

900 Club Conditions Chart

900 Manhattan Avenue

Condition #	Reso	Upstairs Downstairs	Title	Condition Language
1	14-0063	Upstairs and Downstairs	Hours of Operation	<p>Mon – Thurs 11am – midnight (Thurs revised) Friday 11:00am – 1:00am Saturday 9:00am – 1:00am Sunday 9:00am – midnