be filed pursuant to this chapter; or

B. Violated any provision of this chapter, or of any statute, ordinance or code, relating to his/her permitted activity or relating to his/her premises; or

C. Is convicted of a felony, or of any crime involving moral turpitude, or of any offense involving the presentation, exhibition or performance of any lewd, indecent or obscene show of any kind, or of any offense involving the possession of lewd or obscene matter, when such conviction of a crime is of the kind or nature reasonably related to the operation of the proposed entertainment under the proposed permit; or

D. Violated any rules, regulations or conditions adopted by the City Council relating to the permittee's business or permit; or

E. Conducted the permitted business in a manner contrary to the peace, health, safety and general welfare of the public.”

ANALYSIS

• ***Conditions of Approval***

After reviewing the conditions of Dance and Entertainment Permit No. EP 08-02 and in consideration of the April 30, 2015, site visit and the above referenced incidents, the operation is in violation of at least fourteen (14) conditions of approval. These non-compliant conditions of approval are summarized in Table 1 below.

Table. 1 - Dance and Entertainment Permit No. EP 08-02 - Conditions of Approval			
Number	Condition of Approval	Status	Finding
No. 6	All licenses, permits, and adopted conditions of approval shall be posted and maintained in a place conspicuous to all employees and the public.	Not in compliance	On April 30, 2015, when asked to if he had a copy of the conditions of approval, Ismael Sevilla said he did not have them at the business but instead kept the conditions of approval at home.
No. 13	No changes or alterations in the proposed entertainment format content, as outlined on the Applicant's Business Proposal date-stamped September 15, 2008, October 22, 2008, and October 24, 2008, shall occur without prior approval, in writing, from the City of Bellflower.	Not in compliance	The original application provides that \$10 admission fees will only be charged for Friday and Saturday events. Based on some event advertisements, flyers and internet promotions 1) an admission fees is charged on days other than Friday and Saturday, and 2) the charge sometimes exceeds \$10 (i.e., Sunday, May 17, 2015, promotion "Love Jones L.A. Café and Lounge – General Admission \$10 in advance and \$15 at the door"). In addition, a "Casino Game Night & Cancer Affair" is proposed for June 26, 2015, and no Temporary Use Permit

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			Application has been submitted to date for casino-style entertainment.
No. 20	Solely the Applicant is permitted to book and coordinate all events and entertainment for the restaurant and sports bar. Entertainment shall be solely provided by the Applicant and no "outside promoters" shall be allowed to sublease or host functions at the subject property. "Outside Promoters" does not include an advertising agency that designs or places advertising for the business.	Not in compliance	Ismael Sevilla confirmed that he hired a promotor, Marcus Jenkins (formerly of the Hop in Lakewood), to book events. Mr. Sevilla’s response to DRB contains a statement that outside promoters will not be used. Mr. Sevilla further explained that Mr. Jenkins is an employee. Flyers/advertisements read: 1. February 16, 2015 – “Chosen Few Promotions Proudly presents...(4) promoters” 2. April 12, 2015 - “Sunday Night Turn-Up! Chosen Few Promotions and Hosted by Ladies of Compton” 3. April 17, 2015 – “Luscious Lane Entertainment...located inside Spike’s Bar & Grill” 4. April 19, 2015 – “DM Ink & B & B Entertainment Present Love Jones LA” (pre-sale tickets are purchased through DM Ink and B & B Entertainment) 5. May 17, 2015 – “Spike’s Sports Bar & Grill presents Love Jones LA Café & Lounge for tickets search Love Jones LA on eventbrite.com”
No. 27	The proposed use shall not cause noise or other nuisance, which is, or may be, detrimental to other property in the neighborhood or to the welfare of the occupants thereof.	Not in compliance	Neighbors complained about noise and patrons being a nuisance at the December 8, 2014, City Council meeting.
No. 36	The sale of distilled spirits by the bottle (i.e.,	Not in	Drink specials are shown

	<p>"bottle service") and "drink specials" are prohibited. The sale of distilled spirits by the bottle for same day or future consumption is prohibited.</p>	<p>compliance</p>	<p>on an advertisement for a Super Bowl party on February 1, 2015. Drink specials are also shown on advertisements for many special events. For example, "\$3 drinks all night Karaoke Thursdays (April 17, 2015)", "\$5 shot bar – Sunday Night Turn-up! (April 12, 2015)" and "B&M Entertainment Ernest Mack Birthday Bash – Drinks Specials" (March 13, 2015)</p>
<p>No. 37</p>	<p>The subject alcoholic beverage license shall not be exchanged for a Type 48 (On Sale General - Public Premises) Alcohol License nor operated as a public premise (i.e., strictly bar or nightclub), without modifying Conditional Use Permit Case No. CU 01-31 and this Dance and Entertainment Permit.</p>	<p>Not in compliance</p>	<p>Spike's is being operated as a nightclub. The establishment is not open for lunch as noted on their website hours of operation, and on Tuesday opens after typical dinner time:</p> <ul style="list-style-type: none"> - Tues. open at 6:30 p.m. - Wed. open at 2:00 - Thurs. open at 2:00 - Fri. open at 4:00 - Sat. open for 4:00 <p>The floor plan has been altered by 1) the expansion of the dance floor by virtue of the pool tables having been relocated and being adjacent to movable furniture, which is moved for special events, 2) the stage has been expanded, 3) the original food menu has changed from a comprehensive list of food options including salads, sandwiches, wraps, side orders, and deserts (with appetizers only to be served after 9 p.m.) to an appetizer-only style menu with limited options during</p>

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			all operating hours, and 4) promotions focus on late-night activities as opposed to restaurant services.
No. 44	Keeping the peace and order on adjacent areas and parking lots is also the responsibility of the Applicant. Losing control over these areas may affect the establishment's Alcohol License, Conditional Use Permit, and Dance and Entertainment Permit.	Not in compliance	April 12, 2015, shooting occurred on adjacent areas and parking lot routinely used by Spike's customers. The City has received complaints regarding Spike's patrons making excessive noise when leaving the business establishment.
No. 47	A copy of the contract with the hired security company shall be submitted to the Los Angeles County Sheriff's Department and the City of Bellflower Public Safety Department.	Not in compliance	Although a proposal for security services was provided at the time of Entertainment Permit issuance, an actual contract for security services has not been submitted to date.
No. 48	The waiting line shall be moved to the front door along Bellflower Boulevard and not off the alley.	Not in compliance	On April 30, 2015, Ismael Sevilla said the front door is not used. The patrons are asked to line up and enter through the rear door facing the alley.
No. 60	The subject property shall be developed and/or used in the manner requested and shall be in substantial conformity with the submitted plans date-stamped October 27, 2008, unless revisions and/or additional conditions are specifically required herein.	Not in compliance	The floor plan has been modified without approval from the City. The pool tables have been relocated from their approved location adjacent to the dance floor to the front of the establishment (also violation of Condition No. 64). The dance floor is now larger than that set forth in the approved plans based on the pool tables moving and movable furniture placed adjacent to the dance floor. The stage has also been expanded (also a violation of Condition No. 63).

No. 61	The Applicant shall revise the floor plan to clearly delineate the dance floor area, which is not to exceed three hundred forty-four (344) square feet in area. The Applicant shall physically reduce the dance floor area by providing physical delineation (i.e., placement of pool tables, chairs and dining table, taping/roping of the area) within the unpermitted enlarged dance floor area, subject to review and approval by the Planning Division.	Not in compliance	Photos posted on Facebook show use of an enlarged dance area. The dance floor has been expanded now that the pool tables have been relocated and can easily be expanded given the adjacent movable tables and chairs.
No. 62	The Applicant shall physically reduce the stage area by removing the unpermitted stage expansion. The Applicant shall revise the floor plan to indicate the reduction of the stage area. The stage area shall not exceed eighty (80) square feet in size.	Not in compliance	The stage was expanded from the approved plans.
No. 64	The Applicant shall revise the floor plan to illustrate the relocation of the existing two (2) pool tables within the unpermitted enlarged dance floor area. The Applicant shall physically relocate the existing two (2) pool tables within said area, subject to review and approval by the Planning Division.	Not in compliance	The pool tables have been moved from their approved location next to the dance floor to the front of the establishment (thereby providing larger dance area).
No. 66	The floor plan layout for the establishment shall be in substantial conformance with what was approved for the Conditional Use Permit; otherwise, the Applicant shall request approval from the Planning Commission for a modification of Conditional Use Permit Case No. CU 01-31.	Not in compliance	The floor plan has been substantially changed (by increasing the size of the dance area and stage), and the establishment is operating as a nightclub, which is contrary to the operation approved by the Conditional Use Permit.
No. 67	The approved floor plan and/or room use shall not be changed without prior approval from the Alcoholic Beverage Control Department, the Sheriff’s Department, and the City of Bellflower.	Not in compliance	Changes to the floor plan have taken place without requisite approvals.

ATTACHMENTS

A. Resolution No. 08-66 (Dance and Entertainment Permit)..... 10
B. April 14, 2015 - Documents provided to City by Marcus Jenkins.....21
C. Approved Business Plans24
D. Approved Floor Plan.....41
E. Current Menu42
F. Event Advertisements44
G. Photos61

CITY OF BELLFLOWER

RESOLUTION NO. 08-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELLFLOWER APPROVING DANCE AND ENTERTAINMENT PERMIT CASE NO. EP 08-02 TO ALLOW FOR LIVE BAND, KARAOKE, DISC JOCKEY ("DJ"), AND DANCING AT AN EXISTING RESTAURANT AND SPORTS BAR (DBA: SPIKE'S SPORTS BAR AND GRILL) IN THE TC (TOWN CENTER) ZONE ON PROPERTY LOCATED AT 16728 BELLFLOWER BOULEVARD; APPLICANT: ISMAEL SEVILLA

WHEREAS, the Applicant, Ismael Sevilla, has applied for a Dance and Entertainment Permit to allow for live band, karaoke, disc jockey ("DJ"), and dancing at an existing restaurant and sports bar (DBA: Spike's Sports Bar and Grill); and

WHEREAS, notice of public hearing was duly given and posted in the time, form, and manner as required by law; and

WHEREAS, the City Council opened and closed the public hearing on October 13, 2008, directing that the project be brought back to the Development Review Board to review specific conditions of approval; and

WHEREAS, the Development Review Board met on October 30, 2008, to review specific conditions of approval as directed by City Council; and

WHEREAS, the City Council reviewed the permit as part of the Consent Calendar on November 10, 2008; and

WHEREAS, an environmental assessment has been conducted for this project in compliance with the California Environmental Quality Act (CEQA). This project has been determined to be categorically exempt from the provisions of CEQA pursuant to Section 15301, Class 1.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLFLOWER, AS FOLLOWS:

SECTION 1. That the City Council has reviewed the information provided in the October 13, 2008, Staff Report from Community Development Director Brian Lee, the presentation and testimony at the hearing held on said date, and the November 10, 2008, Staff Report from Community Development Director Brian Lee and, based upon such information, does hereby make the following findings:

1. The conduct of the establishment or the granting of the application would not be contrary to the public health, safety, morals, or welfare because the subject site is an existing full-service restaurant within the TC (Town Center) Zone that is consistent and compatible with the existing surrounding commercial uses.
2. The establishment has not been or is not being operated in an illegal, unlawful, or disorderly manner.

3. The Applicant indicated on his application he has not been convicted within the seven (7) years prior to the date of the application in any court of competent jurisdiction of any offense involving the presentation, exhibition, or performance of any lewd, indecent, or obscene show of any kind, any felony, or any crime involving moral turpitude or any offense involving the possession of lewd or obscene matter which would require the Permit not to be issued.
4. Granting the application will not create a public nuisance in that all entertainment shall take place within the subject premises.
5. The normal operation of the premises will not interfere with the peace and quiet of any surrounding residential neighborhood in that the subject property is within a commercial corridor along a major boulevard.
6. There will be adequate parking available for the premises for which the Permit is applied for as the site is accommodated by the City parking lot to the rear of the building.
7. Increased policing will not be necessitated by the entertainment for which the Permit is requested, provided that the Applicant closely follows and practices the security plan that the Sheriff's Department would be reviewing and approving.
8. The quiet and peaceful enjoyment of the neighborhood will not be substantially interfered with by the creation of noise or traffic hazards.
9. The proposed use of the premises is in compliance with the provisions of the Zoning Code.
10. The proposed premises are in compliance with the provisions of all City, local, and State codes and regulations.

SECTION 2. Based on the above findings, the application for a Dance and Entertainment Permit for property located at 16728 Bellflower Boulevard is hereby approved, and the adoption of this Resolution shall be deemed the conditional issuance of a Dance and Entertainment Permit. The conditions of approval are as follows:

General Conditions of Approval

1. Anything which is not shown on application/plans, or which is not specifically approved, or which is not in compliance with this permit, is not approved. Any application and/or plans which are defective as to, but not limited to, omissions, dimensions, scale, use, colors, materials, encroachments, easements, etc., shall render any entitlements granted by this section null and void. Construction (if any) shall cease until all requirements of this section are complied with.

2. Development entitlements may be withheld until Code violations are abated. The Applicant and its successors in interest shall indemnify, protect, defend (with legal counsel reasonably acceptable to the City), and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees, and agents from and against any and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs, and expenses of whatever nature; including reasonable attorneys' fees and disbursements (collectively "Claims") arising out of or in any way relating to this project and its operation, any discretionary approvals granted by the City related to the development of the project or the environmental review conducted under California Environmental Quality Act, Public Resources Code Section 21000 et seq., for the project. If the City Attorney is required to enforce any conditions of approval, then all costs, including attorneys' fees, shall be paid for by the Applicant.
3. All improvements to the subject property shall be in compliance with all City rules, regulations and laws and shall conform to all requirements of the Building Code as adopted by the City of Bellflower.
4. The Applicant shall sign and return to the Planning Division a notarized Affidavit in Agreement and Support Thereof acknowledging acceptance of the conditions of approval within thirty (30) days after the date of approval or prior to commencing the proposed use.
5. In cases where the agencies' or approving bodies' requirements conflict, the more restrictive requirement shall be applied.
6. All licenses, permits, and adopted conditions of approval shall be posted and maintained in a place conspicuous to all employees and the public.
7. All required permits and licenses shall be valid at all times.
8. All conditions and requirements shall be implemented prior to operation of the subject business.
9. Failure to comply with all applicable laws and/or these conditions shall be grounds for suspension and/or revocation of this Permit.

Project Specific Conditions of Approval

Operational

10. The Applicant must comply with B.M.C. Chapter 5.36 (Amusements, Dances, and Entertainment Regulations).

11. The Applicant shall comply with all conditions listed in Planning Commission Resolution No. PC 01-72 (CU 01-31) and all other applicable conditions set forth for the subject site.
12. The Dance and Entertainment Permit is approved for live entertainment consisting of live band, karaoke, disc jockey ("DJ"), and dancing at an existing restaurant and sports bar.
13. No changes or alterations in the proposed entertainment format content, as outlined on the Applicant's Business Proposal date-stamped September 15, 2008, October 22, 2008, and October 24, 2008, shall occur without prior approval, in writing, from the City of Bellflower.
14. Entertainment hours shall be restricted to 7:00 p.m. to 2:00 a.m., seven (7) days a week.
15. The business hours of operation for the restaurant and sports bar shall comply with Condition of Approval No. 12 of Resolution No. PC 01-72. The business may open as early as 6:00 a.m. and may close as late as 2:00 a.m. every day, unless the operating hours as outlined on the Conditional Use Permit are modified and approved by the Planning Commission.
16. No person who is intoxicated, or under the influence of any drug, may be allowed to enter, be, or remain within the licensed premises (Section 25602 [a] of the California Business & Professions Code).
17. No employee or agent shall be permitted to accept money, or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the Permittee permit or provide, or make available, either gratuitously or for compensation, male or female persons who act as escorts, companions, or guests of and/or for customers.
18. Live entertainment shall be restricted to the interior of the restaurant.
19. No employee or agent shall solicit or accept any beverage from any customer while in the premises.
20. Solely the Applicant is permitted to book and coordinate all events and entertainment for the restaurant and sports bar. Entertainment shall be solely provided by the Applicant and no "outside promoters" shall be allowed to sublease or host functions at the subject property. "Outside Promoters" does not include an advertising agency that designs or places advertising for the business.
21. There shall be no adult business or entertainment uses as defined under Bellflower Municipal Code Chapter 17.08 (Definitions) and the Applicant shall comply with all of the provisions of the Bellflower Municipal Code.

22. Random distribution of flyers or advertising materials in person for the subject property, within the City boundary, shall be prohibited.
23. In the case of special event(s) at which the maximum occupant load is expected, the Applicant shall submit to the Community Development Department for review and approval within fifteen (15) business days of the special event, a security plan, event time(s), date(s), and types of special use, subject to approval by the Director of Community Development. Fees may be assessed in the amount set by resolution of the City Council. Additionally, all special events require clearance from the Sheriff's Department prior to the commencement of the special events. You may be required to provide additional security personnel and possible inclusion of Sheriff's Deputy personnel, at the discretion of the City Manager.
24. "Go-go dancers" (professional or amateur), wet t-shirt contests, or any other similar activities shall be prohibited.
25. Smoking on or within the premises shall comply with all provisions of applicable State of California statutes and the Bellflower Municipal Code. Otherwise, smoking shall not be allowed within the subject building.
26. The Dance and Entertainment Permit shall be subject to a review/inspection period for one to two (1-2) years, unless extended by the City Council.

Noise

27. The proposed use shall not cause noise or other nuisance, which is, or may be, detrimental to other property in the neighborhood or to the welfare of the occupants thereof.
28. Entertainment provided shall not be audible from the exterior of the premises.
29. All doors shall be kept closed during the hours when live entertainment is offered, except for ingress and egress. The rear door(s) shall be kept closed at all times during the operation of the premises except in cases of emergency and to permit deliveries. Said door(s) shall not consist solely of a screen or ventilated security door.
30. All the noise requirements of the Town Center Zone shall be met. If the Applicant and/or business manager is approached by an adjoining property owner and/or tenant due to vibration interference originating from the subject tenant space, the Applicant and/or business manager will respond immediately by lowering the vibration to a level deemed reasonable by all parties.

Property Maintenance

31. The Applicant shall be responsible for maintaining the subject property, and the adjacent properties for which he/she has control, free of litter.
32. The establishment shall be maintained neat and clean at all times. The site shall be maintained free from debris and graffiti at all times. The Applicant shall remove any debris or graffiti within twenty-four (24) hours upon notification by the City.

Alcohol

33. The Applicant shall comply with all regulations of the State Alcoholic Beverage Control Department (ABC).
34. The sale of alcoholic beverages for consumption off the premises is prohibited.
35. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. The Permittee shall at all times maintain records which reflect separately the gross sale of food and the gross sale of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the City within five (5) business days following written request.
36. The sale of distilled spirits by the bottle (i.e. "bottle service") and "drink specials" are prohibited. The sale of distilled spirits by the bottle for same day or future consumption is prohibited.
37. The subject alcoholic beverage license shall not be exchanged for a Type 48 (On Sale General - Public Premises) Alcohol License nor operated as a public premise (i.e., strictly bar or nightclub), without modifying Conditional Use Permit Case No CU 01-31 and this Dance and Entertainment Permit.

Security and Sheriff's Department

38. The Applicant shall comply with B.M.C. Section 9.04.080 (Use of Sheriff's Personnel at Loud or Unruly Assemblages).
39. The person designated responsible for the operation of the business and/or security personnel shall not perform official police or investigative activities but shall immediately report every violation of law and every unusual occurrence to the Lakewood Sheriff's Station.
40. Security personnel, as well as the owner, corporate officers, and managers shall cooperate fully with City officials and law enforcement personnel and shall not obstruct or impede their entrance into the licensed premises while in the course of their official duties.

41. The security personnel shall be responsible for safety and security of the interior and exterior of the building as well as the parking lot and surrounding area.
42. The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot. The position of such lighting shall not disturb the normal privacy and use of any neighboring residences.
43. The minimum required number of security personnel must be provided pursuant to Conditional Use Permit Case No. CU 01-31, Condition of Approval No. 8. Security personnel shall be provided at all times when live entertainment is proposed, one hour prior and one hour after the entertainment hours to ensure that patrons are cleared out of the subject property, parking lot area, adjacent properties, and adjacent right-of ways.
44. Keeping the peace and order on adjacent areas and parking lots is also the responsibility of the Applicant. Losing control over these areas may affect the establishment's Alcohol License, Conditional Use Permit, and Dance and Entertainment Permit.
45. Prior to the initial commencement of the Dance and Entertainment activities by the Applicant, the Applicant shall provide a detailed security plan, which will be subject to review and approval by the Sheriff's Department.
46. The security plan shall not be altered at any time without first receiving approval by the Los Angeles County Sheriff's Department and the City of Bellflower Public Safety Department. The security plan may be altered by the Sheriff's License Unit as needed without approval by the License and Permit Hearing Board.
47. A copy of the contract with the hired security company shall be submitted to the Los Angeles County Sheriff's Department and the City of Bellflower Public Safety Department.
48. The waiting line shall be moved to the front door along Bellflower Boulevard and not off the alley.
49. The security and video taping plans are subject to review and revision by the Sheriff's Department at any time.
50. Approval of the Dance and Entertainment Permit is contingent upon the successful completion of a background investigation by the Sheriff's Department of the Applicant (i.e., Business Operator), Manager(s)/Supervisor(s) related to the business or entertainment with the tentative findings provided to the City Council. Please contact the Public Safety Department at (562) 804-1424 to begin this process. If such findings are modified or rescinded by the Sheriff's Department within one hundred eighty (180) days from the City Council's approval, the Dance and Entertainment Permit shall be brought back to the City Council for hearing as to whether the permit shall be revoked.

51. The Applicant or occupant of the premises shall maintain with the City a current register of the names and addresses of any and all persons having management and/or control of the business.
52. The entire premises are subject to inspection by the Sheriff's Department at anytime. Any locked or otherwise secured rooms shall be opened upon demand.
53. All employees shall possess, at the site, a valid California Department of Motor Vehicles driver's license or identification card. Employees shall present such identification upon demand of any regulatory official.
54. A person in charge shall be present at all times the business is open. The person in charge shall be familiar with all codes and adopted conditions regulating this establishment. The person in charge shall meet the following qualifications:
 - (a) Be at least twenty-one (21) years of age,
 - (b) Possess, on their person, a valid DMV issued California driver's license or identification card,
 - (c) Be able to communicate effectively with regulatory officials, and
 - (d) Have the ability to immediately contact the owner.
55. The person in charge shall immediately introduce him/herself to any regulatory officials who enter the premises and identify themselves as regulatory officials.

Building and Safety Division

56. The maximum number of occupants shall be established by the Fire Department and the Building and Safety Division.
57. Exit signs shall be provided at each exit of the building. In addition, the exit signs shall be illuminated pursuant to California Building Code and Fire Code.
58. Prior to the issuance of the business license, the Applicant shall set up an inspection with the Fire Department and the Building and Safety Division to conduct a maintenance inspection and assessment to verify fire and life safety provisions, as needed.
59. Maximum occupant load signs shall be posted and continuously maintained in a conspicuous location on the premises and areas adjacent to the exits of the building, pursuant to the California Building Code. The most restrictive maximum occupancy shall apply. This occupancy limitation shall not be violated.

Floor Plan

60. The subject property shall be developed and/or used in the manner requested and shall be in substantial conformity with the submitted plans date-stamped October 27, 2008, unless revisions and/or additional conditions are specifically required herein.

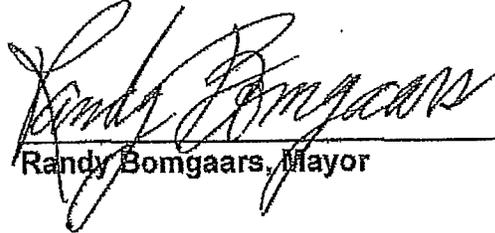
61. The Applicant shall revise the floor plan to clearly delineate the dance floor area, which is not to exceed three hundred forty-four (344) square feet in area. The Applicant shall physically reduce the dance floor area by providing physical delineation (i.e., placement of pool tables, chairs and dining table, taping/roping of the area) within the unpermitted enlarged dance floor area, subject to review and approval by the Planning Division.
62. The Applicant shall physically reduce the stage area by removing the unpermitted stage expansion. The Applicant shall revise the floor plan to indicate the reduction of the stage area. The stage area shall not exceed eighty (80) square feet in size.
63. The Applicant shall revise the floor plan to revise the area called-out as "HALF HEIGHT PANEL WALL D.J. BOX" as "LIGHTING AND SOUND BOOTH." Said room shall not be occupied by a D.J. or by any performers and shall only be used to store and operate the lighting and sound equipment.
64. The Applicant shall revise the floor plan to illustrate the relocation of the existing two (2) pool tables within the unpermitted enlarged dance floor area. The Applicant shall physically relocate the existing two (2) pool tables within said area, subject to review and approval by the Planning Division.
65. The second floor of the subject building shall not be open for public use. The change in use from office and employee lounge to storage and mechanical area shall be subject to review and approval by the Building and Safety Division.
66. The floor plan layout for the establishment shall be in substantial conformance with what was approved for the Conditional Use Permit; otherwise, the Applicant shall request approval from the Planning Commission for a modification of Conditional Use Permit Case No. CU 01-31.
67. The approved floor plan and/or room use shall not be changed without prior approval from the Alcoholic Beverage Control Department, the Sheriffs Department, and the City of Bellflower.

Signs, Exterior Effects and Exterior Modifications

68. The unpermitted window signs and the A-frame sign placed on the public right-of-way shall be removed.
69. The use of blinking lights, flashing lights, strobe lights, cannon lights or any signs that advertise alcohol sales (e.g., promotional signage for brands of alcoholic beverages) which are visible from the exterior of the building shall be prohibited.
70. Any future exterior building facade changes or installation of new signs requires approval from the Town Center Design Review Committee prior to installation.

SECTION 3. The Mayor, or presiding officer, is hereby authorized to affix his signature to this Resolution signifying its adoption by the City Council of the City of Bellflower, and the City Clerk, or her duly appointed Deputy, is directed to attest thereto.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BELLFLOWER THIS 10th DAY OF NOVEMBER 2008.



Randy Bomgaars, Mayor

Attest:



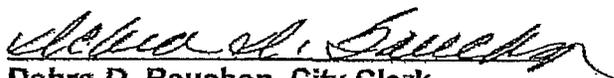
Debra D. Bauchop, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)SS
CITY OF BELLFLOWER)

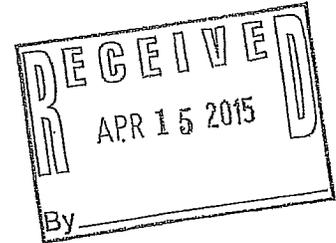
I, **Debra D. Bauchop**, City Clerk of the City of Bellflower, California, do hereby certify under penalty of perjury that the foregoing Resolution No. 08-66 was duly passed, approved, and adopted by the City Council of the City of Bellflower at its Regular Meeting of November 10, 2008, by the following vote to wit:

AYES: Council Members – Larsen, Smith, Dunton, and Mayor Bomgaars
ABSTAIN: Council Member - King

Dated: November 17, 2008


Debra D. Bauchop, City Clerk
City of Bellflower, California

(SEAL)



www.spikesportsbar.com

To: City of Bellflower, Bellflower Sheriff Department
From: Spikes Sports Bar & Grill
16728 Bellflower Blvd
Bellflower, Ca 90706
Re: Updated Plan of Action

Spikes Bar has been in business in Bellflower since 2008 and has nightly events that has been successful on a nightly basis. Spikes Bar is promoting to a mature 35 & over customer base thru Social Media sites and Marketing Campaigns. The goal is to continue to have day and night events to entertain our guest in a safe environment inside the venue and surrounding areas outside the venue.

At Spikes we have run a tight program with security from checking ID's , dress code, having the proper amount of security based on the amount of people expected, staffing the surrounding areas to make sure that our patrons have a visible citing in the parking lot to and from their car.

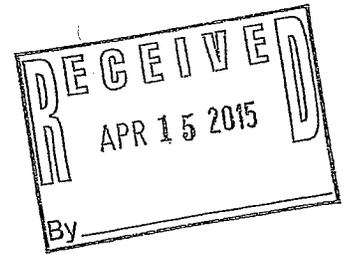
The incident that took place on April 12, 2015 at 2am which happen in the Chase Bank parking lot we believe that the incident was a isolated incident that happen not due to Spikes but an outside problem that has nothing to do with the visit to Spikes Bar.

The incident does not go unnoticed. We must make adjustments necessary and increase our awareness. We have met as a team to update our current Security Plan which we feel is already a strong plan that's in place to ensure we prevent any possible future problems in our surrounding area.

Spikes is committed to ensure we follow all that is agreed upon to have a long standing business here in the City of Bellflower.

Attached is a Plan of Action with current and updated information is attached for your review.

16728 Bellflower Blvd. Bellflower Ca 90706
(562)804-0200



SPIKES BAR SECURITY PLAN

1. Staffing- We have met to ensure we have the proper staffing from our security to our staff who runs the floor. Spikes Bar is well staffed and will review any sub-par performances by staff to ensure 100% compliance to all standards/
2. The door is always staffed with someone checking ID's on heavy volume patron nights after 9pm to ensure patron entering the building is of legal limit to drink which plan is currently in place and followed.
3. Dress Code is Strictly Enforced- We have a posted sign with dress code standards which we enforce to ensure proper crowd control. A customer who does not make dress code must vacate the parking lot. Dress Code standards have been in place and followed.
4. Re- Train Security on duties and responsibilities as expected from a staff member.
5. We enforce a no In's & Outs rule so patrons are not going to car and loitering by their vehicles. Patrons are asked to go inside or leave the premises
6. We have made signs that we have put out on nights to control noise etc... for our residential neighbors. (see attached photo)
7. Spikes Bar is in compliance to making sure all customers are out the premises by 2am.
 - Last call by 1:25am
 - Music slow down at 1:25am
 - Lights on at 1:40am
 - Last song at 1:45amSecurity is responsible for ensuring all patrons are out the venue and to their cars before entering the building.
- 8.. Spikes Bar is now adding Motor Patrol on Weekends to increase visibility and more security to the parking lot.
9. We continue to have communication with the Sheriff Department on a nightly basis.

Spikes Bar has zero tolerance to our rules and standards we have set forth from any staff member or customer visiting our establishment. Spike Bar has not had any major incidents up to leading to this event and want to continue to do good business in our City of Bellflower. The plan of adding a Motor Patrol gives more visibility to our security to ensure a safe environment.

For any Questions or Concerns please contact Ernest McIntyre (562)225-8787

ATTENTION

**QUIET
ZONE**

RECEIVED
APR 11 2015

**NEIGHBORS
ARE SLEEPING**

**NO CLUB PARKING
RESIDENCE ONLY**



**NO LOUD MUSIC
NO CAR HORNS**



APPLICATION FOR AMUSEMENT, DANCES & ENTERTAINMENT (BMC 5-6)

BMC 5-6.1(a) No person shall operate, conduct or manage any public place where food or beverages are sold, offered for sale or given away, and where any form of entertainment is provided or furnished without first obtaining a permit so to do as hereinafter provided for in this section.

• Please select permit type:

Dance Entertainment Both

Business Name: Spike's Sports Bar and Grill Phone: (626) 833-4648

Business Address: 16728 Bellflower Blvd., Bellflower, CA

Normal Days and Hours of Operation: 7 days a week 11:00am-2:00am

Nature and Type of Current Business: Restaurant and Bar

• Dance and/ or Entertainment Information:

Physical Location of Entertainment on the premises: Dance floor, stage, entertainment area

Days and Hours of Dance and/ or Entertainment: 7 days and week 7:00pm-2:00am

Admission Fee: 10 dollar admission fee for Friday and Saturday events

Detailed Description of proposed Entertainment (Type of entertainment, number of person engaged in entertainment, etc.):

Please see attached business proposal

Will Alcohol be Served? No Yes - License Type & No: Liquor #47

• Applicant Information:

Applicant: Ismael Sevilla Phone: (626) 833-4648

Street Address * [REDACTED]

City: [REDACTED] State: [REDACTED] Zip: [REDACTED]

Social Security No: [REDACTED] Citizenship: Resident

Drivers License No.	Sex	Hair	Eyes	Height	Weight
<u>[REDACTED]</u>	<u>M</u>	<u>Brown</u>	<u>Brown</u>	<u>5'5"</u>	<u>225</u>

P O Box is not permissible

Have you ever been convicted of any crime as a result of an arrest, citation or criminal complaint (Do not include traffic infractions)? Include any convictions expunged via 1203.4 PC. Yes No

If yes, please explain in detail: (1982) As the vehicle operator I had an illegal alien as a passenger in my vehicle (Misdemeanor)

City of Bellflower
Application for Amusement, Dances & Entertainment
Page 2 of 3

• Owner Information:

Owner Name Ismael Sevilla Phone: (626) 833-4648

Address: [REDACTED]

Federal ID Number: _____

State of Incorporation: California

State ID Number: [REDACTED]

Type of Entity:

- Corporation Corp- Ltd. Liability Sole Proprietor
 Partnership Limited Partnership Ltd Liability Partnership
 Other:

If applicant is a Corporation, please include a copy of Articles of Incorporation and names and residence addresses of each of the officers, directors, and each stockholder owning not less than twenty-five (25) percent of the stock of the corporation. If the applicant is a partnership, please include a listing of the name and residence addresses of each of the partners, including limited partners. In the event any partner, limited or general, is a corporation, the applicant shall comply with the provisions set forth above and provide the information relating to corporate applicants

• Name(s) of the Person(s) having the management or supervision of Applicant's business and of any entertainment:

1. Employee: N/A Title/ Position: _____
Street Address *: _____ Phone: _____
City: _____ State: Zip: _____
Social Security No: _____ Date of Birth: _____

Drivers License No.	Sex	Hair	Eyes	Height	Weight

* P.O. Box is not permissible

Employment Duties/ Authority: _____

Have you ever been convicted of any crime as a result of an arrest, citation or criminal complaint (Do not include traffic infractions)? Include any convictions expunged via 1203.4 PC Yes No

If yes, please explain in detail: _____

2. Employee: _____ Title/ Position: _____

Street Address *- _____ Phone: _____

City: _____ State: _____ Zip: _____

Social Security No: _____ Date of Birth: _____

Drivers License No.	Sex	Hair	Eyes	Height	Weight

* P.O. Box is not permissible

Employment Duties/ Authority: _____

Have you ever been convicted of any crime as a result of an arrest, citation or criminal complaint (Do not include traffic infractions)? Include any convictions expunged via 1203.4 PC. Yes No

If yes, please explain in detail: _____

3. Employee: _____ Title/ Position: _____

Street Address *- _____ Phone: _____

City: _____ State: _____ Zip: _____

Social Security No: _____ Date of Birth: _____

Drivers License No.	Sex	Hair	Eyes	Height	Weight

* P.O. Box is not permissible

Employment Duties/ Authority: _____

Have you ever been convicted of any crime as a result of an arrest, citation or criminal complaint (Do not include traffic infractions)? Include any convictions expunged via 1203.4 PC Yes No

If yes, please explain in detail: _____

Additional Information Required to be submitted with application:

Plot plans (Interior floor plan and exterior including parking layout).

Address labels of all property owners within three hundred (300) feet.

Ismael Sevilla

Applicant (Please Print)

07/28/08
Date

Applicant Signature

*Dance & Entertainment Permit Application Fee: \$ 200.00 *

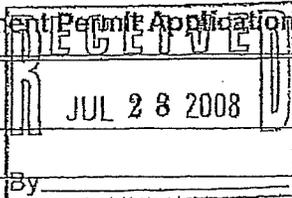
* Dance & Entertainment Permit Application & Business License Processing Fee: \$950.00

For Internal Use:

Date Received: _____ By: _____

Receipt #: _____ Amount: _____

Hearing Date: _____ BL#: _____



Spike's Bar and Billiards Business Proposal

Location: 16728 Bellflower Boulevard, Bellflower, California 90706

Background

In purchasing The South Village, I will bring over 10 years of valuable experience to the City of Bellflower. I have owned and managed my current establishment, Spike's Bar and Billiards (7813 E. Garvey Ave., Rosemead, CA 91770) since August of 1997. Spike's is one of Los Angeles' premiere establishments well known for its' great entertainment, fantastic ambiance and excellent customer service.

With our fully stocked bar and quality service, Spike's caters to those who are 21 years of age and older. My business has a steady clientele which includes both local customers as well as patrons from the surrounding counties. Spike's has its' very own Disc Jockeys who play a wide selection of dance music. Spike's regularly host live bands which are from all over the United States and the world. Many of these performances have received rave reviews in several magazines such as "The L.A. Weekly" and "Music Connection". Spike's has been featured on television shows; "LA TV", "Rebel Beat: A Documentary" and have hosted an event on "Big Show Radio LA".

For those patrons who are looking for become stars, Karaoke nights are a great opportunity for them to shine. Spike's is a participant in "Karaoke Scene" magazine and has one of the most experienced Karaoke hosts in the San Gabriel Valley with one of the largest selection of songs from which to choose from.

Spike's is also a host location for the APA (American Poolplayers Association), which is a competitive amateur league with a goal to play in a nationwide tournament held in Las Vegas. Our teams have appeared in such magazines as "On the Break" and "On the Wire".

We are very active in the community providing our establishment for fundraisers to benefit the local park and recreation centers as well as the local schools. Spike's also participates in an annual toy drive where the month of December is dedicated to the collection of unwrapped toys and monetary donations. Donations are delivered to the local Fire Department to be delivered to those less fortunate on Christmas Day.

Business Detail

Hours of operation: 11:00am-2:00pm, 7 days a week. Live entertainment will take place 7:00pm until 2:00am, 7 days a week. After 9:00pm all patrons will be required to be over the age of 21 and provide valid identification.

Pursuant to purchasing The South Village, I plan on incorporating all of the existing qualities of my current business and bringing them to the City of Bellflower in such a way that will bring forth the most successful establishment for dining and entertainment in the community. My proposed business plan is to provide excellent customer service in a friendly inviting atmosphere while providing great tasting Mexican cuisine with the

finest and freshest ingredients at an affordable price. The menu will also include a full bar (see enclosed menu and list of food and liquor distributors). We will have professional uniformed and experienced wait staff which will include licensed and certified food handlers, chefs, bartenders, waiters/waitresses, bus persons, host/hostess, beer backs, and security staff. The dining area will consist of 34 tables allowing families to enjoy an exemplary dining experience. The kitchen will be open in conjunction with the entertainment we offer. Adjacent to the dining area is the stage area and the dance floor, which will host a maximum of 110 patrons at any given time. We expect a typical occupancy of 175. We will have a wide variety of entertainment including live music, dancing, karaoke, and two billiard tables.

In order to focus on the fine dining and entertainment experience, we will not be renting out the facility for private parties and we will not be operating as a banquet facility. In addition, entertainment will be provided by the restaurant owner and no outside promoters will be utilized. As owner/manager, I will also be responsible for booking all events and coordination of all entertainment for the restaurant. Events will be advertised by mailers, internet advertisement, and publication advertising in the LA Weekly. In order to offer the abovementioned amenities and serve the right clientele, a ten dollar cover charge will be enforced for Friday and Saturday events. We would love to provide an entertainment lineup however; until we are able to assess our clientele we are unable to provide you with an entertainment schedule. We do not intend to incorporate "go-go" dancers into any aspect of our establishment. We plan to offer "drink specials" and "bottle service" but details are not available until we assess our clientele. We plan to provide an open kitchen and serve alcohol in conjunction with dancing and live entertainment. We adhere to strict identification verification as well as ID being required of all patrons entering the establishment after 9:00pm. Wristbands will not be used to differentiate between minors and patrons of legal age, however our security guards will see to it that all minors (21 and under) have left the restaurant prior to 9:00pm. Patrons will enter from the front and line-up along the front of the building; this will keep people off Bellflower Boulevard and facilitate parking in the adjacent public parking lot. To the rear of the building we will have a roped off section for those who choose to smoke. Having more than a decade of restaurant/entertainment experience, we are well informed of the sophisticated tactics minors use to partake in order to get into an over 21 establishment, we do not condone this activity and will take the necessary steps to ban individuals who make such attempts.

Our security guard firm, Los Angeles Security and Patrol Services, will be monitoring the front and rear doors, conducting ID checks and necessary searches and crowd-control, enforcing maximum occupancy, and attire screening. In addition, our security guards will take all necessary steps to clear-out the restaurant and parking lot at the end of the night. One of our regular courtesies is to have taxi's waiting in the rear of the establishment to ensure our patrons get home safely. Please see the attached proposal for additional information.

We are anxious to embark on this new opportunity. Should you have any questions please do not hesitate to call my political consultant Daniel Otani at (310) 733-9043

Spike's

SPORTS BAR & GRILL

APPETIZERS

Guacamole	\$3.99
3 Taquitos / Guacamole	\$5.99
Chicken or Beef	
Nachos	\$5.99
add Chicken or Beef	\$1.00
Beef Quesadillas	\$5.99

SALADS

Green Salad	\$4.99
Taco Shell Salad / Chicken	\$5.99
Chicken Salad	\$6.99
Shrimp Salad	\$8.99

SIDE ORDERS

1 Taquito	\$1.25
Beef / Chicken	
1 Taco	\$1.99
Soft /Hard Chicken or Beef	
1 Cheese Enchilada	\$1.99
1 Sope	\$1.99
Beef / Chicken	
1 Chile Relleno	\$2.99
1 Quesadilla	\$1.99
w/ Meat add.....	\$1.00

DINNERS

CHICKEN / MEAT

All Served w/ Rice & Beans	
Chicken w/ Mole	\$9.99
Grilled Chicken	\$9.99
Chile Verde	\$9.99
Pork Meat in Green Sauce	
Steak Picado	\$9.99
Beef Meat in Red Sauce	
Milanessa	\$9.99
Breaded Beef / Chicken	
Carne Asada	\$9.99
Carnitas	\$9.99
Pork Meat Deep Fried	

SEA FOOD

All Served w/ Rice & Beans	
Fish Tacos	\$7.99
Shrimp Tacos	\$8.99
Fish Tostada	\$3.99
Shrimp Tostada	\$4.99
Abulon, Octopus, Shrimp	\$6.99
<u>Cocktail</u>	
Shrimp Cocktail	\$9.99
Shrimp & Octopus	\$9.99
Shrimp, Octopus, & Abulon	\$11.95

An Optional 18% Gratuity Will Be Added To Parties Of 8 Or More
15% Discount To All Senoir Citizens

Spike's

SPORTS BAR & GRILL

BREAKFAST

All Served w/ Beans & Potatos

SERVED TIL 12pm

2 Eggs	\$4.50
Bacon & Eggs	\$5.50
Rancheros	\$5.50
Sunnyside Up w/Mexican Sauce	
Mexicana	\$5.99
w/ Tomato, Onions, & Chile	
Mexican Omelet	\$5.99
Chilaquiles Red/Green Sauce	\$5.50
Crisp Pork Red/Green Sauce ...	\$5.99

Breakfast Burrito	\$4.99
Pan Cakes (2)	\$4.50

SIDE ORDERS

1 Egg	\$1.25
Home Fries	\$1.25
Ham	\$1.75
Bacon	\$2.25
French Fries	\$1.99
Toast	\$1.50
Tomatoe Slices	\$1.99

LUNCH

All Served w/ Rice & Beans

Sopes (2)	\$5.99
Flautas (Beef/Chicken)	\$5.99
Fajitas (Beef/Chicken)	\$8.99
Enchiladas	
Cheese	\$6.50
Beef / Chicken	\$7.99
Burritos	
Veggie	\$4.99
Steak Beef	\$5.99
Chicken	\$5.99
Pork	\$5.99

KIDS MENU

Cheese Quesadilla	\$1.99
Chicken Nuggets & Fries	\$2.99
1 Taco (Beef/Chicken)	\$2.99
1 Enchilada	3.99
Bean & Cheese Burrito	\$3.99

DRINKS

Sodas	\$1.50
Pepsi, Diet Pepsi, 7up, Dr. Pepper	
Flavored Waters	\$1.99
Horchata, Jamaica, Tamarindo	
Full Bar	
Domestic Beer	\$2.75
Imported Beer	\$4.00

An Optional 18% Gratuity Will Be Added To Parties Of 8 Or More
15% Discount To All Senoir Citizens

*Los Angeles Security and Patrol Services
632 South 5th Street
Montebello, California 90640-5711
(323) 728-0231 Bus (323) 728-2906 Fax
State License PP010126*

Serving the Greater Los Angeles Area

July 17, 2008

Ismael A. Sevilla
16728 South Bellflower Blvd.
Bellflower, CA 90706

Re: Proposal for Security Services

Dear Mr. Sevilla,

Thank you for contacting our office for security services. Our main office is based out of Montebello, CA. Based the information you provided, we would be pleased to provide security services for your new restaurant, Spike's, on Friday and Saturday evenings each week, with additional days and hours as needed.

As indicated, you plan to provide entertainment of Friday and Saturday nights from 10:00pm until 2:00am. Based on this we will be able to provide 4 unarmed security guards each night. All duties to be performed will be in compliance with the laws of the State of California. Security guard duties will be the following;

Doorman- provides access control and screens those who enter to prevent admittance to those that are obviously intoxicated or who have previously caused trouble inside the club. In addition our doorman will monitor patron conduct on the sidewalk as well as inside the restaurant.

Floor men- monitor the crowd to see that everyone behaves. The goal is to see that everyone has a good time, but within established limits. Our well-trained floor man will circulate throughout the restaurant, be highly visible, and be easily identifiable as an employee. The floor man will continually evaluate the conduct and attitudes of each patron and watch for changes behavior.

We look forward to serving you. Should you need additional information, please feel free to contact our office at (323) 728-0231.

Respectfully yours,

Roy Portillo
Personnel Manager

**RESPONSE TO PRELIMINARY COMMENTS FOR DRB CASE NO. 08-02-08
16728 BELLFLOWER BOULEVARD**

2. In response to your request for a completed environmental review form, this is not a qualifying project according to California Environmental Quality Act (CEQA) Section 21065. Therefore, further environmental review is not required.
3. It is our understanding that hearing posters will not be required until a DRB hearing is granted.
4. It is our understanding that address labels are not needed until a DRB hearing is granted.
9. Hours of operation will be 11:00am-2:00am, 7 days a week. Live entertainment will take place 7:00pm until 2:00am, 7 days a week. After 9:00pm all patrons will be required to be over the age of 21 and provide valid identification.
10. Please see revised application to indicate dance and/or entertainment will take place between the times of 7:00pm and 2:00am.
11. Sound shall not be audible beyond 100 feet of the subject site.
12. Please see revised business description to indicate the restaurant will not be rented out for private parties and will not be operated as a banquet facility
13. Entertainment will be provided by the restaurant owner and no outside promoters will be utilized.
14. Please see revised business description to indicate events will be advertised by mailers, internet advertisement, and publication advertising in the LA Weekly.
17. The applicant will not be making any improvements to the property; therefore no plans are attached and will not be submitted.
19. Please see revised business description to indicate a ten dollar cover charge will be enforced on Friday and Saturday evenings.
20. Please see revised business description to indicate, we are unable to provide with an entertainment schedule until our clientele is assessed.
21. Please see revised business description to indicate "drink specials" and "bottle service" will be offered however; additional details are not available until we assess our clientele.
22. Please see revised business description to indicate we do not intend to have "go-go" dancers.

23. Please see revised business description to indicate the business owner will be responsible for booking all events and coordination of all entertainment for the restaurant.

56. Please see attached "Floor Plan" for an illustration of the dining layout.

57. Please see attached "Floor Plan", which illustrates the dimensions of the property.

58. Please see revised business description to indicate the following:

- (a) Dancing is proposed for 7 days a week from 7:00pm til 2:00am.
- (b) A maximum of 110 people will be on the dance floor at any given time.
- (c) Dancing may also be in conjunction with live entertainment.
- (d) A DJ will be used for the dancing.
- (e) The kitchen will be open while dancing and entertainment is going on.
- (f) We plan to serve alcohol while dancing and live entertainment is going on,

however we adhere to strict identification verification as well as ID being required of all patrons after 9:00pm.

(g) Events will be advertised by distributing flyers, mailers, internet advertisement, and publication advertising in the LA Weekly.

(h) Outside promoters will not be utilized for promotion purposes.

59. Please see revised business description and proposal from Los Angeles Security and Patrol Services for additional information regarding our security plan.

61. Outside promoters will not be used.

62. Please see revised business description to indicate the typical occupancy will be 175

64. Please see revised business description to indicate wristbands will not be used to differentiate between minors and patrons of legal age. However, our staff adheres to strict rules of carding each patron purchasing alcohol.

67. Promotional flyers will be distributed via mailing list, random distribution, and email.

68. Security personnel will be monitoring the front and rear doors, crowd-control, enforcement of maximum occupancy, ID checks, searches and attire screening.

70. Patrons will use the front entrance and will line up along the front end of the building.

71. Patrons will be able to smoke in a roped-off area to the rear of the establishment.

72. Please see revised business description to indicate our security guards will take all necessary steps to clear-out the restaurant and parking lot at the end of the night. One of

our regular courtesies is to have taxi's waiting in the rear of the establishment to ensure our patrons get home safely.

73. Please see revised business description to indicate until we assess our clientele, we are unable to provide details regarding our music/entertainment lineup. However, music will be provided by various DJ's, live band, mariachi groups, and karaoke hosts.

74. Please see revised business description to indicate our security guards will see to it that all minors (21 and under) have left the restaurant prior to 9:00pm.

77. Please see attached business description and proposal from Los Angeles Security and Patrol Services for a detailed security plan.

David Carlat
Political Consulting & Management
1017 N. La Ceinega Blvd., Suite 103
West Hollywood, CA 90069
(310) 659-3877; cell: (310) 497-7557
politicalconsulting@comcast.net

October 22, 2008

From: Daniel Otani

To: Ms. Rowena Genillo

Re: Case No. EP 08-02; 16728 Bellflower Boulevard

In response to your request for clarification on items related to Case No. EP 08-02 for property located to 16728 Bellflower Boulevard. Please see our responses to your requests:

- Attached in this email is scanned copy of the menu the applicant is currently using.
- The floor plans with changes you verbally requested at our 10/20/08 meeting at the Planning Counter will be hand delivered under separate cover.
- The proposed smoking patio was inspected by the Health Department on 10/20/2008 and the health inspector stated there is proper ventilation considering the existing fan, overhead vent, air curtain, and patio exit door.
- Our proposed Dance and Entertain schedule is as follows:
 - Monday- Karaoke
 - Tuesday- Karaoke
 - Wednesday- DJ
 - Thursday- DJ and live band
 - Friday- DJ and live band
 - Saturday- DJ and live band
 - Sunday- DJ
- Hours of Operation are as follows:
 - 7 days a week – 2:00pm-9:00pm Restaurant
 - 9:00pm-2:00am Dance and Entertainment with appetizer items available.
- At this time Club Shadow will not be performing at the location.

Tacos

Choice of soft or hard tortilla. Served with pico de gallo (onions, tomato and cilantro).

1. Carne Asada / Char-broiled Steak \$1.25
2. Carnitas / Pork \$1.25
3. Pollo / Chicken \$1.25

Tortas

Mexican sandwich stuffed with beans, lettuce, tomato, cheese, guacamole and sour cream.

4. Carne Asada / Char-broiled Steak \$4.99
5. Carnitas / Pork \$4.99
6. Jamon / Ham \$4.99

Sopes

Mexican sandwich stuffed with beans, lettuce, tomato, cheese, guacamole and sour cream.

7. Carne Asada / Char-broiled Steak \$2.50
8. Carnitas / Pork \$2.50
9. Jamon / Ham \$2.50

Burritos

Flour Tortilla stuffed with rice and beans and choice of meat.

10. Carne Asada / Char-broiled Steak \$4.99
11. Carnitas / Pork \$4.99
12. Pollo / Chicken \$4.99
13. Chile Verde / Green Sauce \$4.99

Wet Burritos

Flour Tortilla stuffed with rice and beans and choice of meat. Topped with cheese, enchilada sauce, sour cream and guacamole.

14. Carne Asada / Char-broiled Steak \$6.99
15. Carnitas / Pork \$6.99
16. Pollo / Chicken \$6.99
17. Chile Verde / Green Sauce \$6.99

Quesadillas

Grilled flour tortilla with Monterey Jack Cheese. Served with avocado, salad and sour cream.

18. Original Quesadilla \$4.99
- Melted Monterey Jack Cheese
19. Mega Quesadilla \$5.99



Salads

Beef or Chicken with rice, beans, lettuce, tomato, guacamole & sour cream.

- | | |
|---------------------------|--------|
| 20. Garden Salad | \$4.99 |
| 21. Grilled Beef Salad | \$6.99 |
| 22. Grilled Chicken Salad | \$6.99 |
| 23. Taco Salad | \$7.50 |

Side Orders

Beef or Chicken with rice, beans, lettuce, tomato, guacamole & sour cream

- | | |
|--|--------|
| Rice | \$1.50 |
| Refried Beans | \$1.75 |
| Sour Cream | \$1.25 |
| Guacamole | \$2.50 |
| Extra Chips & Salsa | \$2.00 |
| Tortillas (5) | \$0.75 |
| French Fries | \$2.50 |
| Regular Nachos | \$4.99 |
| Beans, Cheese and Jalapeños | |
| Mega Nachos | \$6.99 |
| Beans, Cheese, Jalapeños, Guacamole, Sour Cream & Choice of Meat | |

Desserts

- | | |
|---|--------|
| Flan / Mexican Custard | \$2.50 |
| Nieve / Ice Cream | \$3.50 |
| Chocolate, Vanilla, Strawberry | |
| Spike's Surprise | \$4.00 |
| Fried plantains with choice of ice cream, topped with whipped cream, caramel and a cherry | |



Bebidas/Beverages

Restaurant Hours Only

Non-Alcoholic Drinks

7-UP	\$2.00
Coke	\$2.00
Diet Coke	\$2.00
Lemonade	\$2.00
Cranberry Juice	\$2.25
Orange Juice	\$2.25
Pineapple Juice	\$2.25
Redbull	\$3.00
Ice Tea	\$2.00
Coffee	\$2.00
Bottled Water	\$2.00

Cervezas/Beers

Bottled

DOMESTIC BEER \$3.00

Michelob Ultra

Budweiser

Bud Light

Miller Lite

O'Douls (non-alcoholic)

IMPORTED BEER \$4.00

Blue Moon

Corona

Dos XX Lager

Heineken

Imperial

Modelo (esp. Negra)

Guinness Draught

New Castle

Pacifico

Tecate

ON TAP

Michelob Amber Bock

Budweiser

Bud Light

Heineken

Stella Artois

Widmer Hefeweizen

Bass Pale Ale

Miller Lite

Glass 16oz

\$3.25

\$3.25

\$3.25

\$4.25

\$4.25

\$4.25

\$4.25

\$3.25

Pitcher

\$9.00

\$8.00

\$8.00

\$10.00

\$10.00

\$10.00

\$10.00

\$8.00



SPIKE'S EMAIL RESPONSE DATED OCTOBER 24, 2008 (4:23 P.M.)

From: Rowena Genilo
Sent: Wednesday, October 22, 2008 4.49 PM
To: Daniel C. Otani
Subject: Re: Case No. EP 08-02 for property located to 16728 BellflowerBoulevard

Hi Daniel,

This email is to confirm receipt of your email with attachments (i.e., menu and transmittal letter). Additionally, I do have the following comments and questions regarding the email you sent:

Menu

I did receive the menu for the regular business hours. However, you indicated in your response that between the hours of 9:00 a.m. – 2:00 a.m. appetizer items will be available. The menu does not clearly indicate what the appetizer items are. Please clarify.

Applicant's Response: None.

Floor Plans

The requirement to submit accurate floor plans depicting the existing site layout was discussed during the City Council and was mentioned on my previous emails (i.e., 10/14/08, 10/16/08, and 10/17/08 – see attached emails). On October 20, 2008, you showed me and later provided me with a reduced floor plan for the subject business. However, as we discussed the floor plan still needed revision because it did not accurately illustrate the existing floor plan layout of the subject establishment. Your response letter indicates that at this time you are not ready to submit the fully dimensioned floor plans because it would be hand delivered under separate cover. When do you plan on submitting the floor plan? Please be aware that the fully dimensioned floor plans will need to be routed to the reviewers well before the tentative DRB meeting; thus we requested that all requirements be turned in by today

Applicant's Response: Submitted one set of plans and sent electronic copy of plans via email

Smoking Patio

As you have indicated in your response, a Health Department Inspector came by the site on 10/20/08 and indicated that there is property ventilation for the smoking patio. Please provide verification of their approval of the smoking patio.

Applicant's Response: We met with an inspector from Los Angeles Public Health that assessed the smoking patio and assured us that considering the existing fan, overhead vent, air curtain, and patio exit door there is proper ventilation. The inspectors contact information can be found below:

Magdy Wahba, R.E.H.S
Environmental Health Specialist II
Environmental Health
Bureau of Food Inspection
Norwalk District
12440 East Imperial Highway, Suite 519
Norwalk, CA 90650
(562) 345-6800 tel

Entertainment Schedule

Please clarify when dancing is proposed. Additionally, during the days that the DJ and live band are proposed, how many DJ's and live bands do you expect?

Applicant's Response: Our proposed Dance and Entertain schedule is as follows:

Monday- Karaoke
Tuesday- Karaoke
Wednesday- DJ - Dancing
Thursday- DJ and live band - Dancing
Friday- DJ and live band - Dancing
Saturday- DJ and live band - Dancing
Sunday- DJ - Dancing

Courtesy Taxi Service

It appears that you made an omission on addressing the courtesy taxi service. Are you planning to address it?

Applicant's Response: None.

Club Shadow

As you indicated on the floor plan, club shadow will not be performing at the location "at this time". Is it the intention of your client to have club shadow in the future?

Applicant's Response: The applicant and Club Shadow do not have an agreement for Club Shadow to perform at his venue. Club Shadows previous performance at the applicant's Rosemead location took place as an accommodation because the previous owner of Spike's had booked this performer for the Bellflower location.

Please provide clarification expeditiously, as these are necessary to determine whether the project will be scheduled for the October 30, 2008 DRB meeting. Thanks.

Sincerely,
Rowena Genilo

Call (562)304-3962 to order ahead

Unc's Kitchen @ SPIKES

Cheeseburger Sliders

Mini Angus Beef on toasted mini buns with grilled onions and aged cheddar cheese.

3 Sliders served with fries... \$7.00

8 Sliders served with fries... \$16.50

Carne Asada Tacos

Served with onions, cilantro and salsa.

4 Tacos... \$6.50

Chicken Tacos

Served with onions, cilantro and salsa.

4 Tacos... \$5.50

Wings Done Right

Chicken Wings cooked to perfection by true Wing Pros who know how to prepare a Freakin' Wing. Served sauced in magnificent flavor:

- ▶ Traditional Hot
- ▶ Lemon Pepper
- ▶ BBQ
- ▶ Honey Blazin' Asian
- ▶ Mild

10 wings served with fries, your choice saucing and Homemade Ranch... \$10.00

35 wings served with fries, your choice saucing and Homemade Ranch... \$30.00

Jalapeno Poppers

Served with homemade Ranch dressing...

\$3.50

Nachos Fries

Served with cheese sauce, seasoned ground beef & jalapenos...

\$7.00

Mozzarella Sticks

Served with marinara...

\$4.50

Call (562)304-3962 to order ahead

Unc's Kitchen @ SPIKES

Beer Batter Onion Rings

Served with Homemade Ranch...

\$3.50

The Ernie Mac' Platter

2 "Double Meat" Sliders, 10 Wings, Fries & Homemade Ranch...

\$16.50

Sampler Platter

10 Wings, Jalapeno Poppers, Mozzarella Sticks, Onion Rings, Veggie Sticks, Fries & Dipping Sauces...

\$18.00

The Mega Platter

4 Sliders, 20 Wings, Nacho Fries & Homemade Ranch...

\$30.00

Wings Ding Platter

50 Wings, Fries, Veggie Sticks & Homemade Ranch...

\$45.00

The Lighter Side

It's a Wrap...

Chicken, lettuce, tomato, cilantro, onion & homemade Ranch cuddled up in a tortilla wrap.

Crispy Chicken Ranch Wrap

\$7.50

or

Grilled Chicken Ranch Wrap

Turkey Burger

\$7.50

Made to order on a Wheat Bun and served with Coleslaw and a Kosher Pickle.

Navigation

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Find Us

16728 Bellflower Blvd
Bellflower, CA 90706

Phone: (562) 804-0200

Marcus Jenkins

310 594 4635

Email

Spikesbarbellflower@gmail.com

marcajenkins@gmail.com



Spikes

SUPER BOWL XLIX

SUNDAY FEBRUARY 1

SUPER BOWL XLIX PARTY

DRINK SPECIAL 2 FOR 1 FOR THE TAILGATE PARTY TILL 3PM

\$5 PATRON SHOTS | \$5 VODKA & CRAN

\$5 RUM AND COKE | 4TH QUARTER \$3 WINE SPECIAL

16728 Bellflower Blvd. Bellflower, Ca 90706

25+ hrs smoking patio | Pool Table | No Cover

Sunday February 1, 2015

DJ SIXX PACK, MANAJ THE ENTERTAINER
CHOSEN FEW PROMOTIONS & DJ XTREME
PROUDLY PRESENT
(4) PROMOTERS, (2) TURN' T UP DJ'S & (1) TURN HOT M.C.

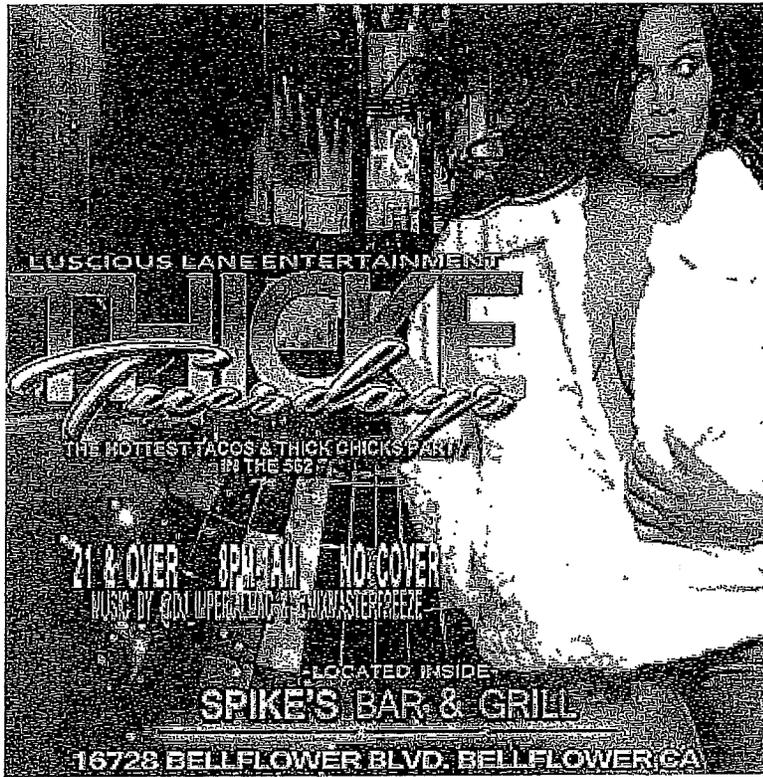
VALENTINE'S / PRESIDENTS DAY
ALL-STAR WEEK-END 2015

**LOVE &
TURNUP!**

CALLING OUT ALL ROMANTICS TO TURN UP ON
SUNDAY FEBRUARY 15TH
NO WORK OR SCHOOL THE NEXT DAY!

21 AND OVER | \$10 BEFORE 10P.M.

Sunday, February 15, 2015



Tuesday
March 24, 2015

CLOSE X

DISK PACK | CHOSEN FEW PROMOTIONS | DJ XTREME
PROUDLY PRESENTS

THE OFFICIAL ARIES GROWN & SEXY

SUNDAY TURN-UP!

SUNDAY 12TH 2015

21 AND OVER | \$10 BEFORE 10:30 P.M.

SEXY TRENDY DRESS CODE
NO HATS, PLAIN SHIRTS OR SPORTSWEAR
\$5 SHOT BARI | OUTSIDE SMOKING PATIO
MUSIC BY

DJ SIX PACK & DJ XTREME

HOSTED BY THE LADIES OF SOMPTON

LIVE ON STAGE GIRL (OTM) DWIN
FAMOUS UNO
PERFORMING HIS NEW SINGLE
"SWITCH"

EVENT INFO: 424.219.8187 OR 310.848.7018



Sunday
April 12, 2015

DETAILS

Karaoke Thursdays at Spike's Bar
Dinner! Carry out with family &
friends! Part of "behind the bar" 22

only all night 55 wings & slider
Flower 79.95-99.95 797

BERM ENTERTAINMENT presents

Karaoke THURSDAYS

MUSIC BY DJ NOT

\$3 DRINKS ALL NIGHT

21 & Over 8pm - until
No Cover Charge

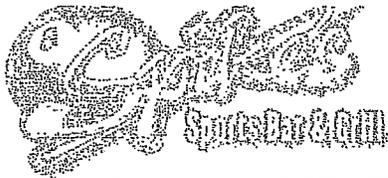
\$5 WINGS & SLIDER SPECIALS

16728 Bellflower Blvd
BELLFLOWER, CA

CLOSE X



Thursday, April 16, 2015



List View

May 2015

Sun Mon Tue Wed Thu Fri Sat

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31



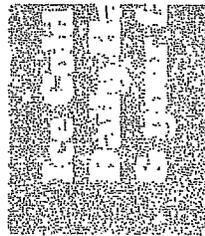
Love Jones LA



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Sunday
May 17, 2015



Sunday
 Monday
 Tuesday
 Wednesday
 Thursday
 Saturday

Friday
 June 19, 2015

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FRIDAY JUNE 19TH



Sports Bar & Grill

(CORNER OF BELLFLOWER BLVD. & FLOWER STREET)

MUSIC BY DJ Y-NOT HOSTED BY MCMANAJ

310.594.4635 WWW.SPIKESPORTSBAR.COM



FRIDAY JUNE 26TH

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View Details

THE MID-SUMMER CASINO

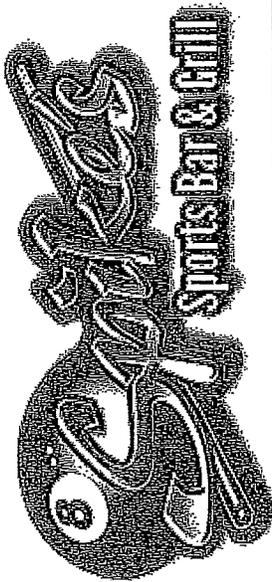
GAME NIGHT & CANCELLATION!!!

21 & OVER WITH VALID ID • 8PM - 2AM • \$18 BEFORE 9:30PM
MUSIC BY DJ Y-NOT • HOSTED BY MC MANAJ

Spike's
SPORTS BAR & GRILL

16728 BELFLOWER BLVD. | BELFLOWER, CA 90706
(CORNER OF BELFLOWER BLVD & FLOWER ST PARK & LEVIN IN REAR)
FOR TABLE RESERVATIONS, BIRTHDAY PARTIES CALL 310.594.4635

Friday, June 26, 2015



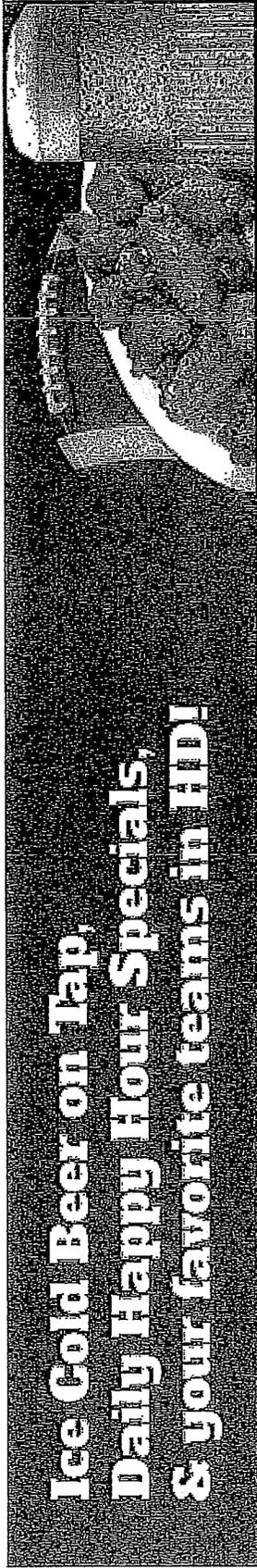
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**Ice Cold Beer on Tap,
Daily Happy Hour Specials,
& your favorite teams in HD!**

Sunday

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Tuesday

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Saturday

Tuesday

NBA Finals Game 6 Warriors vs Cavaliers 6pm at Spikes Bar!

Taco Tuesday! \$3 beers \$5 Drinks! Come Enjoy the Game with

Food & Drinks Tuesday June 16th 5pm till! Spikes Bar 16728

Bellflower Blvd. Bellflower 90706 www.SpikesSportsBar.com ?#?

nbafinals? ?#?bar? ?#?Spikesbar? ?#?warriors? ?#?cavaliers? ?#?nba?

?#?happyhour?

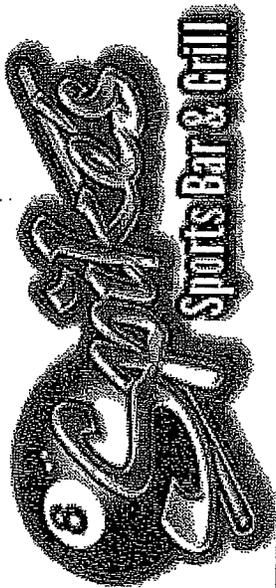


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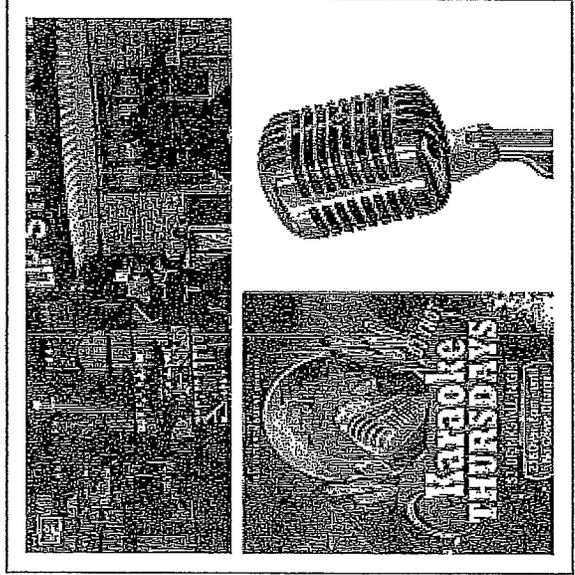
Thursday

Friday

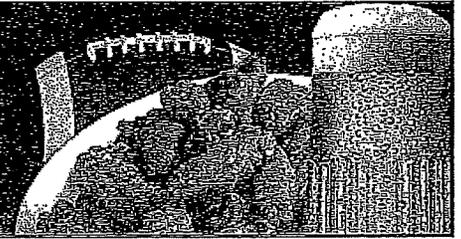
Saturday

Thursday

Thursday Night KARAOKE and our Everyday Happy Hour! Line Dancing Class starts at 7pm! Come get ur dance on! Karaoke Thursday's inside Spikes Bar! NO COVER! 8pm-1a Dj Ynot! Pool Tables & Cigar Patio! Come out with family & friends and sing, mingle & party! Spikes Bar 16728 Bellflower Blvd (Corner of Flower) #karaoke??spikesbar? #bar? #nightlife? ??#? thursdaynight? #nbafinals #sportsbar #pooltable



**Ice Cold Beer on Tap,
Daily Happy Hour Specials,
& your favorite teams in HD!**



Sunday	FRIDAY NIGHT AT SPIKES BAR! HAPPY HOUR \$2 BEERS \$3 IMPORTS \$5 WELL DRINKS till 7pm 7PM- \$5 WELL DRINKS- \$5 PATRON SHOTS 5 U CALL IT DRINKS TILL 830PM!! \$5 PATRON/CIROC/COGNAC BARON PATIO AFTER 9PM
Monday	
Tuesday	
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Thursday	
Friday	
Saturday	

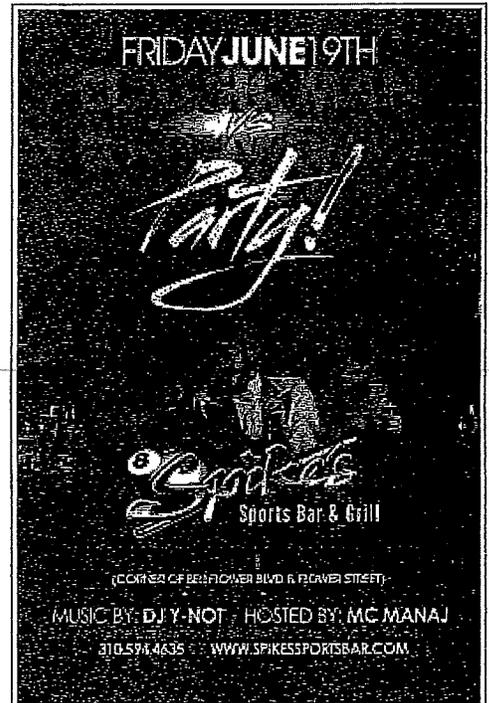
DJ YNOT!!!!!! AND DJ VICIOUS LEE! getting it in on the Video Dj Mix!

MC MANAJ GOIN IN ON THE MICI!!!!

DRESS CODE! NO SPORTSWEAR OR CAPS

CIGAR SMOKERS! WE HAVE A GREAT PATIO FOR YOU TO SMOKE AND ENJOY GREAT COMPANY!

Strictly a grown and sexy event!



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16728 Bellflower Blvd
Bellflower, CA 90706

Phone: (562) 804-0200

Marcus Jenkins

310 594 4635

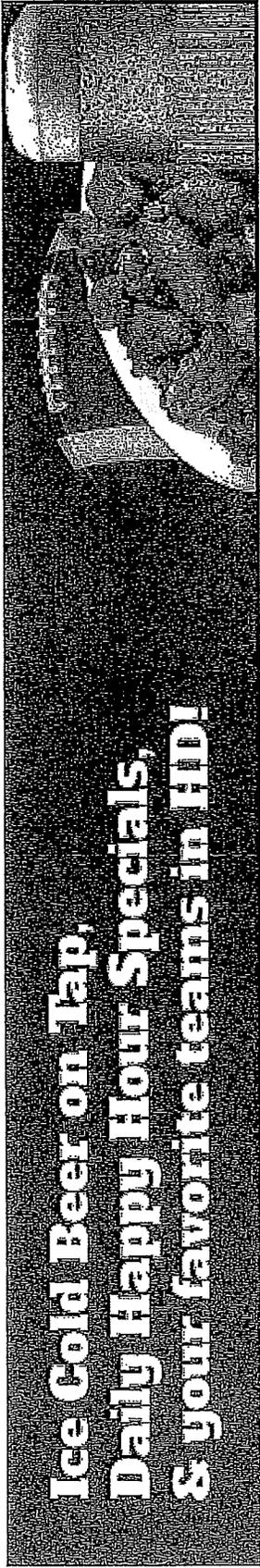
Email
Spikesbarbellflower@gmail.com

marcajenkins@gmail.com





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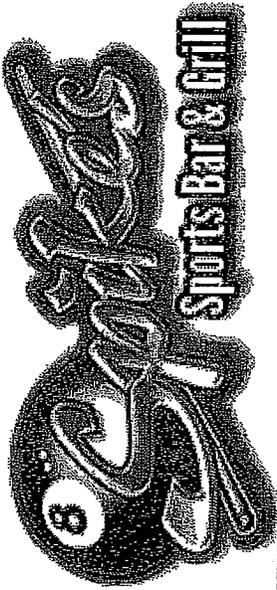
SATURDAY NIGHTS AT SPIKES BAR

OUR EVERYDAY \$5 CIROC/PATRON, FIREBALL & COURVOISIER ON THE PATIO!!!!

UNC'S KITCHEN!!!! GREAT SELECTION OF FOOD CHOICES AND PLATTERS

COME ENJOY THE MUSIC OF DJ YNOT!

GREAT PLACE TO SPEND YOUR NIGHT HERE AT SPIKES!!!



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Sunday



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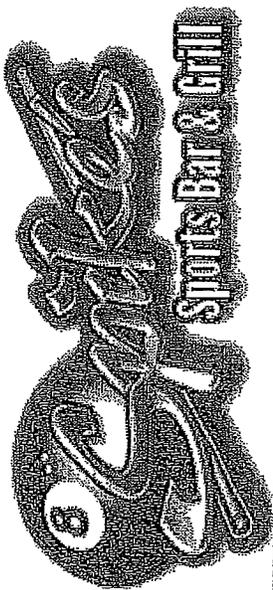
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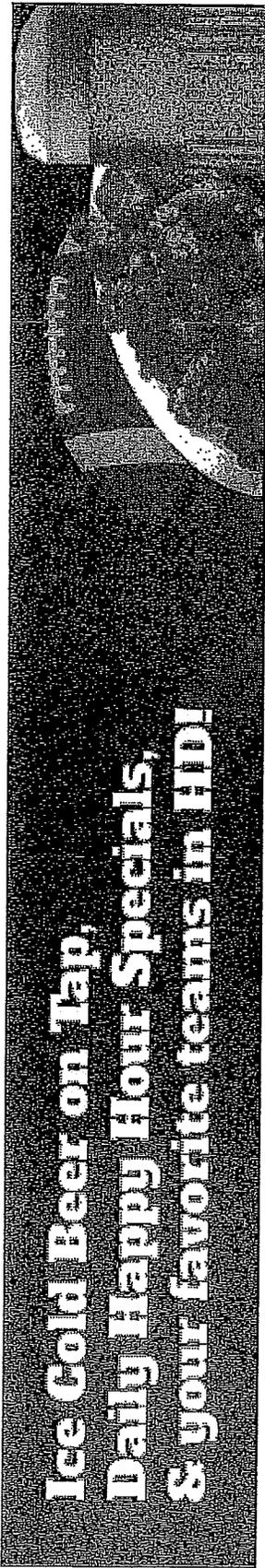
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Spike's
Sports Bar & Grill

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8 Spikes
Sports Bar & Grill

GROW A SEXY NIGHTS

EVERYSATURDAYNIGHT!

OLD SCHOOL | LATIN GROOVES | TOP 40 | R&B
VIDEO MIXING BY DJ Y-NOT & MC MANAJ

21 & OVER | 8P.M. TO 2A.M.

FREE WITH THIS FLYER BEFORE 10 P.M.
SECURITY & DRESS CODE ENFORCED

DRESS TO IMPRESS

NO SPORT CAPS OR FLIP FLOPS

FEATURING

FULLY STOCKED BAR & FULL MENU

POOL TABLES, VIP TABLES & SMOKING AREA

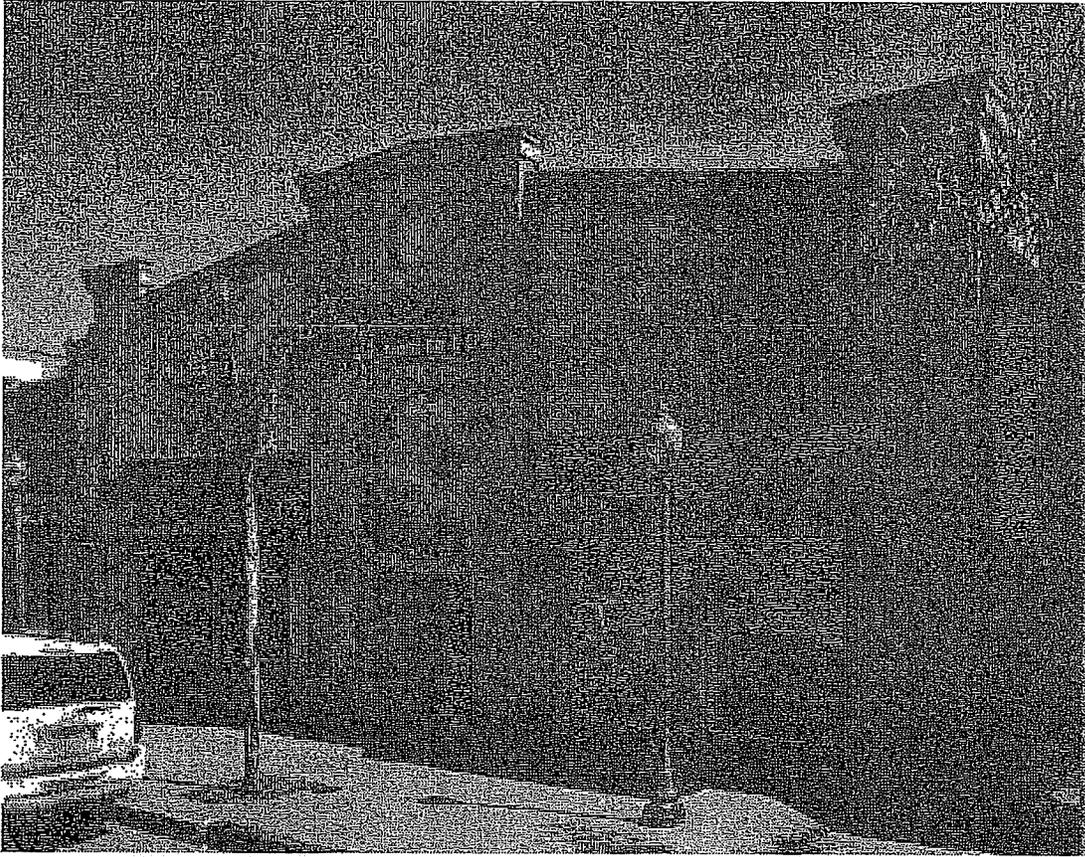
FOR DINNER, VIP TABLES, BIRTHDAY PARTY RESERVATIONS
OR GENERAL INFORMATION PLEASE CONTACT US @

562.804.0200 OR 310.594.4635

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DESIGN BY XIGIFX@GMAIL.COM

Every Saturday Night



Once You Enter Club
No In & Out's

04/30

10 Public Comments

At City Manager Stewart's request and without objection, referencing comments and concerns from Ms. Nord, Director of Planning Guzman 1) provided a brief update on Foster Square, noting that a permit has been issued for the remodel, but no construction has taken place to date; 2) stated that a court hearing is scheduled for August 18, 2015, to set a progress hearing; 3) encouraged residents to continue to inform the City of any illegal activities taking place so that it can be dealt with immediately; and 4) responded to Council Members' questions.

Referencing the Foster Square area, Sheriff's Sergeant Oscar Butao stated that the Crime Suppression Team is actively patrolling the area and has made significant progress, including several arrests.

Without objection, Council Member Schnablegger requested Sheriff's deputies include patrol of the Dog Park parking lot while they are in the vicinity checking on Foster Square (Woodruff Avenue and Foster Road).

11-A Public Hearing to Consider the Suspension, Modification or Revocation of a Dance and Entertainment Permit to Allow Live Musical Entertainment, a Disc Jockey, Dancing, and Karaoke on Property Located at 16728 Bellflower Boulevard (Spike's Bar & Grill) within the Town Center (TC) District

Director Guzman gave a PowerPoint presentation of the Staff Report, responded to Council Members' questions, and introduced City Prosecutor Eckart, Director of Public Safety Hockman, and Sheriff's Sergeant Butao.

It was moved by Council Member Dunton, seconded by Council Member Schnablegger, and carried without objection, to open the Public Hearing.

Mayor Pro Tem Koops explained the purpose of the Public Hearing.

Executive Assistant Avery administered the Oath to those wishing to present public testimony.

The following individuals basically spoke in support of the City Council continuing the Public Hearing to allow the Permittee time to resolve the remaining violations of the Dance and Entertainment Permit's conditions of approval, explaining that the changes were made out of necessity for the business to survive economically, reviewing the corrective measures taken thus far, and committing to continue to work with City Staff to ensure Spike's is in compliance with all the conditions of approval:

11-A Public Hearing to Consider the Suspension, Modification or Revocation of a Dance and Entertainment Permit - Continued

- **Attorney Joseph W. Haney, Haney LaBriola, LLP, representing Ismael Sevilla, Permittee/Owner of Spike's Bar & Grill**
- **Marcus Jenkins, Promotions and Marketing Manager, Spike's Bar & Grill**
- **Ismael Sevilla, Permittee/Owner of Spike's Bar & Grill**

The following individuals, patrons of Spike's Bar & Grill, spoke in support of the business:

- **Sheila L. Baker**
- **Teri Nelson**
- **Damien LeForbes**

The following individuals complained about the noise and lack of parking lot security, basically speaking in opposition to allowing Spike's Bar & Grill to continue operating under its current business model [more as a nightclub rather than a restaurant with sports and entertainment components]:

- **Bernadette Maynard, former manager and resident of Belmont Place Apartments for Seniors**
- **Vincente Jackson, resident of Belmont Place Apartments for Seniors**

The following individuals spoke in rebuttal, basically explaining what has been done and what the Permittee plans to do to address the complaints and bring the business operation into compliance with the conditions of approval of the Dance and Entertainment Permit:

- **Ismael Sevilla, Permittee/Owner of Spike's Bar & Grill**
- **Marcus Jenkins, Manager of Spike's Bar & Grill**
- **Joseph W. Haney, Attorney**

There being no one else wishing to present public testimony, it was moved by Council Member Schnablegger, seconded by Council Member Santa Ines, and carried without objection, to close the Public Hearing.

City Prosecutor Eckart reviewed the four options outlined in the Staff Report, Bellflower Municipal Code Section 5.36.110 with respect to determining whether to suspend or revoke the Dance and Entertainment Permit, how and why the initial conditions of approval for the Permit were established, and noting that there was really no dispute that there were violations of the conditions of approval. City Prosecutor Eckart responded to Council questions.

11-A Public Hearing to Consider the Suspension, Modification or Revocation of a Dance and Entertainment Permit - Continued

Following discussion, it was moved by Mayor Pro Tem Koops and seconded by Council Member Schnablegger to allow the Applicant 45-days to bring those conditions of approval not in conformance into compliance and allow the Applicant and Staff that time to discuss and determine whether an amendment is needed to the Dance and Entertainment Permit. Mayor Pro Tem Koops' motion failed by the following roll call vote:

AYES: Council Members - Schnablegger and Mayor Pro Tem Koops
NOES: Council Member - Dunton and Santa Ines
ABSENT: Council Member - Mayor Larsen

Following discussion, It was moved by Council Member Dunton, seconded by Mayor Pro Tem Koops, and carried by the following roll call vote, to direct staff to return to the Council, at its August 10, 2015, meeting, with a resolution to revoke the Dance and Entertainment Permit (allowing a 49-day time period for the Applicant to work with City Staff to attempt to arrive at mutually agreeable operational requirements); and, if those requirements would necessitate the Applicant to request modifications to the subject Dance and Entertainment Permit, then the Applicant must have timely filed with the City a complete application to modify that Permit so any required Public Hearing to consider that application can be properly noticed for and held at that August 10, 2015, City Council meeting:

AYES: Council Members - Dunton, Santa Ines, Schnablegger, and Mayor Pro Tem Koops
ABSENT: Council Member - Mayor Larsen

11-B Public Hearing to Consider Adopting Certain Findings and Approving an Energy Service Contract with Climatec, LLC, for Energy-Related Improvements to City Facilities

RESOLUTION NO. 15-34 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELLFLOWER APPROVING THE FORMS AND DIRECTING THE EXECUTION AND DELIVERY OF A LEASE-PURCHASE AGREEMENT AND OTHER DOCUMENTS IN CONNECTION WITH THE FINANCING AND INSTALLATION OF THE CLIMATEC ENERGY PROJECT, AND APPROVING CERTAIN OTHER MATTERS RELATING THERETO (INSTALLATION AGREEMENT FILE NO. 661.1; MV AGREEMENT FILE NO. 661.2; AND LEASE-PURCHASE AGREEMENT FILE NO. 676)

Without objection, Mayor Pro Tem Koops announced that this item will be removed from the Agenda to review the matter further and bring it back at a future meeting.

CITY OF BELLFLOWER

RESOLUTION NO. 15-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELLFLOWER REVOKING DANCE AND ENTERTAINMENT PERMIT CASE NO. EP 08-02 TO ALLOW FOR LIVE BANDS, KARAOKE, DISC JOCKEY (“DJ”), AND DANCING AT AN EXISTING RESTAURANT AND SPORTS BAR (DBA: SPIKE’S SPORTS BAR AND GRILL) IN THE TC (TOWN CENTER) DISTRICT ON PROPERTY LOCATED AT 16728 BELLFLOWER BOULEVARD; APPLICANT: ISMAEL SEVILLA

WHEREAS, on June 11, 2015, the City of Bellflower (“City”) notified Ismael Sevilla, the holder of Entertainment Permit Case No. EP 08-02 (the “Permit”) and owner of Spike’s Sports Bar and Grill located at 16728 Bellflower Boulevard, Bellflower, California (the “property”), of its intent to suspend or revoke the Permit, which allowed for live bands, karaoke, disc jockey (“DJ”), and dancing at an existing restaurant and sports bar on the property within the TC (Town Center) District; and

WHEREAS, the notice of public hearing was duly given and posted in the time, form and manner as required by law; and

WHEREAS, the City Council opened a public hearing on June 22, 2015, and received testimony from City Staff, Ismael Sevilla (“Permittee”), Marcus Jenkins (associate and employee of the Permittee); Joseph W. Haney III (attorney for the Permittee), and members of the public relevant to the conduct of Spike’s Sports Bar and Grill, the provision of dance and entertainment thereat, and the ‘business’ impact upon the peace, health, safety, and general welfare of the public; and

WHEREAS, the City Council subsequently closed the public hearing after receiving all relevant testimony from the persons desiring to provide such testimony; and

WHEREAS, at the conclusion of said hearing, after careful consideration of all relevant evidence presented, the City Council determined that the Permittee, his agent or employee, and/or other persons connected or associated with the Permittee caused, allowed, permitted, or suffered repeated instances of non-compliance with the conditions of approval of the Permit (“Approved Conditions”), and the Permittee would not be able to operate the business in a manner that would adhere to the Approved Conditions based upon the direct testimony presented by the Permittee and others, and that the activities associated with the Permit have been conducted in a manner contrary to the public peace, health, safety, and welfare and in such a manner as to constitute a public nuisance; and

WHEREAS, the City Council voted (4-0-1, Mayor Larsen absent) to revoke the permit effective upon adoption of a corresponding resolution on August 10, 2015; which resolution the City Council directed staff to prepare and bring back at the August 10, 2015, City Council meeting.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BELLFLOWER
DOES HEREBY RESOLVE AS FOLLOWS:**

SECTION 1. Based upon the evidence presented at the public hearing of June 22, 2015, and the recitals set forth above, each of which is incorporated herein by reference, the City Council does hereby find and determine as follow:

1. On July 2, 2012, a letter was sent to the business owner, Ismael Sevilla, informing him that a July 3, 2012, event billed "Pre 4th of July Bash" was inconsistent with the Dance and Entertainment Permit because of the type of entertainment proposed and that outside promoters, "Club Symmetry," were promoting the event.
2. On August 24, 2012, a Manager/resident of Belmont Place Apartments called to report being awakened at night by some after-hours parking lot noise at Spike's Bar and Grill. Public Safety Director Joel Hockman attempted to reach the business owner, Ismael Sevilla, but he was not available. Mr. Hockman left a message with another staff member named Brianna, explaining the complaint and requested a call from Ismael Sevilla. Two weeks later, a Sheriff's representative spoke to Marcus Jenkins and was informed that Spike's staff would direct all parking to the street and also behind the bank, after hours. Mr. Sevilla never called Mr. Hockman back.
3. On September 26, 2013, a shooting victim informed Los Angeles County Sheriff's Deputies that he was shot at Spike's. The Sheriff's Department had also received a call for service in the area of Spike's regarding an illegal shooting from an independent source. Spike's management did not contact the City's Public Safety Department or the Los Angeles County Sheriff's Department to address this issue and did not submit any changes to their security plan in response to the incident and/or to prevent future reoccurrence.
4. On December 8, 2014, two residents of Belmont Court informed the City Council that they were awakened almost every Friday and Saturday morning around 2 a.m. when the patrons of Spike's leave the premises. They reported patrons with loud voices echoing from the alley, patrons playing their vehicle radios very loud, and that patrons sometimes fight and have minor car accidents. It was also reported that when the patrons of Spike's are asked to be quiet, they have thrown beer bottles.
5. On March 24, 2012, April 23, 2013, and in April of 2015, Sheriff's personnel were made aware of a significant gathering of gang members for a special event. The Sheriff's Department closed the event down because of concerns for officer and public safety. Spike's management did not contact the City's Public Safety Department or Los Angeles County Sheriff's Department to address this issue and did not submit any changes to their security plan in response to the incident and/or to prevent future reoccurrence.

6. On April 12, 2015, a shooting occurred involving a Spike's patron. This incident is still under investigation by the Los Angeles County Sheriff's Department.
7. On April 14, 2015, Marcus Jenkins, representing himself as the Manager of Spike's Bar, met with Director of Public Safety Joel Hockman to discuss the April 12, 2015, shooting. Mr. Jenkins provided Mr. Hockman with a copy of a letter to be submitted to the Los Angeles County Sheriff's Department that read, "the incident was an isolated incident that happen [sic] not due to Spikes but an outside problem that has nothing to do with the visit to Spikes Bar." Mr. Jenkins also personally informed Mr. Hockman that the shooting was not related to Spike's. The Sheriff's Department later confirmed that the victim and suspect were involved in an altercation inside Spike's that escalated to the shooting outside of the building. The owner of Spike's also subsequently stated that Mr. Jenkins is not, in fact, a manager of the business.
8. On May 7, 2015, a letter was issued by the Planning Department informing the business owner that there are growing concerns about the impact the business activities are having upon the peace, health, safety, and welfare of the patrons and the general public as a result of the reports received by the City and/or the Los Angeles County Sheriff's Department pertaining to incidents of violence, illegal parking, and breaches of the peace that stem from the ongoing business activities at or adjacent to Spike's Sports Bar and Grill. In addition, the business owner was informed of several conditions of approval that are not in compliance.

SECTION 2. Based upon the findings of fact set forth in Section 1 above, pursuant to Bellflower Municipal Code Section 5.36.110, the City Council does further find, determine, and declare as follows:

1. The Permittee (or agents thereof) has operated Spike's Sports Bar and Grill in a manner contrary to the peace, health, safety, and general welfare of the public and has further violated rules, regulations, and/or conditions of approval set forth in City Council Resolution No. 08-66 related to Entertainment Permit Case No. EP 08-02, including that the dance and entertainment use was operated in violation of Condition Nos. 6, 13, 20, 27, 36, 37, 44, 47, 48, 60, 61, 62, 64, 66, and 67 as illustrated in Table 1 below:

Table. 1 - Dance and Entertainment Permit No. EP 08-02 - Conditions of Approval			
	Condition of Approval	Status	Finding
No. 6	All licenses, permits, and adopted conditions of approval shall be posted and maintained in a place conspicuous to all employees and the public.	Not in compliance	On April 30, 2015, when asked to if he had a copy of the conditions of approval, Ismael Sevilla said he did not have them at the business but instead kept the conditions of approval at home.
No. 13	No changes or alterations in the proposed entertainment format content, as outlined on the Applicant's Business Proposal date-	Not in compliance	The original application provides that \$10 admission fees will only be charged for Friday and Saturday events. Based on some event advertisements, flyers

	stamped September 15, 2008, October 22, 2008, and October 24, 2008, shall occur without prior approval, in writing, from the City of Bellflower.		and internet promotions 1) an admission fees is charged on days other than Friday and Saturday, and 2) the charge sometimes exceeds \$10 (i.e., Sunday, May 17, 2015, promotion "Love Jones L.A. Café and Lounge – General Admission \$10 in advance and \$15 at the door"). In addition, a "Casino Game Night & Cancer Affair" was proposed and advertised June 26, 2015, and no Temporary Use Permit Application has been submitted to date for casino-style entertainment.
No. 20	Solely the Applicant is permitted to book and coordinate all events and entertainment for the restaurant and sports bar. Entertainment shall be solely provided by the Applicant and no "outside promoters" shall be allowed to sublease or host functions at the subject property. "Outside Promoters" does not include an advertising agency that designs or places advertising for the business.	Not in compliance	Ismael Sevilla confirmed that he hired a promotor, Marcus Jenkins (formerly of the Hop in Lakewood), to book events. Mr. Sevilla's response to DRB contains a statement that outside promoters will not be used. Mr. Sevilla further explained that Mr. Jenkins is an employee. Flyers/advertisements read: 1. February 16, 2015 – "Chosen Few Promotions Proudly presents...(4) promoters" 2. April 12, 2015 - "Sunday Night Turn-Up! Chosen Few Promotions and Hosted by Ladies of Compton" 3. April 17, 2015 – "Luscious Lane Entertainment...located inside Spike's Bar & Grill" 4. April 19, 2015 – "DM Ink & B & B Entertainment Present Love Jones LA" (pre-sale tickets are purchased through DM Ink and B & B Entertainment) 5. May 17, 2015 – "Spike's Sports Bar & Grill presents Love Jones LA Café & Lounge for tickets search Love Jones LA on eventbrite.com"
No. 27	The proposed use shall not cause noise or other nuisance, which is, or may be, detrimental to other property in the neighborhood or to the welfare of the occupants thereof.	Not in compliance	Neighbors complained about noise and patrons being a nuisance at the December 8, 2014, City Council meeting and at the June 22, 2015 Public Hearing.
No. 36	The sale of distilled spirits by the bottle (i.e., "bottle service") and "drink specials" are prohibited. The sale of distilled spirits by the bottle for same day or future consumption is prohibited.	Not in compliance	Drink specials are shown on an advertisement for a Super Bowl party on February 1, 2015. Drink specials are also shown on advertisements for many special events. For example, "\$3 drinks all night Karaoke Thursdays (April 17, 2015)", "\$5 shot bar – Sunday Night Turn-up! (April 12, 2015)" and "B&M Entertainment Ernest Mack Birthday Bash – Drinks Specials" (March 13, 2015)

No. 37	The subject alcoholic beverage license shall not be exchanged for a Type 48 (On Sale General - Public Premises) Alcohol License nor operated as a public premise (i.e., strictly bar or nightclub), without modifying Conditional Use Permit Case No. CU 01-31 and this Dance and Entertainment Permit.	Not in compliance	<p>Spike's is being operated as a nightclub. The establishment is not open for lunch as noted on their website hours of operation, and on Tuesday opens after typical dinner time:</p> <ul style="list-style-type: none"> - Tues. open at 6:30 p.m. - Wed. open at 2:00 - Thurs. open at 2:00 - Fri. open at 4:00 - Sat. open for 4:00 <p>The floor plan had been altered on numerous occasions by 1) the expansion of the dance floor by virtue of the pool tables having been relocated and being adjacent to movable furniture, which is moved for special events, 2) the stage has been expanded, 3) the original food menu has changed from a comprehensive list of food options including salads, sandwiches, wraps, side orders, and deserts (with appetizers only to be served after 9 p.m.) to an appetizer-only style menu with limited options during all operating hours, and 4) promotions focus on late-night activities and alcohol service as opposed to bonafide restaurant services.</p> <p>[Although a recent inspection showed that the pool tables, dance floor, and stage had been returned to an approved state, evidence presented at the hearing demonstrated that the Permittee altered the approved floor plan in order to increase the dance and entertainment at the premises.]</p>
No. 44	Keeping the peace and order on adjacent areas and parking lots is also the responsibility of the Applicant. Losing control over these areas may affect the establishment's Alcohol License, Conditional Use Permit, and Dance and Entertainment Permit.	Not in compliance	April 12, 2015, shooting involving patrons of Spike's occurred on adjacent areas and parking lot routinely used by Spike's customers. The City has received complaints regarding Spike's patrons making excessive noise when leaving the business establishment.
No. 47	A copy of the contract with the hired security company shall be submitted to the Los Angeles County Sheriff's Department and the City of Bellflower Public Safety Department.	Not in compliance	Although a proposal for security services was provided at the time of Entertainment Permit issuance, an actual contract for security services has not been submitted to date.
No. 48	The waiting line shall be moved to the front door along Bellflower Boulevard and not off the alley.	Not in compliance	On April 30, 2015, Ismael Sevilla said the front door is not used. The patrons are asked to line up and enter through the rear door facing the alley.
No. 60	The subject property shall be developed and/or used in the manner	Not in compliance	The floor plan has been modified without approval from the City. The

	requested and shall be in substantial conformity with the submitted plans date-stamped October 27, 2008, unless revisions and/or additional conditions are specifically required herein.		<p>pool tables have been relocated from their approved location adjacent to the dance floor to the front of the establishment (also violation of Condition No. 64). The dance floor is now larger than that set forth in the approved plans based on the pool tables moving and movable furniture placed adjacent to the dance floor. The stage has also been expanded (also a violation of Condition No. 63).</p> <p>[Although a recent inspection showed that the pool tables, dance floor, and stage had been returned to an approved state, evidence presented at the hearing demonstrated that the Permittee altered the approved floor plan in order to increase the dance and entertainment at the premises.]</p>
No. 61	The Applicant shall revise the floor plan to clearly delineate the dance floor area, which is not to exceed three hundred forty-four (344) square feet in area. The Applicant shall physically reduce the dance floor area by providing physical delineation (i.e., placement of pool tables, chairs and dining table, taping/roping of the area) within the unpermitted enlarged dance floor area, subject to review and approval by the Planning Division.	Not in compliance	<p>Photos posted on Facebook show use of an enlarged dance area. The dance floor has been expanded now that the pool tables have been relocated and can easily be expanded given the adjacent movable tables and chairs.</p> <p>[Although a recent inspection showed that the pool tables, dance floor, and stage had been returned to an approved state, evidence presented at the hearing demonstrated that the Permittee altered the approved floor plan in order to increase the dance and entertainment at the premises.]</p>
No. 62	The Applicant shall physically reduce the stage area by removing the unpermitted stage expansion. The Applicant shall revise the floor plan to indicate the reduction of the stage area. The stage area shall not exceed eighty (80) square feet in size.	Not in compliance	<p>The stage was expanded from the approved plans.</p> <p>[Although a recent inspection showed that the pool tables, dance floor, and stage had been returned to an approved state, evidence presented at the hearing demonstrated that the Permittee altered the approved floor plan in order to increase the dance and entertainment at the premises.]</p>
No. 64	The Applicant shall revise the floor plan to illustrate the relocation of the existing two (2) pool tables within the unpermitted enlarged dance floor area. The Applicant shall physically relocate the existing two (2) pool tables within said area, subject to review and approval by the Planning Division.	Not in compliance	<p>The pool tables have been moved from their approved location next to the dance floor to the front of the establishment (thereby providing larger dance area).</p> <p>[Although a recent inspection showed that the pool tables, dance floor, and stage had been returned to an approved state, evidence presented at the hearing</p>

			demonstrated that the Permittee altered the approved floor plan in order to increase the dance and entertainment at the premises.]
No. 66	The floor plan layout for the establishment shall be in substantial conformance with what was approved for the Conditional Use Permit; otherwise, the Applicant shall request approval from the Planning Commission for a modification of Conditional Use Permit Case No. CU 01-31.	Not in compliance	The floor plan has been substantially changed (by increasing the size of the dance area and stage), and the establishment is operating as a nightclub, which is contrary to the operation approved by the Conditional Use Permit. [Although a recent inspection showed that the pool tables, dance floor, and stage had been returned to an approved state, evidence presented at the hearing demonstrated that the Permittee altered the approved floor plan in order to increase the dance and entertainment at the premises.]
No. 67	The approved floor plan and/or room use shall not be changed without prior approval from the Alcoholic Beverage Control Department, the Sheriff's Department, and the City of Bellflower.	Not in compliance	Changes to the floor plan have taken place without requisite approvals. [Although a recent inspection showed that the pool tables, dance floor, and stage had been returned to an approved state, evidence presented at the hearing demonstrated that the Permittee altered the approved floor plan in order to increase the dance and entertainment at the premises.]

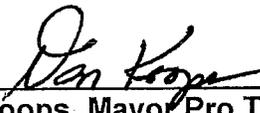
- The City Planning Department has shown specific continuous problems with the use of the site and with the Permittee's failure to comply with the approved conditions of the Entertainment Permit that are detrimental to public health, safety, welfare, and constitutes a nuisance as specified in correspondence dated May 7, 2015.

SECTION 3. Based on the findings set forth in Sections 1 and 2 above, the City Council hereby finds that the grounds for revocation of the Entertainment Permit established by Bellflower Municipal Code Subsection 5.36.110, have been met and that Entertainment Permit Case No. EP 08-02 shall therefore be and hereby is revoked effective immediately, and no person shall cause, provide, furnish, allow, or suffer any entertainment at the subject property without first obtaining a new, current, and valid permit to do so. The City Council hereby finds that each of the findings set forth in Section 2 above is alone sufficient to support revocation of the Entertainment Permit, and that it would have determined to revoke the Entertainment Permit upon such finding alone regardless of the existence of any other finding.

SECTION 4. This Resolution constitutes a final administrative determination, and judicial review is subject to the provisions and time limits set forth in California Code of Civil Procedure Sections 1094.6 et seq.

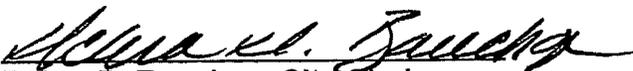
SECTION 5. The Mayor, or presiding officer, is hereby authorized to affix his signature to this Resolution signifying its adoption by the City Council of the City of Bellflower, and the City clerk, or her duly appointed deputy, is directed to attest thereto.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BELLFLOWER THIS 10th DAY OF AUGUST, 2015.



Dan Koops, Mayor Pro Tem

Attest:



Debra D. Bauchop, City Clerk

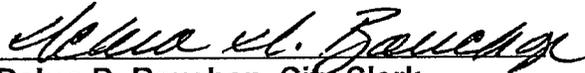
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)SS
CITY OF BELLFLOWER)

I, **Debra D. Bauchop**, City Clerk of the City of Bellflower, California, do hereby certify under penalty of perjury that the foregoing Resolution No. 15-49 was duly passed, approved, and adopted by the City Council of the City of Bellflower at its Regular Meeting of the Bellflower City Council of August 10, 2015, by the following vote to wit:

AYES: Council Members – Santa Ines, Schnablegger, Dunton,
and Mayor Pro Tem Koops

ABSENT: Council Member – Mayor Larsen

Dated: August 11, 2015


Debra D. Bauchop, City Clerk
City of Bellflower, California

(SEAL)

12-B Ordinance No. 1294 - Continued

It was moved by Council Member Schablegger, seconded by Council Member Santa Ines, and carried by the following roll call vote, to read by title only, waive further reading, and introduce Ordinance No. 1294:

AYES: Council Members - Santa Ines, Schnablegger, Dunton,
and Mayor Pro Tem Koops

ABSENT: Council Member - Mayor Larsen

12-C **RESOLUTION NO. 15-49 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELLFLOWER REVOKING DANCE AND ENTERTAINMENT PERMIT CASE NO. EP 08-02 TO ALLOW FOR LIVE BANDS, KARAOKE, DISC JOCKEY (“DJ”), AND DANCING AT AN EXISTING RESTAURANT AND SPORTS BAR (DBA: SPIKE’S SPORTS BAR AND GRILL) IN THE TC (TOWN CENTER) DISTRICT ON PROPERTY LOCATED AT 16728 BELLFLOWER BOULEVARD; APPLICANT: ISMAEL SEVILLA [CITY]**

For the record, a letter submitted by Applicant Ismael Sevilla, addressed to the City Council, dated August 10, 2015 [informing the City Council of Mr. Sevilla’s intent to sell/transfer his business and withdraw his Dance and Entertainment Permit] was distributed to the City Council and made available to the public prior to the meeting.

City Manager Stewart 1) stated that a) earlier today a letter was received from the Applicant expressing his intent to sell the business and the land to a new management group; and b) the current owner of Spike’s (Applicant) seeks to relinquish the Dance and Entertainment Permit on file with the City; 2) relayed Staff’s recommendation that the City Council adopt Resolution No. 15-49 for the relinquishment of the Permit; and 3) indicated that Staff is confident that the new management team is dedicated to making a better, more suitable business for the downtown and looks forward to working with them.

In response to **John Paul Drayer’s** request, Mayor Pro Tem Koops briefly explained the matter and the incidents leading up to the revocation of the Dance and Entertainment Permit.

Marcus Jenkins, Manager of Spike’s Sports Bar and Grill, stated that 1) he intends to remain at Spike’s during the transition from a “sports bar” to the new concept for a cajun-style, southern cuisine restaurant; and 2) a better line of communication has been established with the City since the June 22, 2015, Public Hearing, and it is his intention it remain that way and to follow-up on all aspects of the business.

12-C Resolution No. 15-49 - Continued

Marcus Jenkins responded to Peter Hirezi's inquiry regarding the "new" establishment's anticipated opening.

It was moved by Council Member Santa Ines, seconded by Council Member Dunton, and carried by the following roll call vote, to adopt Resolution No. 15-49:

AYES: Council Members - Santa Ines, Schnablegger, Dunton,
and Mayor Pro Tem Koops

ABSENT: Council Member - Mayor Larsen

13 Consideration Items

None

14 Consent Calendar

For the record, 1) Mayor Pro Tem Koops announced that he will recuse himself from Item 14-N (Revised and Restated Memorandum of Unrecorded Grant Project Agreement for Grant No. 23.72 [Trabuco Butterfly Garden Project]) as he owns property within 500 feet of the subject property; and 2) Council/Agency Member Dunton announced that he will recuse himself from Item 14-L (Amendment No. 1 to Agreement File No. 667 with Epic Land Solutions, Inc.) and Item 14-Z (Resolution No. SA-15-03, Rejecting All Proposals Received in Response to the Request for Proposals for Disposition of Property Located at 16601 Bellflower Boulevard) as he owns property within 500 feet of the subject properties.

Noting Mayor Pro Tem Koops' aforementioned recusal on Item 14-N and Council/Agency Member Dunton's aforementioned recusal on Items 14-L and 14-Z, it was moved by Council/Agency Member Santa Ines, seconded by Council/Agency Member Schnablegger, and carried without objection, to approve the actions stipulated on the following Consent Calendar items:

- A Receive and File City Council/Successor Agency Warrant Register No. 16-021, Dated August 10, 2015 [CC/SA]
- B Receive and File City Council/Successor Agency Treasurer's Report for the Month of June 2015 [CC/SA]
- C Receive and File Amendment No. 2 to Agreement File No. 502.8 with Onward Engineering to Extend the Term for Engineering and Design Services for Flower Street Rehabilitation [CITY]



staff report

TO: Honorable Chairman and Members of the Planning Commission

ATTENTION: Leo Mingle Jr., Acting Community Development Director

FROM: John P. Ramirez, Assistant Planner

SUBJECT: 16728 Bellflower Boulevard
Conditional Use Permit Case No. CU 01-31

A Public Hearing to consider an application from Mike Fagan for a Conditional Use Permit to allow on-sale alcohol use on property located within the T-C (Town Center) zone at 16728 Bellflower Boulevard.

RESOLUTION NO. PC 01-72 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELLFLOWER APPROVING NEGATIVE DECLARATION NO. 01-42 AND CONDITIONAL USE PERMIT CASE NO. 01-31 TO ALLOW ON-SALE ALCOHOL USE AT 16728 BELLFLOWER BOULEVARD WITHIN THE T-C (TOWN CENTER) ZONE; APPLICANT: MIKE FAGAN

RESOLUTION NO. PC 01-74 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELLFLOWER APPROVING ENTERTAINMENT PERMIT CASE NO. EP 01-01 ALLOWING A DANCE AND ENTERTAINMENT USE AS REQUIRED BY CODE ON PROPERTY LOCATED WITHIN THE T-C (TOWN CENTER DISTRICT) ZONE AT 16728 BELLFLOWER BOULEVARD.

DATE: December 3, 2001

CEQA STATUS: An environmental assessment has been conducted for this project in compliance with the California Environmental Quality Act (CEQA) guidelines. An Initial Study and Negative Declaration have been prepared.

Staff Report – CU 01-31

December 3, 2001

Page 2 of 7

PUBLIC NOTICE: A Notice of Public Hearing was published in the Press Telegram newspaper on November 9, 2001. On November 9, 2001, public hearing notices were sent to 376 property owners within a 300 feet radius of the proposed project site.

RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. PC 01-72 for a Conditional Use Permit for the property located at 16728 Bellflower Boulevard within the T-C (Town Center) zone.

FISCAL IMPACT

Fees from the business license application and potential increase in sales tax revenue.

PROJECT DATA

Applicant: Mike Fagan
National Sports Page
10537 Downey Avenue, # 102
Downey, CA 90241

Property Owner: Harold Deimert
P.O. Box 1598
Hawaiian Gardens, Ca. 90710

Project Location: 16728 Bellflower Boulevard

Property Size: 6,050 square feet

General Plan Designation: Commercial

Zoning Designation: T-C (Town Center)

Existing Land Use: Vacant Commercial Building

Redevelopment Area: Yes

**Surrounding Zones/
Land Uses:**

North:	T-C / Vacant
South:	T-C / Office Use/Chamber of Commerce
West:	T-C / Jewelry Store
East:	T-C / Parking Lot/ Post Office

SITE HISTORY

07/16/35

Final building permit for earthquake damage repair

SITE HISTORY- continued

12/13/39 Expired building permit for removal of balcony partition
 05/29/40 Expired building permit for removal of balcony partition
 05/08/51 Final building permit for addition to existing sign
 03/16/52 Final building permit for occupancy of second-hand furniture store
 03/10/55 Final building permit for neon sign
 02/07/63 Expired permit for an awning
 03/07/63 Final building permit for 20 square foot sign
 11/20/71 Final building permit for re-roof
 03/05/81 Final building permit for façade improvements
 04/23/97 Expired building permit for re-roof
 02/27/01 Opened building permit for installation of drywall and stairs
 04/27/01 Final building permit for URM work and exterior façade
 04/27/01 Final building permit for remodel of bathroom

PROJECT HISTORY

August 8, 2001 Applicant submitted Development Review Board (DRB) application
 October 26, 2001 Applicant submitted Conditional Use Permit (CUP) application

Compliance Summary Chart (T-C):

DEVELOPMENT STANDARD	REQUIRED/ALLOWED	PROPOSED/EXISTING	COMPLIES
Lot Size	Min. 3,000 square feet	6,050 square feet	Yes
Lot Width	Min. 25 feet	50 feet	Yes
Setbacks:			
Front yard	0 feet	0 feet	Yes
Side yard	0 feet	North: 0 feet South: 0 feet	Yes Yes
Rear yard	0 feet	10 feet	Yes
Building Height	35 feet or 2 ½ stories	2 stories, 27 feet	Yes
Lot Depth	Min. 115 feet	121 feet	Yes
Parking	1 parking space for every 300 sq. ft. floor area: 5550/300 = 18.5 parking spaces	19 parking spaces provided in public parking directly to the rear of the building	NC

N-C = Non-conforming

BACKGROUND

Subsection 19-11.4 of the Bellflower Municipal Code (BMC) requires the approval of a Conditional Use Permit for any business within the T-C (Town Center) zone that is wholly or incidentally engaged in the sale of alcoholic beverages for off-premises consumption. Subsection 19-11.6.c of the BMC requires the Planning Commission to review and approve restaurants with dance and entertainment uses. The subject property is zoned T-C (Town Center) and its land use designation is "Commercial."

The applicant is applying for a Conditional Use Permit for a Type 47, on-sale alcohol license to allow the sale of beer and wine, and general alcoholic beverages for on-premise consumption. The sale of alcoholic beverages will be in conjunction with restaurant service for lunch and dinner, as well as sporting events and live entertainment. Because of the dance and live entertainment components of the proposed business, the applicant's proposal includes a request for a Dance and Entertainment License from the Planning Commission. The request for a Dance and Entertainment License does not require a public hearing and is presented to the Planning Commission as an Item of Consideration.

The National Sports Page will be open to the public, however, after 9:00 p.m., only customers over 21 years of age will be allowed inside. The business will be open from 10:00 a.m. to 2:00 a.m. everyday, with the exception of special sporting events (i.e. the World Cup). The restaurant component will be in full operation from 10:00 a.m. to 9:00 p.m. everyday, with appetizers available between the hours of 9:00 p.m. and 1:00 p.m. for patrons of the bar. The business will provide a wide selection of food for patrons of the bar and restaurant. The applicant is proposing to include a dance floor (approximately 344 square feet) and a stage for karaoke and live entertainment for patrons of the cocktail lounge. Live entertainment (music bands, impersonators) and dancing will only be allowed in the cocktail lounge area. The restaurant dining area will be approximately 1076 square feet in size. The remaining 4,474 square feet of area will be dedicated to the kitchen, storeroom, stage, cocktail lounge, dance floor, patio, and restrooms. The 1100 square feet of second floor area will be used for administrative offices, employee lounge, and storage space.

The restaurant will accommodate approximately 64 customers. The business operation will include a total of 15 trained employees. These employees will provide customer service, food preparation, day-to-day cleaning, and security. There will be four security personnel on weekends and special events. One security guard will be stationed at each entrance (front and rear), and two guards will be moving throughout the building. All security personnel will be uniformed with identification and furnished with radio communication devices. The bartender and waitresses will be furnished with two-way radios as well. An alarm system and security camera will be installed to provide security during the week and enhance security on weekends. No loitering will be allowed at the time of closing.

BACKGROUND – Continued

The City's business license records indicate that Hill's Western Shop previously occupied the subject site. The subject site has been vacant for approximately two years. The building located on the subject has been renovated (both interior and exterior) and reinforced structurally (Final Inspection Date of 04/27/01).

PROJECT ANALYSIS

The proposed property located at 16728 Bellflower Boulevard meets all the development standards required for properties within the T-C (Town Center) zone. The proposed use will generate a parking demand of 19 spaces. There is no on-site parking provided due to the nature of the property; however, the proposed use is occupying an existing vacant commercial building with no proposed expansion. Therefore, no actual increase in demand is being created. There is a small section of public parking with 19 spaces directly to the rear of the subject property. There are also other areas of public parking nearby, as well as on street parking that will service this downtown use. For the purposes of parking, the property is consistent with the intent of the Bellflower Municipal Code in that the property is part of the downtown district that utilizes public parking facilities to promote a pedestrian friendly atmosphere, encouraging a continuous storefront boulevard with parking at the rear.

The proposed Type 47 alcohol sales license for on sale general for a bona fide public eating place is appropriately located on Bellflower Boulevard within the downtown area. The use is also compatible with surrounding commercial uses in the area, as it will provide an additional eating establishment for people who live and work within the City during the day as well as evening time. The proposed use will also provided a nighttime entertainment and social destination for local residents who enjoy eating out, watching sports, and dancing. The establishment will increase the exposure of the downtown area to local residents and workers and increase the vitality of the downtown area during the hours after 5:00 p.m.

According to ABC, the subject site is located within Crime Reporting District No. 1334, which is a high crime-reporting district. A high crime reporting district is one that has twenty percent higher crime rates than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency. The average crime per reporting district rate is 561 crimes per year. The reported number of crimes in the subject site's district is 684 crimes per year, which is twenty-two percent higher than the district average.

The subject site is located within Census Tract No. 5542 (See Attachment D), where the California Department of Alcoholic Beverage Control (ABC) allows nine (9) on-sale alcohol licenses.

PROJECT ANALYSIS – Continued

Currently, there are nine (9) existing and valid on-sale licenses within Census Tract No. 5542 on file with the ABC. The applicant will need to provide a letter of public convenience or necessity required by the Department of Alcoholic Beverage Control (ABC) because of the undue concentration of off-sale licenses (**Condition #15**).

The Sheriff's Department has researched the criminal activity within the area and found nothing significant in nature that could be construed as alcohol related crime. The Sheriff's Department has indicated that the project will not require any additional police services, nor will it cause any negative impacts on the community. The only conditions that the Sheriff's Department is concerned with is that all restrictions imposed or placed upon the business by Alcoholic Beverage Control Department be completely complied with (**Condition # 11**) and that if special events are conducted that draw extremely large crowds, the applicant may be required to obtain extraordinary law enforcement services as determined by the City Administrator (**Condition # 16**).

Because of the introduction of the sales of alcohol in conjunction with the proposed restaurant and cocktail lounge, staff has included several conditions of approval to ensure that appropriate measures are taken by the applicant to provide for the safety of patrons of the restaurant as well as the citizens of the City of Bellflower. These conditions include restricting the age of the patrons of the cocktail lounge area (**Condition # 6**) and restricting the hours that patrons under the age of 21 can enter the establishment (**Condition # 7**).

Staff has also required that at least four security guards be present on the premises after 9:00 p.m. on Fridays and Saturdays, as well as for all special sporting events hosted on site (**Condition # 8**). Staff has also required that the applicant post the occupancy of the building, subject to approval by the L.A. County Fire Department to ensure that the establishment does become overcrowded and unsafe to patrons (**Condition # 12**).

The proposed use is located on Bellflower Boulevard, a secondary arterial between Flower Street and Oak Street, with adequate capacity to accommodate traffic generated by the proposed use. Based on the 1996 Level of Service Summary, the portion of Bellflower Boulevard providing access to the subject site has a level of service (LOS) rating of A. Currently, the average daily trip (ADT) volume of Bellflower Boulevard is 15,717 trips. The maximum number of trips allowed for a secondary arterial is 32,000 trips. Therefore, the secondary arterial street providing access to the subject site has more than adequate traffic carrying capacity to accommodate any increase of traffic that may be generated by the proposed use.

The approval of a Dance and Entertainment License will not substantially increase vehicular or foot traffic in adjacent residential areas as the subject property is surrounded by commercial establishments with no nearby residential properties.

PROJECT ANALYSIS – Continued

The proposed use will not generate adverse impacts on adjacent properties with regard to noise, as all entertainment activities will generally be conducted after normal business hours of adjacent properties' businesses.

The facility will also include adequate restroom facilities, and trash receptacles that will be properly maintained at all times.

Staff feels that the proposed project, as conditioned, is appropriate and consistent with other uses within the T-C (Town Center) zone and will not be detrimental to adjacent, and recommend that the Planning Commission adopt Resolution No. PC 01-72 adopting Negative Declaration No. 01-42, and Conditional Use Permit Case No. 01-31.

ATTACHMENTS

- (A) Resolution No. PC 01-72
- (B) Negative Declaration
- (C) Resolution No. PC 01-74
- (D) Information from Alcohol Beverage Control
- (E) Distribution Map of alcohol licenses in Census Tract Map 5541 & 5542
- (F) 300' Radius Map
- (G) General Plan Land Use Map
- (H) Aerial Photo
- (I) Plans and Menu

DOC 61430

CITY OF BELLFLOWER

RESOLUTION NO. PC 01-72

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELLFLOWER APPROVING NEGATIVE DECLARATION NO. 01-42 AND CONDITIONAL USE PERMIT CASE NO. CU 01-31 TO ALLOW ON-SALE ALCOHOL USE AT 16728 BELLFLOWER BOULEVARD WITHIN THE T-C (TOWN CENTER) ZONE; APPLICANT: MIKE FAGAN

WHEREAS, the Planning Commission of the City of Bellflower has considered Conditional Use Permit Case No. CU 01-31 to allow an on-premise sale of alcohol within the T-C (Town Center) zone following a public hearing held on December 3, 2001; and

WHEREAS, it is the purpose of the Zoning Ordinance to encourage the most appropriate use of the land; to conserve and stabilize the value of property; and promote the public peace, health, safety, morale, and general welfare, all in accordance with the General Plan; and

WHEREAS, the General Plan contains policies to encourage opportunities to sensitively integrate different, but compatible, land uses and to organize land uses to avoid creating nuisances among adjacent land uses; and

WHEREAS, notice of the mentioned hearing was duly given and published in the time, form, and manner as required by law; and

WHEREAS, a Public Hearing was held before the Planning Commission on December 3, 2001; and

WHEREAS, notice of said hearing was duly given and posted in the time, form, and manner as required by law; and

WHEREAS, a Negative Declaration has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA)

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF BELLFLOWER, AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Bellflower does hereby find, determine, and declare as follows:

1. That the use applied for at the location set forth in the application is properly one for which a Conditional Use Permit is authorized by the zoning ordinance in that the proposed use does meet all of the zoning requirements for said use in T-C (Town Center) zone. The proposed use is compatible with the surrounding uses in that there are commercial uses to the north, south, east, and west of the subject site.
2. That the said use is necessary or desirable for the development of this community, is in harmony with the various elements or objectives of the Bellflower General Plan, and is not detrimental to existing uses or to uses specifically permitted in the district in that the proposed use does meet the intent of the General Plan in that the proposed use is consistent with the goals and policies set forth in the Land Use Element of the General Plan and will contribute to the full diversity of specialty retail, restaurant and food services, and entertainment opportunities intended for the Town Center area by the Bellflower General Plan. This establishment will also contribute to the growth of the Town Center as the commercial, entertainment, social, and civic hub of the community by creating an evening entertainment and restaurant destination within the City's downtown core.
3. That the site for the intended use is adequate in location to accommodate said use and all applicable development standards, as conditioned, have been met in that the proposed use does comply with all development standards as conditioned in order to adjust said use to those existing, or possible future uses of land in the neighborhood in that the proposed use is being proposed in a location suitable for such use within a 5,550 square foot commercial building. The subject lot is located in an area already developed with commercial buildings.
4. That the site for proposed use has sufficient vehicular access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use is located and has ingress/egress access from Bellflower Boulevard, a secondary arterial between Flower Street and Oak Street, with adequate capacity to accommodate traffic generated by the proposed use. Based on the 1996 Level of Service Summary, the portion of Bellflower Boulevard providing access to the subject site has a level of service (LOS) rating of A. Currently, the average daily trip (ADT) volume of Bellflower Boulevard is 15,717 trips. The maximum number of trips allowed for a secondary arterial is 32,000 trips. Therefore, the secondary arterial street providing access to the subject site has more than adequate traffic carrying capacity to accommodate any increase of traffic that may be generated by the proposed use.

SECTION 2. Based on the above findings, the Planning Commission hereby approves Conditional Use Permit CU 01-31, subject to the following conditions:

1. The subject property shall be developed and/or used in the manner requested and shall be in substantial conformity with the submitted plans date-stamped October 26, 2001, unless revisions and/or additional conditions are specifically required herein.
2. This approval shall lapse and become void if the privilege authorized is not utilized within one (1) year from the date of this approval.
3. The project shall be subject to an appeal period of ten (10) days. A written appeal may be filed with the City Clerk by the applicant, any aggrieved person, or the City Council on its own initiative by a majority vote may appeal a decision of the Planning Commission for City Council review.
4. Any new construction or improvements to the subject property shall be in compliance with all City Ordinances and shall conform to all requirements of the uniform Building Code as adopted by the City.
5. The license shall be restricted to a Type 47 license, on-sale general for a Bona Fide public eating-place.
6. No customers under 21 years of age shall be allowed in the cocktail lounge, dance, and stage areas at any time.
7. No customers under 21 years of age shall be allowed in the establishment after 9:00 p.m. any day of the week.
8. There shall be at least four (4) security guards on the premises after 9:00 p.m. on Fridays and Saturdays, as well as for other events. A security plan shall be submitted to the Sheriff's Department for review and approval prior to the opening of the cocktail lounge and entertainment component of the business.
9. Live entertainment (music bands, impersonators) and dancing shall only be allowed in the cocktail lounge area.
10. All proposed signage shall be submitted to the Planning Division for review and approval by the Design Review Committee.
11. The applicant shall comply with all conditions and restrictions imposed by the Department of Alcohol Beverage Control.

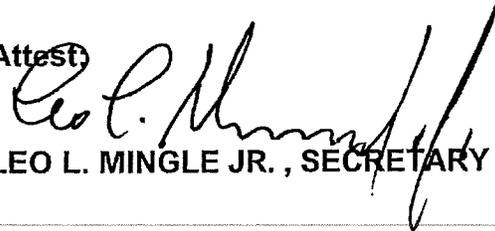
12. The operating hours of the establishment shall be from 6:00 a.m. to 2:00 a.m. everyday. The dining area may be open for breakfast service at 6:00 a.m., however, the bar and cocktail lounge and the sale of alcoholic beverages shall only be allowed after 10:00 a.m. everyday.
13. The applicant shall post the occupancy of the tenant space, subject to approval by the L.A. County Fire Department. The number of patrons within the establishment shall not exceed the approved posted occupancy at any time.
14. Smoking on or within the premises shall comply with all provisions of applicable State of California Statutes and the Bellflower Municipal Code.
15. The applicant shall provide a Letter of Public Convenience and Necessity to the California State Department of Alcohol and Beverage Control.
16. If special events are conducted at the subject site that draw extremely large crowds, the applicant may be required to obtain extraordinary law enforcement services as determined by the City Administrator.
17. The rear entrance shall be in good condition and functional at all times, and shall be open during business hours.
18. There shall be no more than two pool tables allowed on the premises for customer use at any time.
19. The applicant shall be required to obtain Health Department approval prior to the issuance of a City business license.
20. The establishment shall be maintained neat and clean at all times. The site shall be maintained free from debris and graffiti at all times. The property owner shall remove any debris or graffiti within 24 hours upon notification by the City.
21. All conditions and requirements shall be implemented prior to operation of the subject business.
22. Failure to implement and/or maintain all provisions of these conditions shall be deemed to void this permit and revocation of said permit may occur following a public hearing of the approving body.
23. The applicant shall sign and return to the Planning Division a notarized Affidavit in Agreement and Support Thereof acknowledging acceptance of the conditions of approval within thirty (30) days from the date of approval or prior to occupancy of the premises.

City of Bellflower
Resolution No. PC 01-72
Page 5 of 5

SECTION 3. That the Secretary of the Planning Commission shall certify to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF BELLFLOWER THIS 3RD OF DECEMBER 2001.


RICHARD DOWNING, CHAIRMAN

Attest:

LEO L. MINGLE JR., SECRETARY

Doc 61429

CITY OF BELLFLOWER

RESOLUTION NO. 01-74

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELLFLOWER APPROVING ENTERTAINMENT PERMIT CASE NO. EP 01-01 ALLOWING A DANCE AND ENTERTAINMENT USE AS REQUIRED BY CODE ON PROPERTY LOCATED WITHIN THE T-C (TOWN CENTER DISTRICT) ZONE AT 16728 BELLFLOWER BOULEVARD.

WHEREAS, the Planning Commission of the City of Bellflower approves a Dance and Entertainment Permit Case No. EP 01-01 on property located at 16728 Bellflower Boulevard; and

WHEREAS, it is the purpose of the Zoning Ordinance to encourage the most appropriate use of the land; to conserve and stabilize the value of property; and promote the public peace, health, safety, morale, and general welfare, all in accordance with the General Plan; and

WHEREAS, the General Plan contains policies to encourage opportunities to sensitively integrate different, but compatible, land uses and to organize land uses to avoid creating nuisances among adjacent land uses; and

WHEREAS, a Public Hearing was held before the Planning Commission on December 3, 2001.

NOW THEREFORE, THE PLANNING COMMISSION OF THE CITY OF BELLFLOWER DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. That the Planning Commission of the City of Bellflower does hereby make the following findings:

1. That the proposed use will not substantially increase vehicular traffic on adjacent streets serving residential uses in that the subject property is surrounded by commercial establishments with no nearby residential properties. The nearest residential property to the subject site is 350 feet in distance away; and
2. That the proposed use will not create increased foot traffic in adjacent residential areas in that the subject property is surrounded by commercial establishments with no nearby residential properties. The nearest residential property to the subject site is 350 feet in distance away; and

3. That the proposed use will not generate adverse impacts that negatively affect adjacent parcels, such as noise in that the proposed use is consistent with the businesses located on adjacent properties; and.
4. That the proposed use will include adequate restroom facilities, trash receptacles, and recycling bins, which will be properly maintained by the applicant and are sufficient for the needs of the proposed use in that the facility will include adequate restroom facilities that are consistent with ADA requirements, and trash receptacles that will be properly maintained at all times.

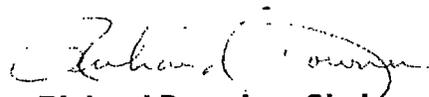
SECTION 2. Based on the above findings, the application for a Dance and Entertainment Permit, thereon, is hereby approved, and the adoption of this Resolution shall be deemed the conditional issuance of a Dance and Entertainment permit; the conditions of approval are as follows:

1. No person who is intoxicated, or under the influence of any drug, may be allowed to enter, be or remain within the license premises (Section 25602 (a) B & P Code).
2. The person designated responsible for the operation of the business and/or security personnel shall not perform official police or investigative activities but shall immediately report every violation of law and every unusual occurrence to the Lakewood Sheriff's Station.
3. Security personnel as well as the owner, corporate officers and managers, shall cooperate fully with city officials and law enforcement personnel and shall not obstruct or impede their entrance into the licensed premises while in the course of their official duties.
4. All the noise requirements of the Town Center zone shall be met.
5. The applicants shall be responsible for maintaining the subject property and the adjacent properties which they have control, free of litter.
6. No employee or agent shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall licensee permit or provide, or make available either gratuitous or for compensation, male or female persons who act as escorts, companions or guests of and for customers.

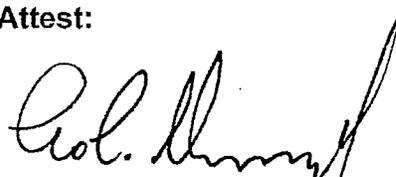
7. The maximum number of occupants shall be established by the Fire Department and shall be posted and continuously maintained in a conspicuous location on the premises. This occupancy limitation shall not be violated.
8. A copy of these conditions shall be posted and maintained in a place conspicuous to all employees.
9. Failure to comply with the foregoing conditions shall cause for suspension and/or revocation of this permit.
10. The entertainment may be available everyday, until 2 a.m.
11. In the case of a special event, the applicant shall submit to the Community Development Department for review and approval within 5 business days of the special event, a security plan, event time(s), date(s), and types of special use, subject to approval by the Planning Division.
12. No employee or agent shall solicit or accept any beverage from any customer while in the premises.

SECTION 3. That the Secretary of the Planning Commission shall certify to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF BELLFLOWER THIS 3RD OF DECEMBER 2001.


Richard Downing, Chairman

Attest:


Leo L. Mingle Jr., Secretary

Doc 61475

9-A. Public Hearing - Continued

AYES: Commissioners – Hanson, Bormann, Koops, and
Chairman Downing
ABSENT: Vice Chairman Dunton

- 9-B Conditional Use Permit - Public Hearing to consider an application from Mike Fagan for a conditional use permit to allow an on-sale alcohol use and consideration to allow dance and entertainment use as required by code on property located within the TC (Town Center District) zone at 16728 Bellflower Boulevard.

RESOLUTION NO. PC 01-72 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELLFLOWER APPROVING NEGATIVE DECLARATION NO. 01-42 AND CONDITIONAL USE PERMIT CASE NO. CU 01-31 TO ALLOW AN ON-SALE ALCOHOL USE ON PROPERTY LOCATED WITHIN THE TC (TOWN CENTER DISTRICT) ZONE AT 16728 BELLFLOWER BOULEVARD.

RESOLUTION NO. PC 01-74 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELLFLOWER APPROVING ENTERTAINMENT PERMIT CASE NO. EP 01-01 ALLOWING A DANCE AND ENTERTIANMENT USE AS REQUIRED BY CODE ON PROPERTY LOCATED WITHIN THE TC (TOWN CENTER DISTRICT) ZONE AT 16728 BELLFLOWER BOULEVARD.

Assistant Planner John Ramirez briefly reviewed the staff report.

Chairman Downing inquired where the patio area is and whether it will be enclosed.

Mr. Ramirez stated that the area referred to as the patio area is completely enclosed with a door approximately six feet wide, which is servicing the area.

Commissioner Hanson stated that as he thought of, ABC is in charge of the control of density of the alcohol licenses and that they have more expertise on it compared to the Planning Commission.

Chairman Downing stated that the ABC have more expertise compared to the Planning Commission when it comes to alcohol licenses; 2) stated that background checks of the applicant are done and that a "moral's" letter is requested; 3) noted that the applicant currently operate a bar in Downey and that ABC place a lot of weight on applicant's past history of business operation.

9-B. Public Hearing - Continued

Chairman Downing 1) noted that the two major census tracts are mapped out on the attachment with the color distinction of on and off sale alcohol licenses; 2) inquired about their request of including the list of property owners within the 300' radius of the subject site.

Mr. Suarez stated that they will be including the 300' radius mailing list of property owners the next time.

Chairman Downing 1) opened the public hearing; 2) inquired whether the applicant has read the conditions of approval and whether he has any questions or concerns.

Mr. Mike Fagan, applicant, 1) stated that he has a question regarding condition #14 which prohibits smoking in the rear room of the subject site at anytime; 2) stated that this area is the suggested patio area which has a 8-9 feet sliding door to be kept open and a set of double door which leads to the cocktail lounge.

Chairman Downing asked staff to explain the need for this condition.

Mr. Ramirez 1) stated that one of the resources used to determine whether or not the rear area will be appropriate to be used as a smoking room was the California Labor Code and also the California Building Code; 2) he stated that it was staffs' understanding from the plans that were submitted, the proposed project did not meet the definition of an outdoor patio and will be subject to the prohibition of smoking within indoor restaurant establishments.

Chairman Downing noted that staff report did not indicate staff's opposition to the smoking patio area. The Planning Commission and staff ensued in a discussion pertaining to the proposed smoking room.

Chairman Downing 1) stated that it looks like there is a way that proper ventilation can be provided because of the huge rear door and the double doors being proposed to be kept closed except during entering and exiting; 2) inquired with staff whether providing a ventilation system and/or smoke eaters will mitigate the issue of smoking within the proposed smoking area.

Mr. Suarez stated that condition #14 can be revised to state "there shall be no smoking room allowed at the rear room, unless all state and local codes are met, subject to approval of the building division."

Chairman Downing inquired whether the revision of condition #14 is acceptable.

9-B. Public Hearing - Continued

Commissioner Koops stated that as far as he knows, the intent of this condition is to keep smoke out of the main restaurant area and that is their only concern.

Assistant Administrator Leo Mingle 1) noted to the Planning Commission that the intent of the Labor Law is to protect the employees of the bar and not just the matter of keeping the smoke out of the main restaurant; 2) stated that the intent is creating an environment which the employees are not exposed to any smoke concentration, therefore once an employee moves to an enclosed space the natural ventilation is lost, unless some mechanical device is in place to compensate creating an unsafe working condition.

Chairman Downing 1) stated that the applicant can keep the rear door open and install a blower; 2) stated that the proposed smoking area is not a working area, rather it is a utility room essentially; 3) inquired whether the patrons will need to go through the smoking room to be able to access the restrooms.

Commissioner Bormann stated that as shown on the plan the male patrons will have to go through to the smoking to reach the men's restroom.

Mr. Fagan stated that the men's restroom is located along the smoking area.

Chairman Downing stated that staff can include a condition to revise allowing the smoking area as long as it can be ventilated.

Mr. Fagan stated that he can ventilate the smoking area and he pointed out the fact that no employees will be working in the smoking area.

Commissioner Koops clarified whether the employees will be serving at the smoking area.

Mr. Fagan stated that they will not be serving at all.

Commissioner Koops pointed out to the applicant that having the doors wide open during a cold night will not make it comfortable for those who are in the smoking area.

Mr. Fagan stated that they will be providing heaters in the area.

Commissioner Koops inquired what the applicant wants to conduct in the proposed smoking area.

9-B. Public Hearing - Continued

Mr. Fagan stated that he is trying to provide a space for patrons who wishes to smoke and will not have to stand outside in the rain to smoke.

Commissioner Koops inquired whether the applicant investigated what the state or the county will require from him for the proposed smoking room.

Mr. Fagan 1) stated that the only concern was that the sliding door might not be wide enough; 2) stated that he does not know what the regulation of the size of the sliding door, which is currently 8-9 feet wide.

Chairman Downing 1) stated that as dealt in the past, they were allowed to use smoke eaters; 2) Reiterated to the applicant that he will be allowed to have the proposed smoking room given the fact that he complies with the state and local laws, which seems feasible because of the small size of the proposed smoking area.

Mr. Mingle 1) clarified that the applicant will need to deal with two issues which are: whether the applicant will be in compliance when the men have to walk through the smoking area to get to the men's room and the other is the location of the utility room having the need for employees to pass through the smoking area; 2) stated that both issues need to be addressed in order to be in compliance.

Commissioner Koops stated that the door of the men's restroom can be re-oriented so that eliminates the need to go through the smoking area.

Commissioner Bormann noted that a partition wall can be created to access the utility room.

Mr. Fagan stated that he utility room will only be used after hours by the janitor.

Chairman Downing stated that he understands that the utility room will only be used after hours, however, that utility room is still accessible to the employees.

Commissioner Bormann inquired whether the applicant has any problem with re-orienting the door of the men's restroom.

Mr. Fagan stated that he is not sure and that he will need to check with his architect on this matter.

Chairman Downing inquired whether the applicant has other concerns with the conditions of approval.

9-B. Public Hearing - Continued

Mr. Fagan 1) inquired whether it is possible to change the limited hours of entertainment until 2:00 AM everyday so that they have an option if there is a special event, such as world cup; 2) stated that 99% of the time it will be just a regular operation.

Commissioner Koops inquired why staff has imposed such condition.

Mr. Suarez stated that they do not have an opinion either way.

Chairman Downing noted that this matter was not discussed in the staff report.

Chairman Downing clarified that this condition can be amended given that there is no objection from the Planning Commission.

Commissioner Koops stated that the applicant should be asked on what he wishes to be permitted as far as the hours of entertainment.

Mr. Ramirez stated that the applicant indicated his wish to allow entertainment to be available until 2 AM everyday of the week.

Commissioner Bormann stated that he does not have a problem with it.

Mr. Ramirez 1) stated that there is no problem with the modification subsequent to any opposition that might be discussed tonight; 2) stated that the applicant indicated he would like some flexibility on the hours of operation.

Chairman Downing 1) stated that additional language should be added to reflect a condition relating to special events to state "for special events, the applicant shall notify the city of the time and dates of the special events that may exceed these hours;" 2) he inquired with the applicant whether he finds this appropriate.

Mr. Fagan stated that he does not have a problem with it.

Chairman Downing 1) stated that the reason for this notice is to notify the sheriff's for any concerns of having a larger crowd and possibly causing any riots; 2) inquired how notification is done through the city.

Commissioner Bormann inquired how many days prior to the special event does the applicant need to notify the city.

9-B. Public Hearing - Continued

Brian Lee, Development Director, responded to Chairman Downing's inquiry and stated that typically complaints from law enforcement are relayed to staff and based on the volume of concerns, the City will have a right to consider revocation of the Conditional Use Permit or imposing additional operating conditions.

Chairman Downing inquired whether the applicant understood what type of condition will be imposed on the project.

Mr. Fagan stated that he understood the condition of notifying the city for special events.

Chairman Downing inquired whether there are other issues that the applicant wants to discuss.

Mr. Fagan asked for clarification on condition# 11 relating to employees soliciting or accepting beverage from the customers.

Chairman Downing stated that this condition is something that he had not seen before and that this type of condition is hard to police.

Commissioner Koops 1) stated that he too has not seen this type of condition imposed on a project; 2) asked for staff to clarify why condition #11 was included.

Mr. Ramirez stated that during the writing and research for this particular resolution, he borrowed heavily from the same permit that had gone through the City Council for approval and these were standard conditions.

Mr. Mingle 1) noted to Chairman Downing that this provision addresses a law enforcement concern that is normally referred to as lap dancing; 2) stated that it does present a problem when employees are being paid expensive drinks in exchange for personal services being offered to customers and this is a way of preventing it instead of turning it to a law enforcement and community problem later on.

Chairman Downing inquired whether the applicant understood what this condition addresses.

Mr. Mingle stated that it is a practical matter if a patron buys a drink for the bartender and it doesn't create a problem, however, if what goes on becomes a problem and gets reported to the sheriff's then somebody will be sent out to enforce it.

Chairman Downing also stated that if it happens, the Planning Commission will also have a recourse and the applicant will be brought before the Planning Commission again.

9-B. Public Hearing - Continued

Commissioner Bormann inquired on how many days prior to the special event should the applicant notify the city.

Chairman Downing stated that normally it is 24 hours.

Mr. Suarez 1) stated that there are couple of ways that the applicant can notify the City, one of which is through a Temporary Use Permit, which requires a 15 day notice; 2) stated that the Planning Commission can so choose to develop a language allowing the applicant to notify the City within at least 5 days for the request to be routed to the Police Department and other interested departments.

Chairman Downing stated that he feels as if 5 days prior to the date of the special event will be more than enough time. Further discussion between, staff and the Planning Commission regarding hours of operation for special events ensued.

Commissioner Koops asked staff to explain to the applicant the procedure he would follow in order to be in compliance when holding special events.

Mr. Suarez suggested, at the discretion of the Planning Commission, that for special events, the applicant shall notify the city within five days (5) of the special event, so that the city can notify the appropriate departments and review the special event while making sure that everybody is aware of what is about to take place.

Mr. Fagan 1) stated that he does not have any problems with it; 2) Stated that he notices that the downtown area is being revitalized and in the future he is thinking of serving breakfast; 3) inquired whether it will be difficult to change his hours of operation in the future.

Mr. Suarez noted to the Chairman that if there is an issue in the hours of operation, the applicant needs to clarify what hours of operation he is requesting for special events.

Chairman Downing 1) noted to the applicant that this is the appropriate time to address the issue of hours of operation because the CUP process is a privilege and not a right; 2) stated that the privilege is that the Planning Commission can consider the hours of operation that the applicant is requesting, otherwise he will need to return to the Planning Commission in order to modify the conditions listed, which is also a public hearing.

9-B. Public Hearing - Continued

Mr. Fagan 1) stated that he would like to have the operating hours from 6:00 AM even though they will not be open until 10:00 AM; 2) noted that in the future they are considering possibly running breakfast specials for senior citizens.

Chairman Downing 1) noted to the Planning Commission that the applicant is running a restaurant and bar which is an operation that is considerably liberal; 2) clarified that the applicant wishes to make the designated hours of operation to 6:00 AM instead of 10:00 AM.

Mr. Fagan stated that the Chairman is correct and that operating at 6:00 AM will not occur regularly and will only occur when there are special events.

Chairman Downing inquired whether there will be a problem in granting the applicant's request.

Mr. Suarez stated that staff does not have a problem in granting the applicant's request of extending the hours of operation for the dining area. However, extending the hours of operation for the alcohol area will be at the discretion of the Planning Commission.

Chairman Downing stated that he feels that the access to the alcohol should be limited.

Commissioner Koops 1) inquired about condition #6 which prohibits any persons under the age of 21 to be allowed in the cocktail lounge and dance area and condition #7 which prohibits any persons under the age of 21 to be allowed in the establishment after 9:00 PM any day of the week; 2) inquired how the applicant will enforce these conditions.

Mr. Fagan stated that at 9:00 PM no one under the age of 21 can be on the premises and this is the time that the kitchen will be closed therefore, only appetizers will be served in the bar area.

Chairman Downing asked for clarification whether no food will be served at all after 9:00 PM.

Mr. Fagan stated that only appetizers, which they have a large array of, will be served but the main kitchen for the prime rib and steak will be closed.

Commissioner Koops stated that the applicant has a very extensive menu.

9-B. Public Hearing - Continued

Mr. Fagan 1) stated that they are still adding more items to the menu; 2) stated that they serve most of the items listed on the menu with the exception of the dinner menu at their existing establishment.

Chairman Downing inquired whether there are other concerns or issues that the applicant wishes to address the Planning Commission with.

Mr. Fagan stated that the employees of the post office often park at the parking lot located at the rear of the subject property instead of their own parking lot.

Chairman Downing 1) stated that the applicant needs to take it up with the postal employees; 2) stated that the parking lot behind the subject site is city owned parking lot and the second lot is owned by Mpower; 3) inquired whether staff has a solution to the parking issue.

Mr. Fagan 1) stated that the private parking is in fact fully parked during the week; 2) stated that another business owner is having a problem with their customers not being able to park at the rear because of the postal employees taking the parking; 3) stated that he will probably team up with the other business owner in speaking with the post office supervisor to resolve this problem.

Chairman Downing 1) stated that the Public Safety Commission can look at this situation as well and for the city to address the post office about moving their parking for employees closer to the post office versus in the retail sector part of the parking.

Mr. Mingle stated that there is nothing that the lot is a 2-hour parking lot and it is simply a matter of businesses served by the parking lot, to indicate to the city to change its enforcement policy and once it happens the city will enforce the 2-hour restriction.

Chairman Downing stated that he was speaking of having a neighbor to neighbor talk, not necessarily citing the post office employees.

Mr. Fagan stated that those are the only concerns pertaining to the conditions of approval.

Chairman Downing inquired whether there are questions of the applicant.

Commissioner Koops inquired whether the applicant read, agreed and understood all the other conditions.

9-B. Public Hearing - Continued

Mr. Fagan stated that he read, agreed and understood all the other conditions.

Chairman Downing invited anybody wishing to speak against or for the proposed project.

Virginia Boggs, resident/business owner, inquired which parking district is the subject property located at.

Mr. Ramirez stated that approximately in 1965 several properties along Bellflower Boulevard were involved in the creation of the parking district for the maintenance of the public parking facilities throughout the portion of the city.

Ms. Boggs stated that she thought it was all on the east side of the boulevard and that the parking lot located at the rear of the property is owned by the city and is not within the parking district.

Chairman Downing 1) stated that the Planning Commission has discussed the parking districts in the town center area about four years ago; 2) stated that at that time, the parking lot was a parking district and was not necessarily owned outright by the city, it was a shared ownership between the city and the properties along the boulevard, for the east and west side of the boulevard.

Ms. Boggs 1) stated that the properties from Flower Street and Mayne Steet are within the parking district and she thought that the County owned parking lot, which was recently acquired by the city, was not in the district and never has been; 2) stated that her point was for the city not to mislead the applicant to think that they are within the parking district; 3) stated that she can't believe the city can misplace such important documents; 3) stated that Mr. Mingle will surely know whether it is within the parking district.

Ms. Boggs inquired on how many parking spaces is required for the proposed project.

Chairman Downing stated that this proposed project is required to provide 19 parking spaces.

Ms. Boggs inquired which one of the three lots behind the subject location is the public parking lot.

Chairman Downing stated that the lot immediately to the rear of the subject property is owned by the city and is the public parking lot.

Discussion relating to the post office parking lot and its usage ensued.

9-B. Public Hearing - Continued

Ms. Boggs stated that she would hate to see the alcoholic portion of the service be opened at 6:00 in the morning.

Chairman Downing stated that only the restaurant portion will be open at 6:00 AM and the alcoholic portion will only be opened at 10:00 AM.

Ms. Boggs clarified whether the patrons will have to enter through the front door during the time that the alcoholic portion is closed.

Chairman Downing stated that she is correct.

Ms. Boggs commended the Planning Commission for working so hard to be able to grant the applicant's request and wishes that the applicant becomes successful.

Chairman Downing inquired if anyone wishes to speak on this agenda item.

Glendaly Iverson, resident, 1) complimented the Planning Commission and staff for doing their research and Mr. Mingle for doing a good job; 2) stated that she thinks that this proposed project is a benefit to the boulevard in that it will bring more life to the downtown and that it will bring new businesses in and increase the sales tax revenue.

Chairman Downing closed the public hearing.

Commissioner Koops 1) stated that the boulevard can use activities that will promote Bellflower Boulevard and this project is proposed to do so; 2) stated that as he thought, this was meant to be a retail store for clothes and shoes; 3) stated that finding potential operator that would make a big commitment to the building and to the whole environment, in addition to having operated a similar establishment that has been successful in another town is a project that is appropriate to be approved; 4) stated that the project looks like a first class operation and if the hours of operation can be agreed upon, he doesn't think it is a big issue.

Commissioner Hanson noted that the prices of the items on the menu are very reasonable.

Chairman Downing commended the applicant by stating that the presented business plan is one of the better business plans he had seen in a while.

Commissioner Hanson stated that the proposed project looks like a really good prospect.

9-B. Public Hearing - Continued

Commissioner Bormann stated that if the presentation made before the Planning Commission is correctly reflected, then this project is a great asset to the community and the city.

Chairman Downing 1) stated that he concurs with the rest of the Planning Commission with their thoughts toward the proposed project; 2) stated that the conditions as revised are to protect both the city and help the applicant's project to be a viable part of the city.

Mr. Lee 1) stated that there are languages that need to be added relating to special events and the smoking area; 2) stated that the added language is to read "in case of a special event, the applicant shall submit to the Community Development Department, for review and approval within five (5) business days of the special event, a security plan, event time, dates and types of special use" and in regards to smoking condition, the revised condition shall read "smoking on or within the premises shall comply with all provisions of applicable State of California statutes and the Bellflower Municipal Code."

It was moved by Chairman Downing, seconded by Commissioner Koops, and carried by the following roll call vote, to adopt Resolution No. PC 01-72, approving Conditional Use Permit Case No. CU 01-31 and Resolution No. PC 01-74, approving Entertainment Permit Case No. EP 01-01, as amended:

AYES: Commissioners – Hanson, Bormann, Koops, and
Chairman Downing
ABSENT: Vice Chairman Dunton

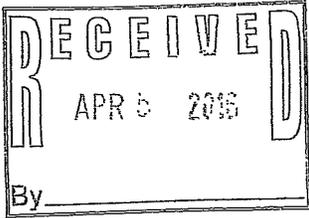
10. Written Communications

A. Upcoming Agenda Items Schedule

Without objection, Agenda Item 10-A was received and filed.

11. Planning Commission Update

Staff provided the Planning Commission with previous inquiries on Code Enforcements, which are still being investigated.



By _____

APPLICATION FOR AMUSEMENT, DANCES & ENTERTAINMENT (BMC 5.36)

BMC 5.36.010(a) No person shall operate, conduct or manage any public place where food or beverages are sold, offered for sale or given away, and where any form of entertainment is provided or furnished without first obtaining a permit so to do as hereinafter provided for in this section.

Please select permit type:

Dance Entertainment Both

Business Name: FRENCH QUARTER Creole Bar & Grill Phone: 562 804-0200

Business Address: 16728 Bellflower Blvd Bellflower CA 90706

Normal Days and Hours of Operation: TUESDAY - THURSDAY 4PM - 9PM FRIDAY & SATURDAY 4PM - 2A

Nature and Type of Current Business: Cajun Creole Restaurant SUNDAY 11-8

Dance and/ or Entertainment Information:

Physical Location of Entertainment on the premises: SEE PLAN

Days and Hours of Dance and/ or Entertainment: 11-2AM SUNDAY - SATURDAY

Admission Fee: NO COVER or \$5-\$10

Detailed Description of proposed Entertainment (Type of entertainment, number of person engaged in entertainment, etc.):

SEE ATTACHED

Will Alcohol be Served? No Yes - License Type & No: 47

Applicant Information:

Applicant: ERNEST MCINTYRE Phone: [REDACTED]

Street Address*: [REDACTED] E AVE

City: [REDACTED] State: [REDACTED] Zip: [REDACTED]

Social Security No: [REDACTED] Citizenship: U.S.

Drivers License No.	Sex	Hair	Eyes	Height	Weight
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

P.O. Box is not permissible

Have you ever been convicted of any crime as a result of an arrest, citation or criminal? complaint (Do not include traffic infractions)? Include any convictions expunged via 1203.4 PC. Yes No

If yes, please explain in detail: _____

City of Bellflower
Application for Amusement, Dances & Entertainment
Page 2 of 3

• Owner Information: THE FRENCH QUARTER BAR & GRILL

Owner Name ERNEST MCINTYRE Phone: [REDACTED]

Address: [REDACTED]

Federal ID Number: [REDACTED]

State of Incorporation: CA

State ID Number: [REDACTED]

Type of Entity:

- Corporation Corp- Ltd. Liability Sole Proprietor
 Partnership Limited Partnership Ltd Liability Partnership
 Other:

If applicant is a Corporation, please include a copy of Articles of Incorporation and names and residence addresses of each of the officers, directors, and each stockholder owning not less than twenty-five (25) percent of the stock of the corporation. If the applicant is a partnership, please include a listing of the name and residence addresses of each of the partners, including limited partners. In the event any partner, limited or general, is a corporation, the applicant shall comply with the provisions set forth above and provide the information relating to corporate applicants

• Name(s) of the Person(s) having the management or supervision of Applicant's business and of any entertainment:

1. Employee: MARCUS JENKINS Title/ Position: GENERAL MANAGER

Street Address *: [REDACTED] Phone: [REDACTED]

City: [REDACTED] State: Zip: [REDACTED]

Social Security No: [REDACTED] Date of Birth: [REDACTED]

Drivers License No.	Sex	Hair	Eyes	Height	Weight
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

* P.O. Box is not permissible

Employment Duties/ Authority: _____

Have you ever been convicted of any crime as a result of an arrest, citation or criminal complaint (Do not include traffic infractions)? Include any convictions expunged via 1203.4 PC. Yes No

If yes, please explain in detail: _____

**City of Bellflower
Application for Amusement, Dances & Entertainment
Page 3 of 3**

2. Employee: _____ Title/ Position: _____
 Street Address *: _____ Phone: _____
 City: _____ State: _____ Zip: _____
 Social Security No: _____ Date of Birth: _____

Drivers License No.	Sex	Hair	Eyes	Height	Weight

* P.O. Box is not permissible

Employment Duties/ Authority: _____

Have you ever been convicted of any crime as a result of an arrest, citation or criminal complaint (Do not include traffic infractions)? Include any convictions expunged via 1203.4 PC. Yes No

If yes, please explain in detail: _____

3. Employee: _____ Title/ Position: _____
 Street Address *: _____ Phone: _____
 City: _____ State: _____ Zip: _____
 Social Security No: _____ Date of Birth: _____

Drivers License No.	Sex	Hair	Eyes	Height	Weight

* P.O. Box is not permissible

Employment Duties/ Authority: _____

Have you ever been convicted of any crime as a result of an arrest, citation or criminal complaint (Do not include traffic infractions)? Include any convictions expunged via 1203.4 PC. Yes No

If yes, please explain in detail: _____

Additional Information Required to be submitted with application:

Plot plans (Interior floor plan and exterior including parking layout).

Address labels of all property owners within three hundred (300) feet.

Ernest McIntyre
 Applicant (Please Print)

Aug 31, 2015
 Date

 Applicant Signature

*Dance & Entertainment Permit Application Fee: \$ 200.00

*Fingerprinting (Approximately \$60.00 per person and non-refundable)

For Internal Use:

Date Received: 8-31-15 By: QC

Receipt #: _____ Amount: 200

Hearing Date: T&D BL#: _____

RECEIVED
APR 3 2010
By





PREPARED FOR:

Bellflower

Mayor + Members of City Council + Planning Commission

ATTENTION:

Jeff Stewart // City Manager

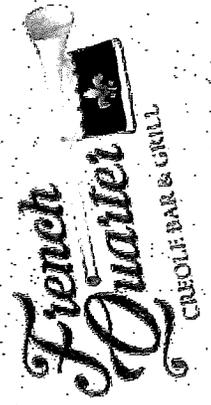
FROM:

Ernest McIntyre & Marcus Jenkins

RE:

The French Quarter Creole Bar & Grill /// Dance & Entertainment Permit

WHAT IS THE FRENCH QUARTER?



WHAT IS THE FRENCH QUARTER?

Introducing The French Quarter Creole Bar & Grill Located at 16728 Bellflower Blvd Bellflower, CA 90706. An Authentic Southern Creole Lunch/Dinner Restaurant with a New Orleans Bourbon Street feel. The French Quarter Creole Bar location will offer a Authentic Louisiana Creole plates such as Gumbo, Jambalaya & Po Boy Sandwiches etc.. with a decor to make you feel like your down south! The venue will provide an opportunity to entertain along with a fine dining experience.

French Quarter Events

- + Mayor Pro Tem Annual Party
- + Chamber of Commerce Christmas Parties
- + Annual Bellflower Car Show
- + French Quarter Toy Drive
- + Hope for Halloween
- + Mardi Gras Day



THE MENU



Houma Salad
French Quarter salad topped with your dressings - Balsamic Vinaigrette, Blue Cheeses, French, Pecan, Thousand Island.

Catfish +4 | Shrimp +4

Cheese Salad
Caesar salad topped with croutons and caesar dressing.

Catfish +4 | Chicken +4 | Shrimp +4

Red Beans & Rice
Classic southern side dish served with our signature sauce.

Southwest Fried Chicken Dinner

Southwest Fried Chicken Wings served with a side of red beans and rice.

New Orleans Po'boy

Classic Louisiana sandwich with your choice of catfish or shrimp served with a side of fries.

Emu Man Po'boy

Classic Louisiana sandwich with your choice of catfish or shrimp served in a spicy butter sauce with a side of fries.

Gumbo

Sautéed Gumbo with Shrimp, Chicken and Lou-Farma Sausage and Andouille Sausage.

Crabfish Salad

Crabfish salad served with a buttery dressing, lettuce, tomatoes, onions and garlic to make a delicious sauce served over rice.

Catfish +4 | Shrimp +4

Shrimp Dinner

Shrimp dinner fried or grilled with potato salad and a vegetable side.

Catfish Dinner

Catfish dinner fried or grilled with potato salad and a vegetable side.

Shrimp Combo

Delicious Catfish & Shrimp Combo Plate served with fries.

<p>Boudin Street Wings Fried chicken wings served with your choice of fries and a side of french fries.</p> <p>Flavors: Cajun Hot Cajun Provençol Lemon Pepper BBQ Teriyaki Honey BBQ Honey Mustard</p>	<p>10 WINGS 12</p> <p>35 WINGS 30</p> <p>50 WINGS 52</p>
---	---

French Quarter Shrimp
Crisp | Potato Salad | Rice
Steamed Broccoli | Fries

Popcorn Shrimp
Coke | Diet Coke | Sprite | Sweetened Iced Tea | Lemonade | Cranberry Juice | Pineapple Juice | Orange Juice

Hurricane
Liquor & Don't Run, Don't Stop, Don't Stop, Don't Stop

French Quarter Shrimp
Crisp | Potato Salad | Rice
Steamed Broccoli | Fries

Popcorn Shrimp
Coke | Diet Coke | Sprite | Sweetened Iced Tea | Lemonade | Cranberry Juice | Pineapple Juice | Orange Juice

Hurricane
Liquor & Don't Run, Don't Stop, Don't Stop, Don't Stop

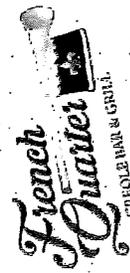
French Quarter Shrimp
Crisp | Potato Salad | Rice
Steamed Broccoli | Fries

Popcorn Shrimp
Coke | Diet Coke | Sprite | Sweetened Iced Tea | Lemonade | Cranberry Juice | Pineapple Juice | Orange Juice

Hurricane
Liquor & Don't Run, Don't Stop, Don't Stop, Don't Stop

THURSDAY - THURSDAY 4PM - 9PM
FRIDAY & SATURDAY 4PM - 2AM
SUNDAY 11AM - 8PM

19738 BELMONT BLVD | BELLEVUE, WA 98008 | 206.304.0200



Tuesday - Thursday:
4pm - 9pm

Friday and Saturday:
4pm - 2am

Sunday:
11am - 8pm

COCKTAILS & SPECIALTY

SURPRISE THE DRINK FOR \$15.

Hurricane 12

Light & Dark Rum, Coconut Rum, Orange Juice, Pineapple Juice, Orange-Spice Soda, Fresh Fruit

Mojito 12

Light Rum, White Rum, Orange-Spice, Lime Juice, Fresh Mint

Saint & Sinners 12

White Rum, Apple Brandy, Peach Schnapps, Pineapple Juice

Angry on Bourbon Street 12

Apple Orchard, Jim Beam Apple, Orange Juice, Pineapple Juice

<p>French Quarter 14 Remy Martin, Hennessy, Cognac, Grand Marnier</p>
--

FROM THE TAP 7 | 4oz | 9 | 34oz

Blue Moon
Dos Equis
Shock Top
Mud Island
Stella Artois
905
Angry Orchard
Heilewein

Bud Light
Guinness
Loganitas IPA
New Castle

BOTTLED 6

Budweiser
Corona Light
Miller Genuine Draft
Red Stripe

Miller Light
Bud Light

WINE

Sutter Home Wine 7
Merlot
White Zinfandel
Chardonnay
Moscato

Stella Rosa 8
Stella Rosa
Stella Rosa
Stella Rosa
Stella Rosa
Cook's

19738 BELMONT BLVD | BELLEVUE, WA 98008 | 206.304.0200

THURSDAY - THURSDAY 4PM - 9PM
FRIDAY & SATURDAY 4PM - 2AM
SUNDAY 11AM - 8PM

19738 BELMONT BLVD | BELLEVUE, WA 98008 | 206.304.0200

THURSDAY - THURSDAY 4PM - 9PM
FRIDAY & SATURDAY 4PM - 2AM
SUNDAY 11AM - 8PM

FRENCH QUARTER CREOLE BAR AND GRILL
16728 Bellflower Blvd, Bellflower, CA 90706

HOURS OF OPERATION **11am - 2am Daily**

Current Business hours:

Closed Monday's,

Tuesday - Thursday: 4 p.m. to 9 p.m.

Friday - Saturday: 4 p.m. to 2 a.m.

Sunday's: 11 a.m. to 8 p.m.

Entertainment

Hours of Entertainment can vary based on
Day & Marketing.

DJ

Dancing

Karaoke

Live Bands

Comedy Show

The reason we are asking for daily entertainment from 11. a.m. to 2 a.m. is for flexibility because our business hours may change. This request is also consistent with the hours for the CUP.



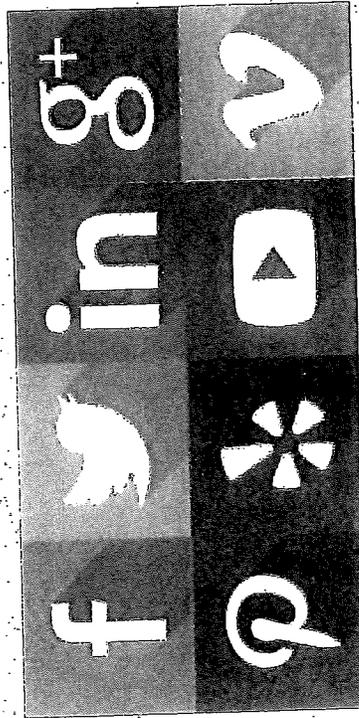
ADVERTISING



ADVERTISING

Advertisement would be consistent to what is approved with the city of Bellflower. The French Quarter Advertising would be controlled by In House team of Advertising thru Social Media via websites, Facebook, Twitter, Instagram, Yelp, Foursquare, The loop.com & Mailers to local area. Local Marketing Firms & In house promotions of repeat customer business would be the target to increase business.

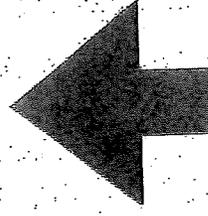
DIGITAL MARKETING



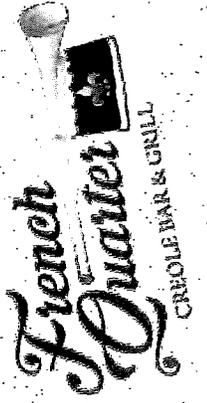
TARGET MARKETING

Agers

30 &



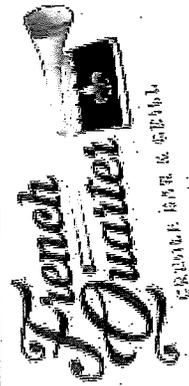
SECURITY



SECURITY

Security Services will be provided from a licensed and bonded Security Company. Events Security hours will comply with the existing conditional use permit. Rich Security Services is the licensed and bonded company on file and will continue to services at this time. Security staffing will always be provided when events are scheduled.
 Staffing levels will increase on crowd expectancy.

DATE	STATUS	TYPE OF MUSIC ENT CROWD / SECURITY
MONDAY	CLOSED	
TUESDAY	CLOSE AT 9PM	
WEDNESDAY	CLOSE AT 9PM	
THURSDAY	WEEKLY EVENT	20-40 GUEST 2 SECURITY PERSONS
FRIDAY	WEEKLY EVENT	100 GUEST 7 SECURITY PERSONS
SATURDAY	WEEKLY EVENT	100 GUEST 7 SECURITY PERSONS
SUNDAY	WEEKLY EVENT	60 GUEST 2 SECURITY PERSONS



HOME * SPECIALS * UPCOMING EVENTS * PHOTO GALLERY * CONTACT US



WEBSITE

HAPPY HOUR

MONDAY THRU
FRIDAY 4:30 - 6:30

Lucev quisque acbor sit amvel, nasa truantis sibi que
quid iusque ex, libeati p'sonacem, r'okernit'ia us, fu
d'ao m'el'at'ur' h'ec'at'at' f'ic'it'ia, f'ic'is'ia' c'om'p'ar'ig'io
c'om'p'at'it'ur' vel' i'e. C'um' r'e' s'ua' n'asa' s'amp'ar' s'amp'ar'
cum' es' p'os'que' i'nd'ic'at'is, s'ep' n'o' d'icat' e'f'f'ant'. In
cum' l'ib'ent'is' l'ib'ent'is'g'at'ur'.

READ MORE

OUR SPECIALS

WEDNESDAY
DRINK SPECIALS

Lucev quisque acbor sit amvel, nasa truantis sibi que
quid iusque ex, libeati p'sonacem, r'okernit'ia us, fu
d'ao m'el'at'ur' h'ec'at'at' f'ic'it'ia, f'ic'is'ia' c'om'p'ar'ig'io
c'om'p'at'it'ur' vel' i'e. C'um' r'e' s'ua' n'asa' s'amp'ar' s'amp'ar'
cum' es' p'os'que' i'nd'ic'at'is, s'ep' n'o' d'icat' e'f'f'ant'. In
cum' l'ib'ent'is' l'ib'ent'is'g'at'ur'.

READ MORE

EVENTS

PLAN YOUR
NEXT EVENT HERE

Lucev quisque acbor sit amvel, nasa truantis sibi que
quid iusque ex, libeati p'sonacem, r'okernit'ia us, fu
d'ao m'el'at'ur' h'ec'at'at' f'ic'it'ia, f'ic'is'ia' c'om'p'ar'ig'io
c'om'p'at'it'ur' vel' i'e. C'um' r'e' s'ua' n'asa' s'amp'ar' s'amp'ar'
cum' es' p'os'que' i'nd'ic'at'is, s'ep' n'o' d'icat' e'f'f'ant'. In
cum' l'ib'ent'is' l'ib'ent'is'g'at'ur'.

READ MORE





French Quarter
CREOLE BAR & GRILL

TASTE OF BELLFLOWER

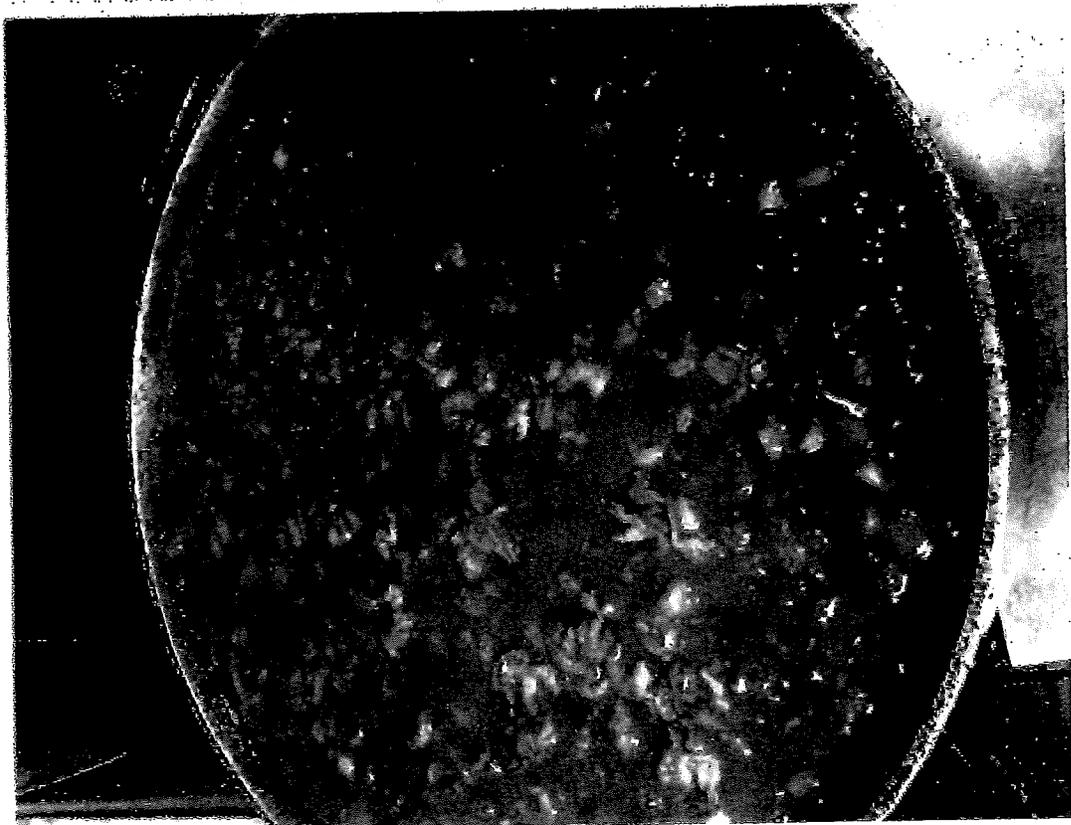


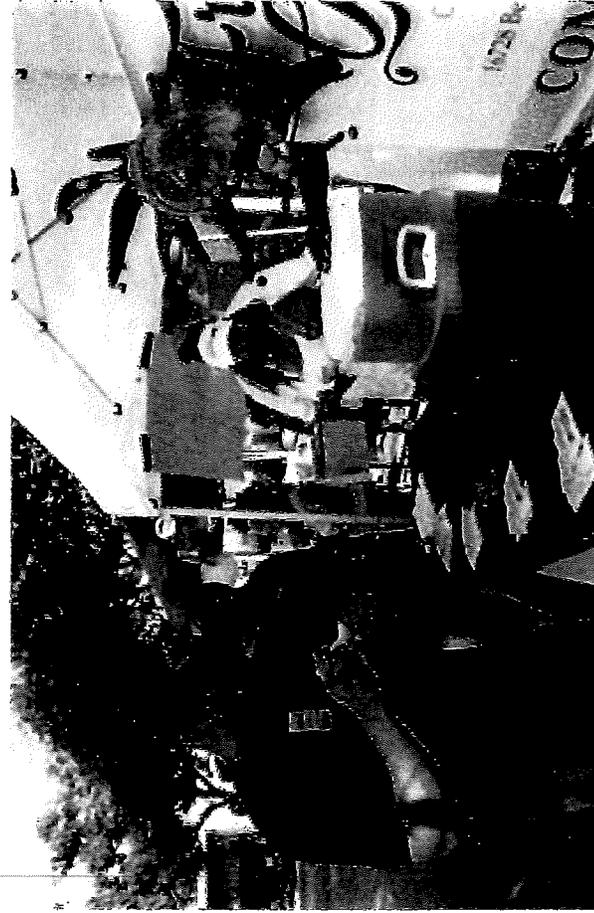
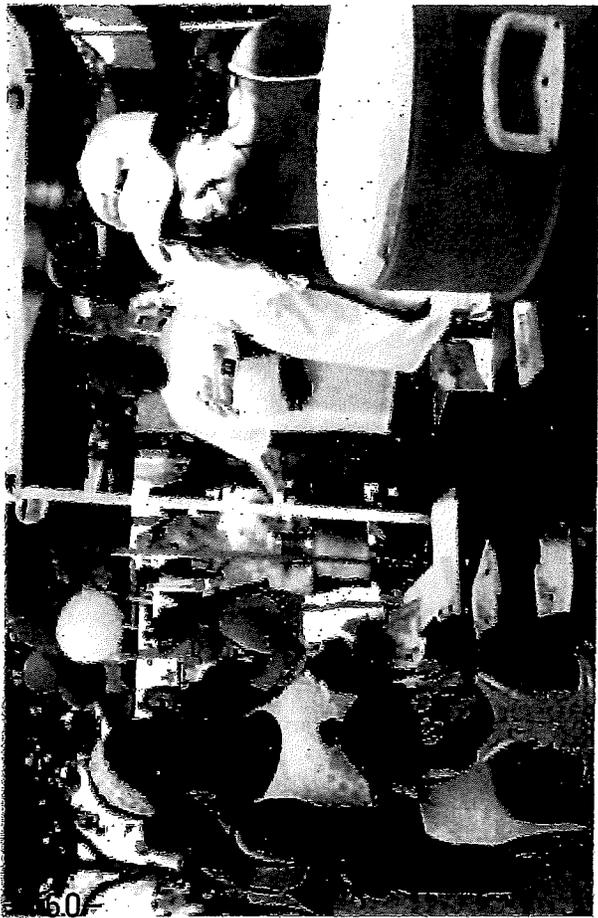
French Quarter
CREOLE BAR & GRILL

TASTE OF BELLEFLOWER



French Quarter
CREOLE BAR & GRILL





TASTE OF BELLFLOWER

French Quarter
CREOLE BAR & GRILL

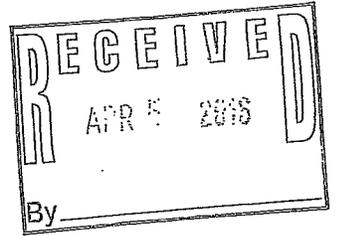


125 Bellflower Blvd. Bellflower, CA 90706

COMING SOON



The French Quarter Bar Creole Bar & Grill
16728 Bellflower Blvd
Bellflower Ca 90706
(562) 804 0200



SECURITY PLAN

The French Quarter Creole Bar & Grill is a new and exciting new restaurant that will be located at 16728 Bellflower Blvd in the City of Bellflower. The Plan is to offer Entertainment including Comedy Show's, Zydeco Bands, Live Blues, Jazz, R&B Bands, DJ, Dancing & Karaoke Entertainment in support of the new restaurant format. We are focusing on a upscale mature 35 & up crowd.

The goal is to adhere to these guidelines with our security plan in maintaining all rules and regulations in our Dance and Entertainment Permit, Conditions of Approval, Laws of State of California with Police, Fire, Alcohol Beverage Control and City of Bellflower.

The Security Company- Rich Security Service [REDACTED] owned and operated by Marlo Richardson [REDACTED]. All Security personnel will be qualified based upon their experience and ability to properly handle and control the crowd. The security personnel will communicate with each other which will enable additional personnel to respond whenever needed.

All security personnel will have a uniform appearance, in order that they can be easily recognized by our patrons as well as local authorities. All security personnel will be expected to provide all customers with high quality customer service. Any potential incident will be de-escalated by the security personnel using tact, self-restraint, and respect for the customers. In an event that any violation of the law occurs, The Bellflower Sheriff Dept will be immediately notified.

Video Taping of the premises from over 14 security cameras covering inside and outside will be on 24 hour monitoring with a back up for a 14 days and is available upon review upon request. Monitoring Signs are posted inside and outside the building for patron visibility.

At the end of each week, the General Manager Ernest McIntyre prepares the security schedule for the following week. The security schedule indicates the starting time for each individual, The number of security personnel can be from 1-11 persons and the starting time is based on various factors that are reviewed and analyzed each week by the General Manager Marcus Jenkins. The factors include the following items:

1. The anticipated number of customers expected that night, which is often based upon the number of customers that attended the previous week. Additional information such as any planned inhouse promotion, or promotional activities that would impact the anticipated number of customers for the coming week.
2. The type of crowd that is expected including the age range of the customers.
3. The previous history of security needs for that particular night.

The "Weekly Report" will provide a summary of any special events or changes to our normal weekly format. (see attached)

1. Security Responsibilities

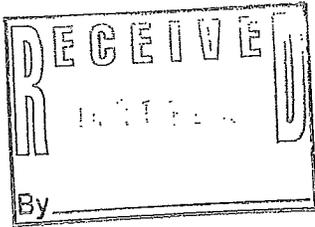
- A. At all times during the hours of Entertainment, there shall be Security at the establishments entrance maintaining security, performing a visual and age/identification check of each customer entering the restaurant after 9pm the night of an event. Bartenders and Waitresses are trained to double check ID for verification of legal age limit.
- B. Guards will be positioned at the entrance and exit performing a visual check of each customer in the restaurant looking for any potential bad behaviors of attitude and intoxication. The General Manager Ernest McIntyre shall assist with visual inspection and maintain a watch over the parking lot immediately in front and back of the restaurant. These checks will be performed periodically, but not less than once every 30 minutes.
- C. Additional Security Guards shall increase as necessary during any event if a larger than normal crowd is expected. The General Manager Ernest will update the Director of Public Safety or designee in either case.
- D. Security Guards shall be a minimum of 21 years of age, have received training in security measures well versed in Security Duties.
- E. The security will be able to hear each other conversations and communicate with each other while on duty and will be able to be fully aware of any interaction between guards and patrons of the restaurant in order to provide assistance when needed.

- F. Searching Patrons- Security guards at door shall perform a visual inspection of each customer for age/identification and search of each customer entering the restaurant. At Pat Down Search of patrons is implemented during weekend events and purse checks to ensure safety of all patrons and employees in building.
- G. Security Guard Dress- Security guards shall wear the same type of shirt or outer garment bearing "Security" printed on back of the shirts or uniforms so they can be easily distinguished and recognized by patrons as well as Bellflower Sheriff Department.
- H. No Loitering- Signs stating "No Loitering" shall be clearly posted outside the restaurant. Once entering in the Restaurant for Entertainment patrons will be communicated no In's and Out's continuously going back to the car.
- I. Noise- Keeping the back Door shut with placement of Security Guard will keep the noise to travel out of the restaurant.
 - All patrons will enter off the Bellflower Blvd Entrance. Signs have been made to keep traffic motorist to keep quiet in respect of our neighbors in our vicinity.
 - Sound Decibel Meter Application has been downloaded to Manager/Owner phone to ensure Noise pollution is kept at minimum
 - Security Staff will monitor parking lot for loitering, drinking in cars to warn patrons no entry to establishment if no cooperation to rules when in violation.

The General Manager will periodically check with the surrounding neighbors for any issues due to any events to ensure a strong communicative relationship is established and maintained. Each Neighbor will have the proper lines of communication to reach out to General Manager at any time.

Coordination with Bellflower Sheriff Department- The General Manager shall meet the Public Safety Director to exchange ideas and trade feedback on security issues on a routine bases. The Commander can determine the form and frequency of the meetings.

If you have any questions please contact Ernest McIntyre (562) 225-8787 or Marcus Jenkins (310) 594- 4635



SECURITY GUARD SERVICES CONTRACT

BETWEEN

RICH SECURITY

AND

French Quarter Creole Bar & Grill

THIS CONTRACT, made this **12th** day of **February, 2016** between French Quarter Creole Bar & Grill (“Owner”), and Rich Security (“Contractor”), a Limited Liability Company licensed to do business in California, U.S.A., with offices in Los Angeles, CA (collectively, “the Parties”).

WHEREAS, Owner desires to purchase security guard protection services for Owner’s buildings, grounds, premises, personal property, and personnel, and, WHEREAS Contractor is willing to provide those services,

NOW THEREFORE, subject to the terms and conditions hereinafter set forth, and in consideration of the mutual covenants contained herein, the Parties agree as follows:

ARTICLE I

DEFINITIONS AND GENERAL PROVISIONS

1.1. Definitions

- 1.1.1. Contract Documents – The Contract Documents consist of this Contract, the Owner's Technical Specifications and General Terms and Conditions of the Contract, (see Attachment A, hereto, which is hereby incorporated by reference into this Contract); modifications issued after execution of this Contract; addenda issued prior to the execution of this Contract; and, other documents listed in this Contract.
- 1.1.2. The Contract – This Contract, which is sometimes referred to herein as the “Contract”, represents the entire integrated contract between the Parties and supersedes all prior negotiations, representations, or agreements, either written or oral. Nothing contained in the Contract Documents shall create any contractual relationship between any subcontractor, subsubcontractor, or third party.
- 1.1.3. The Rich Security Representative. Jefferson Cox

1.2. General Provisions

Services

Contractor shall furnish security services to French Quarter Creole Bar & Grill and shall assure the safety of French Quarter Creole Bar & Grill's buildings, grounds and premises, personal property and personnel, the personnel of Permanent and Observer missions to French Quarter Creole Bar & Grill, guests, and other users of Owner's facilities and services, as indicated in the work schedules.

Contractor shall also provide management; training; supervision; manpower; uniforms; badges; caps for special occasions; and supplies in order to provide the required protection services demanded, and replacement or substitute equipment and manpower to maintain full services at all times.

Contractor shall also provide and maintain insurance coverage as defined in Article VI below; and Contractor shall comply with all applicable Federal laws, including employment and tax payment laws.

1.2.1. Locations

Contractor shall provide security protection services for the following buildings and accompanying grounds owned and/or occupied by Owner:

BUILDING NAME – CODE	LOCATION
A. French Quarter Creole Bar & Grill (“FC”)	16728 Bellflower Blvd. Bellflower, CA 90706

ARTICLE III

Payment for Special Events (RECOGNIZED HOLIDAY’S ARE CONSIDERED SPECIAL EVENTS)

Contractor shall provide security protection services for special events as requested by Owner. For these special events, Contractor shall receive payment at the rate of \$25 per man hour for security officers and the rate of \$30 per man hour for supervisory services.

ARTICLE IV

PAYMENTS

4.1. Terms of Payment

Owner shall make payments to Contractor for the services rendered above, on a fixed price basis, and in accordance with the limitations contained in this Contract.

4.2. Invoices

Payment shall be made once monthly upon submission of invoices and/or vouchers for services authorized and provided for the preceding month. Contractor shall submit an invoice on the first of the month. Invoices shall be paid no later than the 5th day of that same month. Checks can be made payable to **RICH SECURITY** or **direct deposited in the RICH SECURITY Wells Fargo account #8864260875.**

ARTICLE V

CONTRACTOR'S RESPONSIBILITIES

Employment of Aliens

Contractor shall employ only U.S. citizens and aliens who are legally permitted to hold employment in the United States. In the event Contractor employs persons who are not citizens of the United States of America, Contractor shall take every reasonable effort to assure that the laws and regulations governing employment of aliens are complied with and that their visa status is in perfect order in accordance with the requirements of the Immigration and Naturalization Service of the U.S.A.

ARTICLE VI

INSURANCE AND PERFORMANCE BOND

6.1. Contractor's Liability Insurance

For the duration of this Contract, Contractor shall purchase and maintain in a company or companies authorized to do business in California and to which the Owner has no reasonable objection, such insurance as will protect the Contractor, and their officers, employees, and agents from claims set forth below, which may arise from operations under this Contract by the Contractor or by a subcontractor of the Contractor or by anyone directly or indirectly employed by any of them, or by anyone for whose acts they may be liable. The Contractor is required to carry insurance with limits equal to or greater than those set forth in the Table below:

Commercial General Liability	\$1,000,000 Personal/Bodily Injury \$1,000,000 Each Occurrence \$2,000,000 Products/Completed Operations Aggregate \$2,000,000 General Aggregate, per premises aggregate
Business Automobile	\$1,000,000 Each Accident
Worker's Compensation	Statutory Limits or \$500,000, whichever is greater, based on the benefits levels of the deemed state of hire
Employer's Liability	\$1,000,000 Bodily Injury by Accident Per Employee \$1,000,000 Bodily Injury by Disease Per Employee \$1,000,000 Bodily Injury by Disease Policy Limit
Umbrella/Excess Liability	\$10,000,000 Each Occurrence \$10,000,000 Aggregate, per Project

6.2. Owner's Liability Insurance

Owner shall be responsible for purchasing and maintaining, in a company or companies authorized to do business in the California, Owner's liability insurance to protect Owner against claims which may arise from operations under this Contract.

ARTICLE VII

INDEMNITIES AND LIABILITIES

- 7.1. To the fullest extent permitted by law, Contractor shall indemnify and hold harmless Owner, and Owner's officers, directors, shareholders, partners, joint ventures, employees, agents, affiliates, successors and assigns from and against all claims, damages, liabilities, losses, fines and penalties, and expenses, including but not limited to attorneys' fees, arising out of or resulting from Contractor's performance of the services in connection with this Contract, provided that any such claim, damage, loss, liability, fine, penalty, or expense: (1) is attributable to bodily injury, personal injury, sickness, disease, or death, or to injury to or destruction of tangible property, including loss of use resulting there from, but only to the extent caused in whole or in part by negligent or deliberate acts or omissions of Contractor, Contractor's subcontractors, subsubcontractors, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, regardless of whether or not it is caused in part by a party indemnified hereunder; and (2) breach by Contractor of its obligations, representations or warranties under the Contract Documents. Such obligations shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to a party or person described in this Article VIII in addition to all rights and remedies available at law or in equity.
- 7.2. In any and all claims against Owner or any of Owner's agents or employees by any employee of Contractor, any subcontractor, any subsubcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, the Contractor's indemnification obligation under Article VIII shall not be limited in any way by any limitation on the amount or type of damages, compensation, or benefits payable by or for Contractor, any subcontractor, or any subsubcontractor, under worker's or workmen's compensation acts, disability benefit acts, or other employee benefit acts.
- 7.3. Contractor shall be notified as soon as reasonably practicable after any claim covered by this Article is made against any entity to be indemnified there under and shall be given such reasonable information, authority and assistance as may be requested by it to enable it to perform its undertakings.
- 7.4. Contractor is liable to Owner for losses to Owner's property sustained through any fraudulent or dishonest act or acts committed by Contractor's employees and/or subcontractors acting alone or in collusion. Such acts include, but are not limited to, actual destruction, disappearance, or wrongful abstraction of property, money, or securities.
- 7.5. This Article shall not be so construed as to affect any waiver of subrogation rights on the part of any insurance company, as provided in any policy of insurance covering Owner.

7.6. It is also understood by Contractor that he is not entitled to any of the exemptions or immunities which Owner may enjoy in its character as a public international organization.

ARTICLE VIII

SETTLEMENT OF DISPUTES

- 8.1. If any controversy, claim or dispute arises between the Parties which is related in any way to the performance or interpretation of this Contract, or any breach thereof, or concerns any other matter in connection with this Contract which cannot be settled by amicable agreement, then upon either Party giving written notice of the difference or dispute to the other, the matter shall be resolved by submitting the matter to the American Arbitration Association for final and binding arbitration in accordance with the rules and procedures of the Inter-American Commercial Arbitration Commission and the law applicable to the substance of the dispute which shall be the law of the California, U.S.A. The language of the arbitral proceedings shall be English, and the place of arbitration shall be California, U.S.A. The award rendered by the arbitration shall be final and binding upon the parties. Provided, however, that the Parties will first attempt to settle disputes by mediation before resorting to arbitration. When a dispute is taken to mediation, both Parties shall make a good faith effort to settle the dispute.
-
- 8.2. The arbitration demand shall be made within a reasonable time after the controversy, claim, dispute or other matter in question has arisen. In no event shall the demand for arbitration be made after the date when the institution of legal or equitable proceedings based on such claim, dispute or other matter in question would be barred by the applicable statutes of limitation.
- 8.3. Unless otherwise agreed in writing, Contractor shall perform under the terms of the Contract during any arbitration proceedings, and Owner shall continue to make payments to Contractor in accordance with the Contract documents.
- 8.4. This Article shall survive completion or termination of this Contract.

ARTICLE IX

QUALITY OF PERFORMANCE

The Contractor agrees that the performance of work and services pursuant to there requirements of this Contract shall conform to the highest professional standards. The Contractor and his employees shall conform to all applicable laws, regulations and ordinances promulgated by legally constituted authorities of the United States Government and of the State of California. All personnel furnished by Contractor for the performance of services hereunder shall at all times be solely in the employment of Contractor. Owner shall retain the right to approve all personnel hired in connection with this Contract.

ARTICLE X

REMOVAL OF CONTRACTOR'S EMPLOYEES

The Owner may request in writing, with or without cause, the immediate removal of any of Contractor's employees. Upon receipt of any such request, Contractor shall immediately remove the employee(s) named therein.

ARTICLE XI

SUBCONTRACTORS

- 11.1. No work performed under this Contract shall be subcontracted by Contractor without the prior written approval of Owner/ Contractor. Similarly, no claim arising out of this Contract may be assigned absent such written approval. Owner reserves the right to approve and designate all subcontractors providing services specified under this Contract.
- 11.2. Contractor shall notify Owner in writing of the name and business address of any subcontractor that Contractor intends to use to perform its obligations under this Contract at least thirty days prior to the date said subcontractor is to begin to perform those obligations.

ARTICLE XII

CONTRACT TERM AND RENEWAL

12.1. The term of this Contract shall be for one (1) year beginning on February 12, 2016, and terminating at midnight on February 12, 2017, with an option to renew thereafter for each of the next 12 (twelve) month periods, unless terminated. If the Owner decides to exercise the option to renew, it shall be in written form to Contractor, thirty (30) days prior to the expiration of the Contract. In the event that the Contract is renewed, the terms and conditions will remain unchanged, unless both parties agree to an attached addendum stipulating the changes to be made.

12.2. Escalation Clause

Upon the anniversary date of this Contract, the terms and conditions of the Contract regarding pay rates may be modified by the Parties up to the increase in the cost of living in the Los Angeles area during the previous twelve (12) months.

ARTICLE XIII

MODIFICATION

13.1. Modification

This Contract may be modified in whole or in part, at any time, by mutual agreement provided such agreement is in writing, signed by the duly authorized representatives of both parties, dated, and attached hereto.

13.2. Notice

Any notice or request required to be given or made under this Contract shall be deemed to have been duly made or given when delivered by hand or sent by Registered Mail Return Receipt Requested, to the party to which it is required to be given or made at that Party's address as specified below:

French Quarter Creole Bar & Grill
16728 Bellflower Blvd.
Bellflower, CA 90706

ARTICLE XIV

MISCELLANEOUS PROVISIONS

Independent Contractor Status

Nothing contained in the entire Contract between Owner and Contractor shall be construed as the establishment or creation of a relationship of master and servant or principal and agent between Owner and Contractor, it being agreed that the position of Contractor and anyone else performing any services under the Contract is that of an independent contractor.

ARTICLE XV

TERMINATION OF THE CONTRACT

15.1. Termination by Owner

The Owner may terminate this Contract for cause with fifteen (15) days notice in writing to the Contractor. Cause for termination of this Contract includes, but is not limited to: (i) failure to perform the service in accordance with professional standards; (ii) failure to meet deadlines; (iii) failure to meet or maintain the requirements specified in Section 8 – Supervision– and/or Section 9 –Guard Force -Qualifications and Requirements– of the Technical Specifications contained in Attachment A, hereto; (iv) conduct which damages or could damage relations between the Owner and a Member or Observer State of the Organization of American States; (v) fraudulent misrepresentation; (vi) bankruptcy of Contractor; and (vii) breach of any of the provisions of this Contract.

15.2. Termination by Contractor

If Owner fails to make payments when due, the Contractor may give written notice of Contractor's intention to terminate this Contract. If Contractor fails to receive payment within seven (7) days after receipt of such notice by Owner, Contractor may give a second written notice, and seven (7) days after receipt of such second written notice by Owner, Contractor may terminate this Contract and recover from Owner payment for services performed, including reasonable profit and applicable damages.

15.3. Either party may terminate this Contract without cause with no penalty, provided written notice is given at least sixty (60) calendar days prior to the intended date of such termination.

15.4. Termination because of Bankruptcy

The bankruptcy of either party is grounds for termination for cause under this Contract.

FOR French Quarter Creole Bar & Grill

FOR Rich Security

Print:

Print: Jefferson Cox

Signed: _____

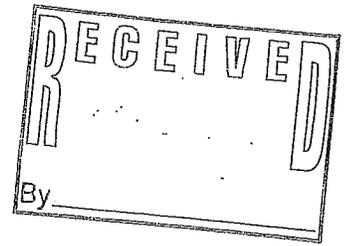
Signed: _____

Title: _____

Title: _____

Date: _____

Date: _____



FRENCH QUARTER CREOLE BAR & GRILL
16728 BELLFLOWER BLVD
BELLFLOWER CA 90706
(562) 804-0200

WEEKLY EVENT REPORT
WEEK ENDING 3/13/16

DATE SECURITY	STATUS	TYPE OF MUSIC/ENT CROWD /	
MONDAY	CLOSED		
TUES	CLOSE AT 9PM		
WED	CLOSE AT 9PM		
THURS	WEEKLY EVENT	KARAOKE DJ /	20-40 GUEST 2 SECURITY
FRI	WEEKLY EVENT	R&B /OLD SCHOOL/DJ	100 GUEST 7 SECURITY
SAT	WEEKLY EVENT	TOP 40/OLD SCHOOL/DJ 80' & 90'S	100 PATRONS 7 SECURITY
SUN	11-8	JAZZ/BLUES BRUNCH	60 GUEST 2 SECURITY

IF YOU HAVE ANY QUESTIONS PLEASE CONTACT ERNEST MCINTYRE (562) 225-8787

⑧ - Will Room Parking lot
 PLACEMENT OF SECURITY

DATE	
BY	

DATE PLOTTED: 11/17/2015
 TIME PLOTTED: 11:02:00 AM

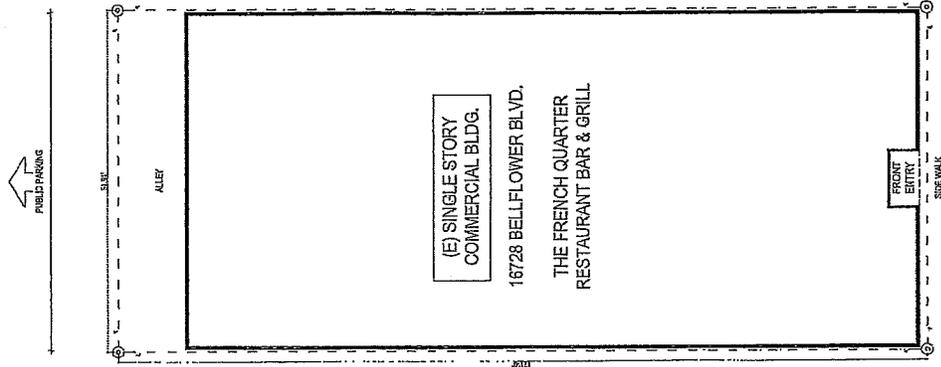
THE FRENCH QUARTER
 16728 BELFLOWER BLVD.
 BELFLOWER CA, 90706

JEFF A. ADOLPH
 LICENSED ARCHITECT
 16728 BELFLOWER BLVD.
 BELFLOWER, CA 90706
 (925) 251-1111
 www.jadadolph.com

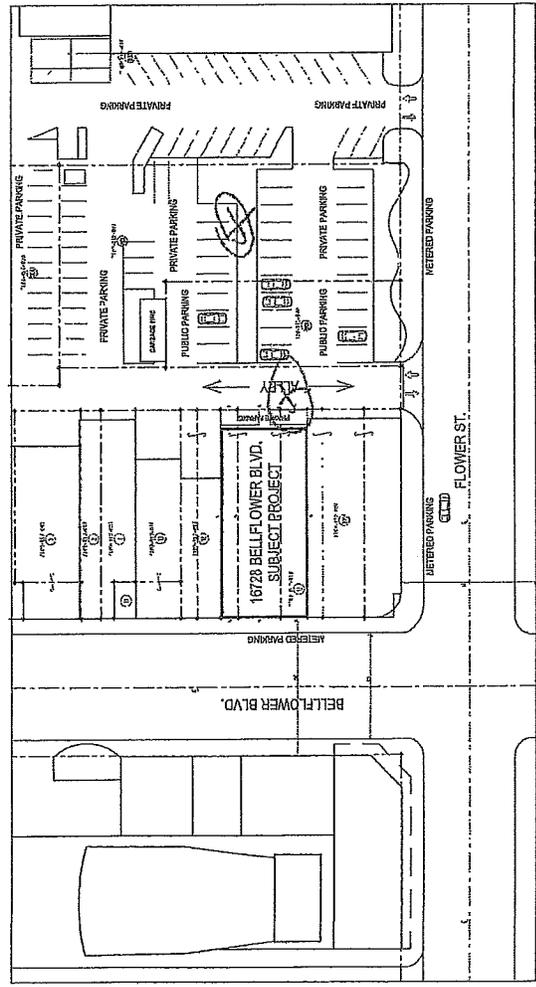


IMJ DESIGN
 INTERIOR ARCHITECTURE
 16728 BELFLOWER BLVD.
 BELFLOWER, CA 90706
 (925) 251-1111

PROJECT TITLE	THE FRENCH QUARTER
SHEET TITLE	VICINITY MAP & PLOT PLAN
DATE	11/17/2015
JOB NO.	15-1076
SHEET NO.	A-10



FOOT PRINT
 1/8" = 1'



VICINITY MAP
 1/32" = 1'

Bellflower Municipal Code							
Up	Previous	Next	Main	Collapse	Search	Print	No Frames
Title 5 BUSINESS LICENSES AND REGULATIONS							

Chapter 5.36 AMUSEMENTS, DANCES AND ENTERTAINMENT REGULATIONS

5.36.010 Permit Required.

- A. No person shall operate, conduct or manage any public place where food or beverages are sold, offered for sale or given away, and where any form of entertainment is provided or furnished without first obtaining a permit so to do as hereinafter provided for in this chapter.
- B. No person shall operate, conduct or manage any public place where any form of entertainment is provided for or furnished to any person or patron for and in consideration of the payment by such person or patron of anything of value, including, but not limited to, an admission charge, ticket, fee, charge, the payment of money or the transfer of any other thing or item of value by any person or patron, without first obtaining a permit so to do as hereinafter provided for in this chapter.
- C. No person shall operate, conduct or manage any public place where any form of entertainment is provided or furnished without first obtaining a permit so to do as hereinafter provided for in this chapter. (Prior code § 5-6.1)

5.36.020 Entertainment Defined.

- A. "Entertainment" shall mean every form of live entertainment, music, solo band or orchestra, act, play, burlesque show, fashion show, review, pantomime, scene, song or dance act, song, dance or any other act of performance participated in by one or more persons for the purpose of holding the attention of, gaining the attention and interest of, diverting or amusing guests or patrons, and shall include any of such forms of live entertainment when used in connection with, or as a means to attract the patronage or hold the attention of such guests or patrons for the purpose of advertisement, demonstration, display, or sale of goods, wares, merchandise, or services.
- B. Entertainment also shall mean showing, displaying or projecting within or on any premises any motion picture, moving picture, still picture or slide picture. This section shall not be applicable to any television transmission where such transmission is conducted by a regularly established and licensed television station. This section shall be applicable and deemed to apply to the use of any machine or projector which projects for the viewing of any patron any motion picture, still picture or slide, whether or not such machine or projector is coin operated or actuated.
- C. Entertainment also shall mean the operation or conduct of a theater. "Theater" shall include a moving picture theater, or drive-in theater, where moving or motion pictures, legitimate theater or vaudeville shows are exhibited. "Theater" shall also include any place containing a permanent stage upon which movable scenery or theatrical appliances are used, where musical, theatrical or vaudeville or similar performances are given to either private patrons or guests or to public assemblages. (Prior code § 5-6.2)

5.36.030 Exclusions.

The provisions of this chapter shall not be deemed to require a permit for the following:

- A. For the use of a radio or music recording machine, juke box in any establishment.
- B. For entertainment conducted by any bona fide club, society, non-profit, or eleemosynary association, organized or incorporated for benevolent, charitable, dramatic or literary purposes having an established membership and which holds meetings other than such entertainment at regular intervals, when the proceeds, if any, arising from such entertainment are used solely for the purpose of such club, society, or association.
- C. For entertainment provided solely by one (1) person playing the piano or other musical instrument for the amusement of guests or patrons of an establishment.
- D. For entertainment conducted solely on or at any premises or location which is owned or operated by, or leased by, the United States, State of California, County of Los Angeles, or any agency or subdivision thereof, or any school district. (Prior code § 5-6.3)

5.36.040 Application for Permit.

Applicants for entertainment permits shall file a written, signed and verified application, together with the application fee as set forth in Section 5.36.140, with the City Manager, showing:

- A. The name and permanent address of applicant.
- B. The name and proposed business address of the applicant. If the applicant is a corporation, the name shall be exactly as set forth in its articles of incorporation and the applicant shall show the name and residence address of each of the officers, directors, and each stockholder owning not less than twenty-five percent (25%) of the stock of the corporation. If the applicant is a partnership, the application shall show the names and residence addresses of each of the partners, including limited partners. In the event any partner, limited or general, is a corporation, the application shall comply with the provisions set forth above and provide the information relating to corporate applicants.
- C. A detailed description of the proposed entertainment, including type of entertainment, number of persons engaged in the entertainment, and any further information about the entertainment or entertainers, as the City Manager may deem necessary.
- D. The date, hours and location where said entertainment is proposed to be conducted, and the admission fee, if any, to be charged.
- E. The name or names of the person or persons having the management or supervision of the applicant's business and of any entertainment.
- F. A statement of the nature and character of applicant's business, if any, to be carried on in conjunction with such entertainment.
- G. Whether or not the person or persons owning or having the management or supervision of applicant's business have been convicted of a crime, the nature of such offense, and the sentence received therefor.
- H. A plot plan showing the physical layout and nature of the premises, and also showing the nature, location and extent of existing parking spaces and area available for the premises.
- I. Such other reasonable information as to the identity or character of the person or persons having the management or supervision of applicant's business, as the City Manager may deem necessary, including, but not limited to, obtaining the fingerprints of any such person or persons. (Prior code § 5-6.4)

5.36.050 Investigation and Hearing.

After the application for an entertainment permit has been filed with the City Manager, he or she shall cause an investigation to be made of such application, and after such investigation has been completed, he or she shall cause the application to be set for hearing before the City Council and shall notify the applicant of the date of such hearing. (Prior code § 5-6.5)

5.36.060 Notice of Hearing.

After the City Manager has set the application for hearing, he or she shall cause notice of at least ten (10) days of the hearing to be given to the applicant and to all property owners within three hundred (300) feet of the proposed or actual location of the applicant's business. For the purposes of this section, notice to property owners shall be sufficient if given to those property owners who appear as such on the last equalized assessment roll on file with the City. Additionally, the City Manager shall cause a public notice to be posted at the location where the business or entertainment is to be conducted. All notices provided for in this section shall be in the form and manner as determined by the City Manager. The applicant shall bear all costs and expenses in mailing, printing, publishing and posting such notices and shall pay such costs to the City prior to the time set for public hearing as to his/her application. Failure to pay such costs by the applicant shall be grounds to deny his/her application. (Prior code § 5-6.6)

5.36.070 Action of Hearing.

At the time and place set for public hearing as to any application, the City Council shall hear and determine all the facts and evidence relevant to the nature and location of the proposed entertainment and the character, reputation and moral fitness of those who will conduct, participate in, or be in charge of such entertainment. (Prior code § 5-6.7)

5.36.080 Denial of Application.

At the conclusion of the hearing before the City Council, the City Council shall grant or deny the application. The City Council shall deny said application if it shall find and determine any of the following:

- A. The conduct of the establishment or the granting of the application would be contrary to the public health, safety, morals or welfare for any reason; provided however, that this provision shall not be applicable where the proposed entertainment is one protected by the provisions of the First Amendment to the Constitution of the United States; or
- B. The premises or establishment have been or are operated in an illegal, unlawful or disorderly manner; or
- C. The applicant or any other person associated with him/her as principal or partner, or in a position or capacity involving partial or total control or management over the conduct of the premises for which the applicant is applying, has been convicted within seven (7) years prior to the date of the application in any court of competent jurisdiction of any offense involving the presentation, exhibition or performance of any lewd, indecent or obscene show of any kind, or of a felony or of any crime involving moral turpitude, or of any offense involving the possession of lewd or obscene matter, when such conviction or convictions are of the kind or nature

reasonably related to the operation of the proposed entertainment under the proposed permit and such conviction or convictions reasonably show a clear and present danger that the proposed use of the permit by the applicant will result in violations of the law; or

- D. That granting the application would create a public nuisance; or
- E. That the normal operation of the premises would interfere with the peace and quiet of any surrounding residential neighborhood; or
- F. That there would not be adequate parking available for the premises in the conduct of the proposed entertainment for which the permit is applied for; or
- G. That increased policing would be necessitated by the entertainment for which the permit is requested; or
- H. That the quiet and peaceful enjoyment of the neighborhood would be substantially interfered with by the creation of noise or traffic hazards; or
- I. That the proposed use of the premises is not in compliance with the provisions of the Zoning Regulations and Zoning Ordinances of the City; or
- J. That the proposed premises are not in compliance with the provisions of the Building Code or Electrical Code or Plumbing Code or Fire Prevention Code of the City. (Prior code § 5-6.8)

5.36.090 Approval of Application.

If, at the conclusion of the hearing as provided for in Sections 5.36.060, 5.36.070 and 5.36.080, the City Council fails to find or determine that any disqualifying ground or grounds, as set forth in Sections 5.36.080 and 5.36.120, exist for the denial of the proposed application, the City Council shall approve said application and the permit shall be issued upon the payment of the appropriate fees therefor. (Prior code § 5-6.9)

5.36.100 Conditions Imposed on Permit.

After the public hearing as to any application, the City Council in granting any permits may also impose such reasonable conditions as to the use or extent of such permit as it deems appropriate based upon any evidence or facts presented at the hearing. A condition of any permit shall be that the permittee or occupant of the premises shall maintain with the City a current register of the names and addresses of any or all persons having management and/or control of the business. (Prior code § 5-6.10)

5.36.110 Suspension or Revocation of Permit.

After notice of at least ten (10) days to the permittee and hearing thereon, the City Council may suspend or revoke any permit granted pursuant to this chapter if the City Council finds and determines that any permittee, his/her agent or employee, or any person connected or associated with the permittee as partner, director, officer, general manager or other person who is exercising managerial authority of, or in behalf of the permittee, or any entertainer, acting under the authority of such permit:

- A. Made any false, misleading or fraudulent statement of a material fact in the application for permit, or in any report or record required to be filed pursuant to this chapter; or

- B. Violated any provision of this chapter, or of any statute, ordinance or code, relating to his/her permitted activity or relating to his/her premises; or
- C. Is convicted of a felony, or of any crime involving moral turpitude, or of any offense involving the presentation, exhibition or performance of any lewd, indecent or obscene show of any kind, or of any offense involving the possession of lewd or obscene matter, when such conviction of a crime is of the kind or nature reasonably related to the operation of the proposed entertainment under the proposed permit; or
- D. Violated any rules, regulations or conditions adopted by the City Council relating to the permittee's business or permit; or
- E. Conducted the permitted business in a manner contrary to the peace, health, safety and general welfare of the public. (Prior code § 5-6.11)

5.36.120 Restrictions.

No permit shall be issued to any applicant for any premises where the proposed premises are not in compliance with any of the provisions of the Zoning Ordinance, the Building Code or the Electrical Code or the Plumbing Code or the Fire Prevention Code of the City. (Prior code § 5-6.12)

5.36.130 Hours of Entertainment.

No entertainment for which a permit is required pursuant to this chapter shall be conducted between the hours of 2:00 a.m. and 6:00 a.m. of any day unless authorized by the permit to do so, unless after a showing at the public hearing that such limitation was not reasonable or appropriate. (Prior code § 5-6.13)

5.36.140 Fee for Filing an Application.

The fee for filing an application for a permit pursuant to this chapter shall be two hundred dollars (\$200.00). Such fee shall be nonrefundable. Except that all those persons holding a valid entertainment permit heretofore issued by the City, in force and effect October 1, 1973, shall be required to pay only an application fee of twenty-five dollars(\$25.00). (Prior code § 5-6.14)

5.36.150 Fee for Entertainment Permit.

The fee for an entertainment permit shall be one hundred dollars (\$100.00), payable annually on or before January of each and every year. Such permit shall be in addition to any license fee as may be required by the City. However, all entertainment permits issued pursuant to this chapter prior to January 1, 1974, shall be deemed to have the fee therefor paid up to January 1, 1975. (Prior code § 5-6.15)

View the [mobile version](#).



OFFICE OF THE SHERIFF



COUNTY OF LOS ANGELES

HALL OF JUSTICE

JIM McDONNELL, SHERIFF

January 19, 2016

LICENSE UNIT INVESTIGATION REPORT

916-00069-3410-446

City of Bellflower

Application for Business License and/or Permit: Manager

Business Name: French Quarter Creole Bar & Grill
Address: 16728 Bellflower Boulevard, Bellflower, California 90706

Applicant: Jenkins, Marcus

- Result of investigation fails to indicate a basis for protest.
- Result of investigation indicates a basis for protest.
- See narrative report attached in clarification of recommendation.

Investigating Officer: A. Pedroza Report Approved: S. Shaw, Sergeant
#227413 #409029

Departmental Recommendation: Approval.

JIM McDONNELL, SHERIFF

Michael E. Thatcher
ap

Michael E. Thatcher, Captain
Major Crimes Bureau

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

A Tradition of Service
— Since 1850 —



OFFICE OF THE SHERIFF



COUNTY OF LOS ANGELES

HALL OF JUSTICE

JIM McDONNELL, SHERIFF

January 19, 2016

LICENSE UNIT INVESTIGATION REPORT

915-01138-3410-446

City of Bellflower

Application for Business License and/or Permit: Entertainment/Dance

Business Name: French Quarter Creole Bar & Grill
Address: 16728 Bellflower Boulevard, Bellflower, California 90706

Applicant: McIntyre, Ernest B.

- Result of investigation fails to indicate a basis for protest.
- Result of investigation indicates a basis for protest.
- See narrative report attached in clarification of recommendation.

Investigating Officer: A. Pedroza Report Approved: S. Shaw, Sergeant
#227413 #409029

Departmental Recommendation: Approval.

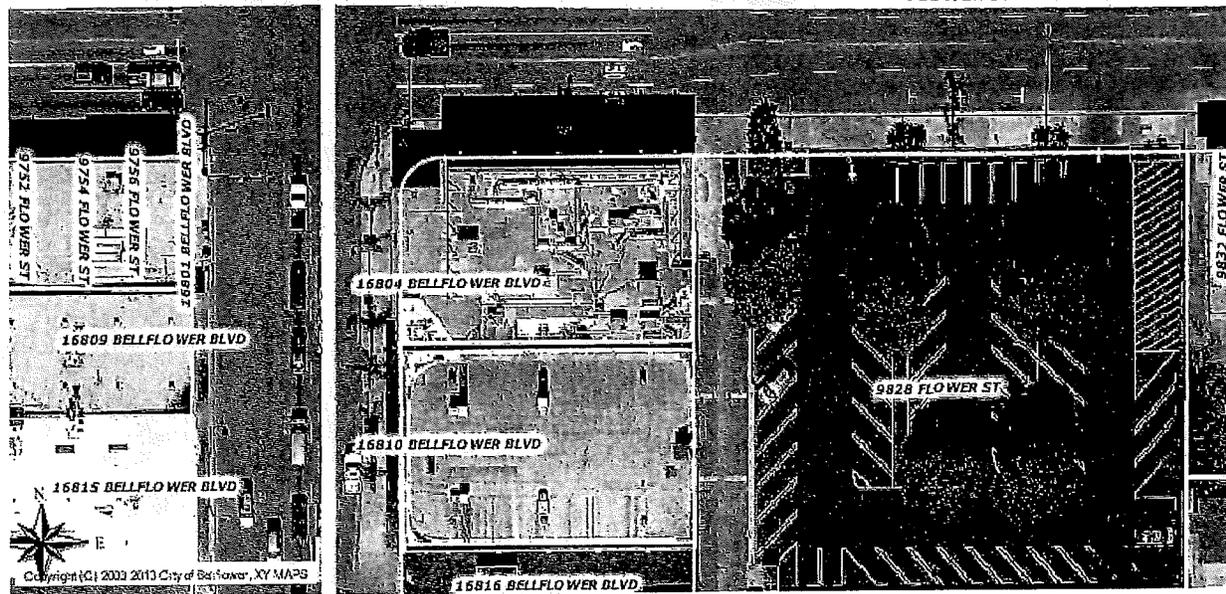
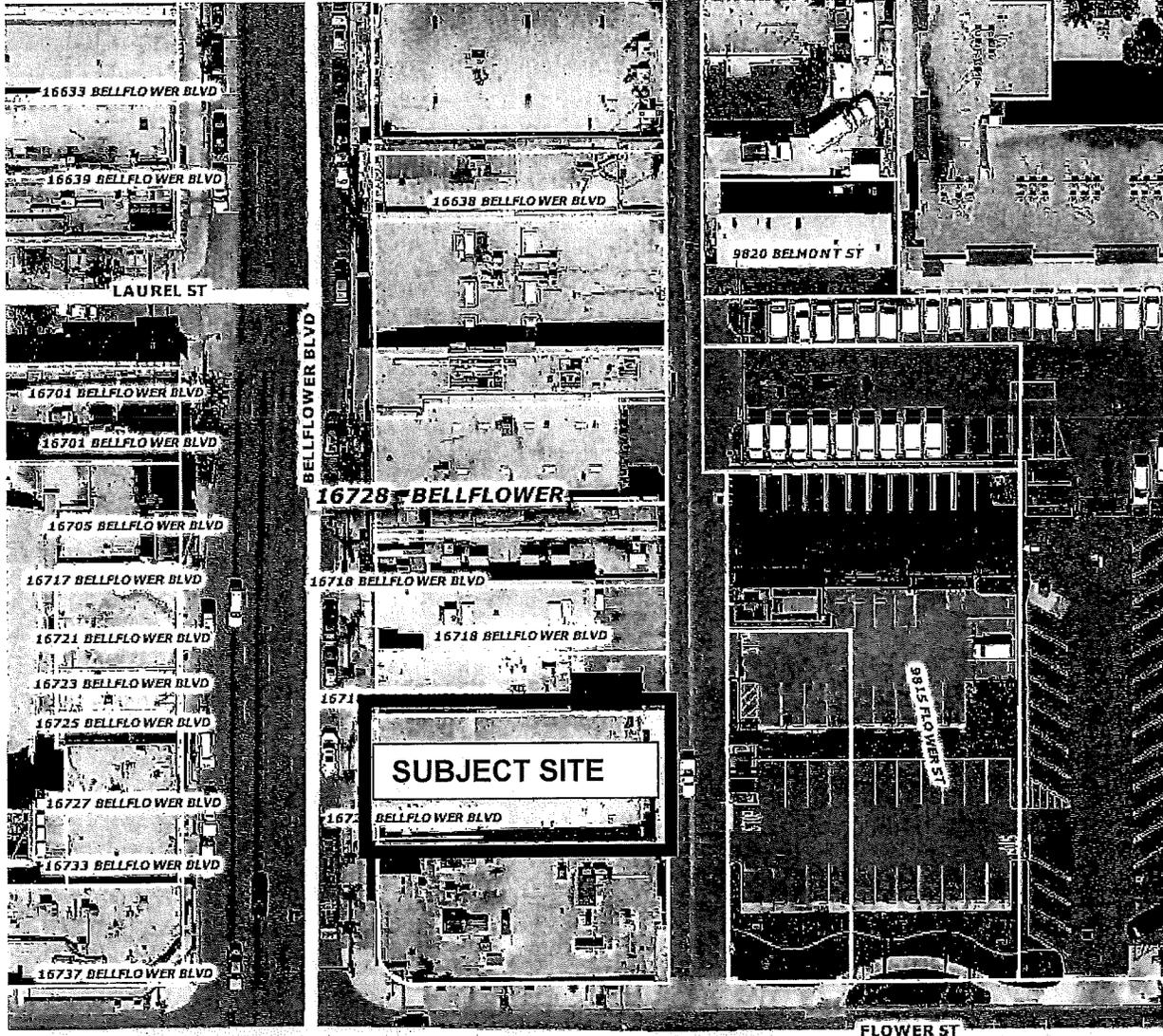
JIM McDONNELL, SHERIFF

Michael E. Thatcher

Michael E. Thatcher, Captain
Major Crimes Bureau

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

A Tradition of Service
— Since 1850 —





French Quarter
CRAQUE BAR & GRILL

16728

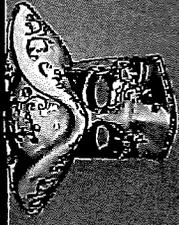
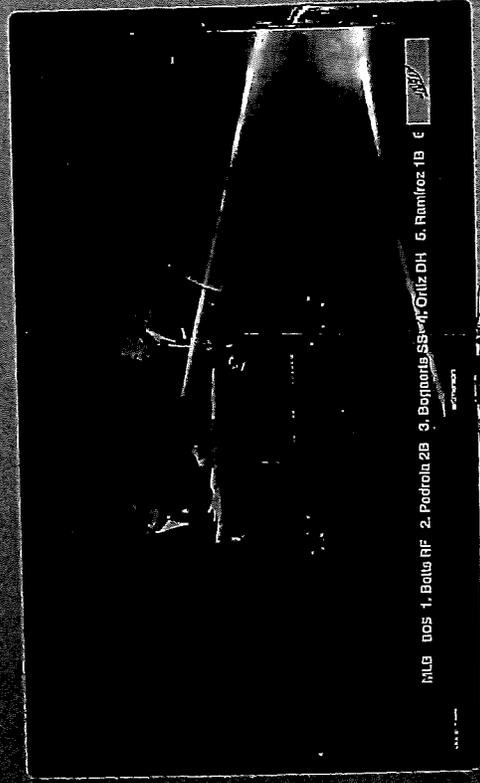
NOTICE OF PUBLIC HEARING
CITY COUNCIL
MEETING DATE: MONDAY, MAY 17, 2016
MEETING TIME: 7:00 PM
MEETING PLACE: 16728
CITY OF FORT LINDSEY

05/17/2016

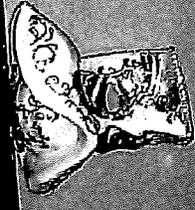
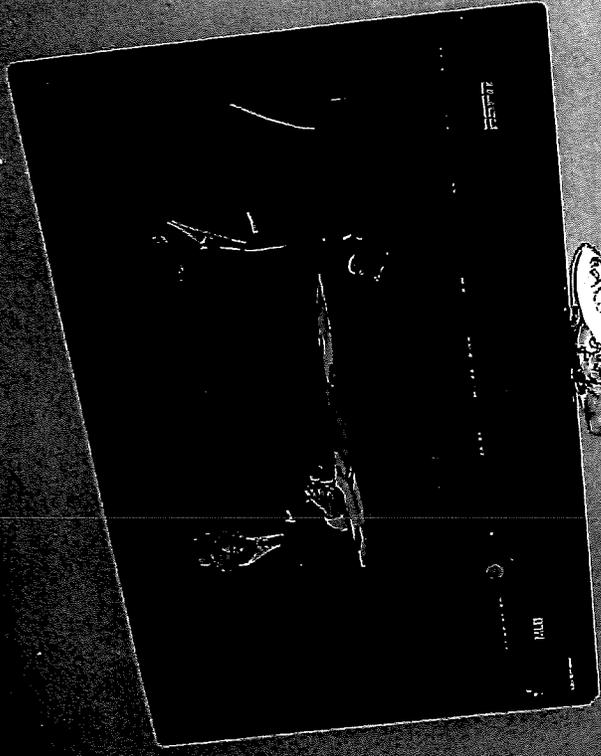
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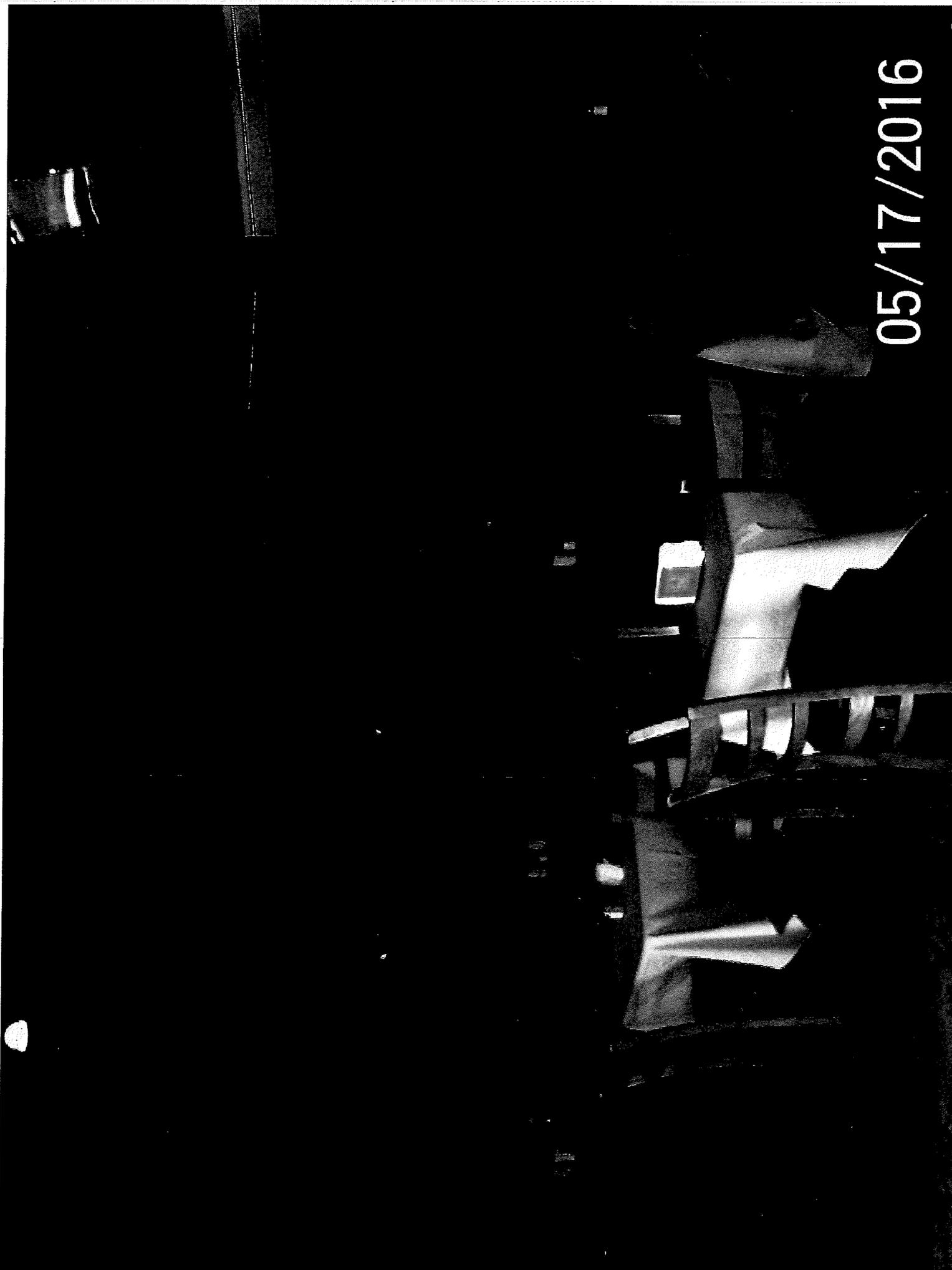


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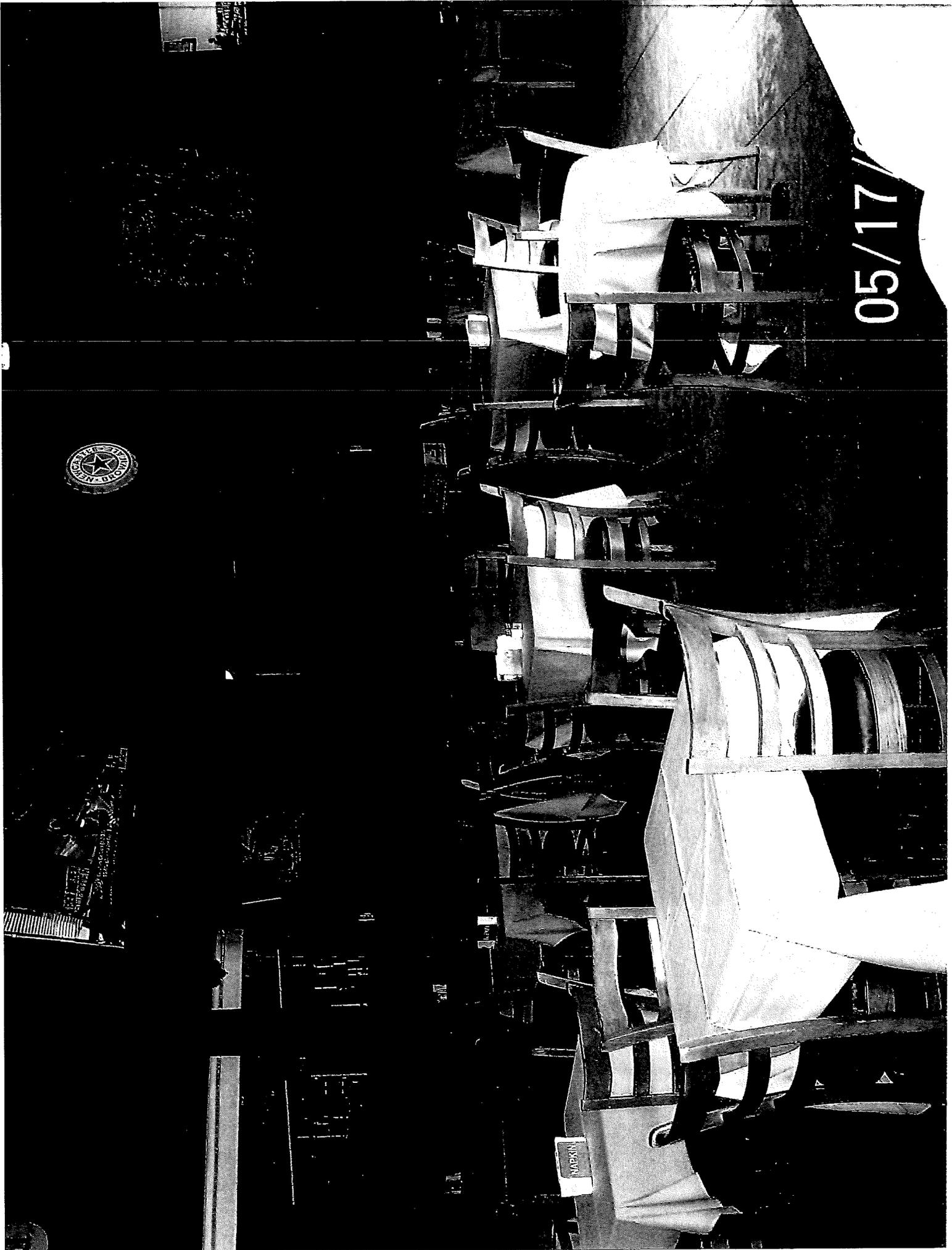




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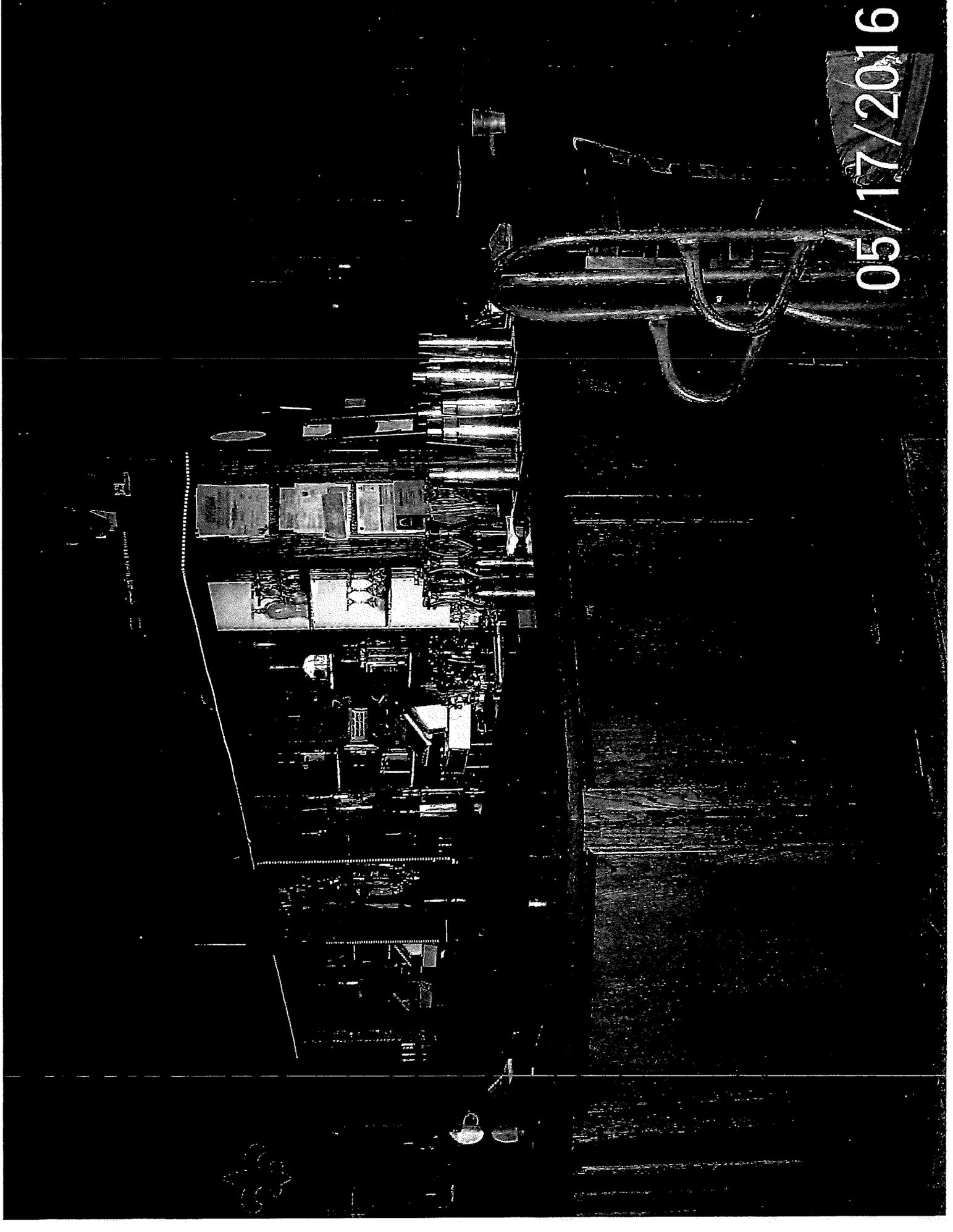


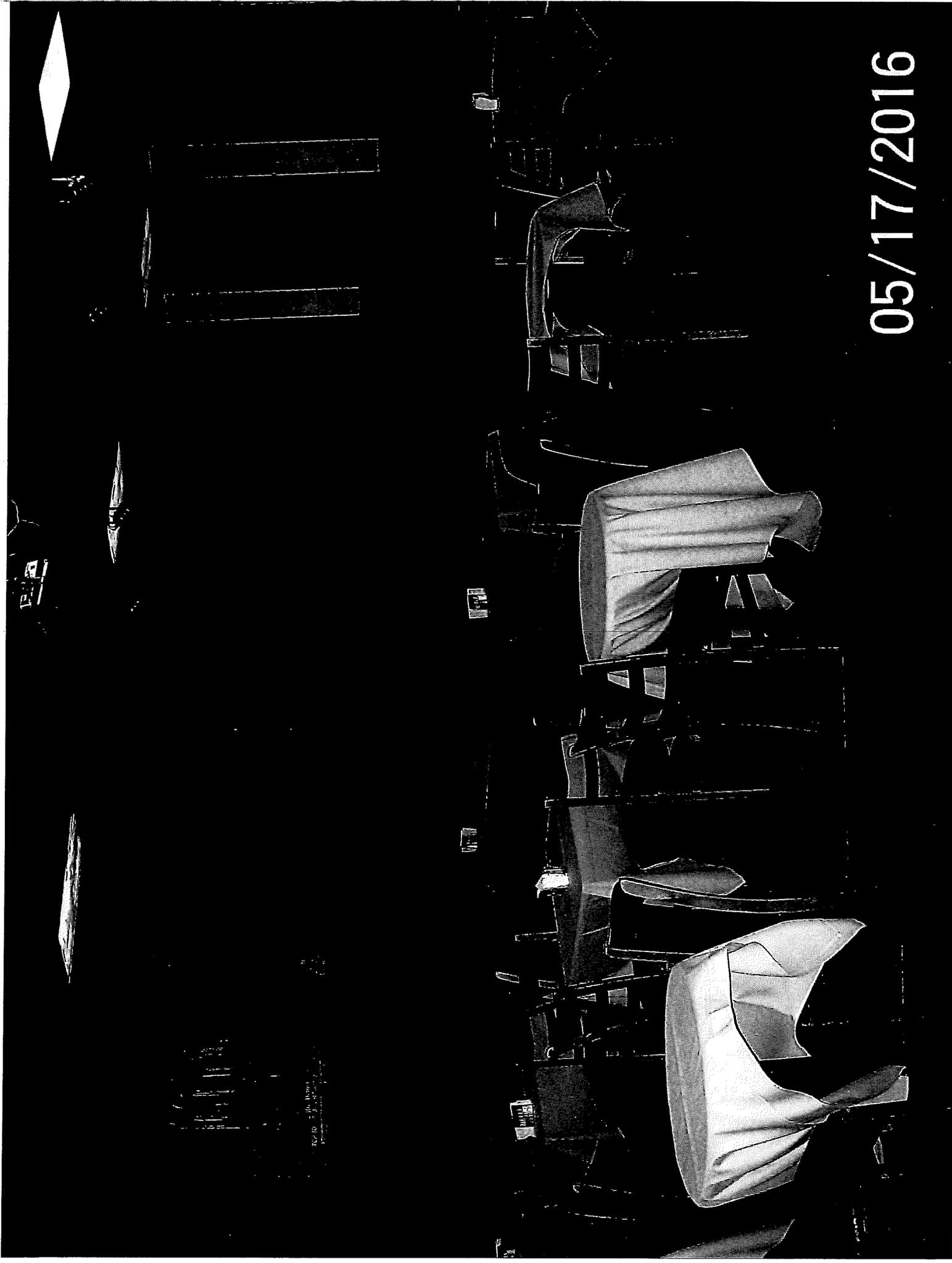


05/17/2016

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05/17/2016



05/17/2016

**ATTACHMENT
NO. J – PLANS**

**AVAILABLE
FOR VIEWING IN
THE CITY CLERK'S
OFFICE**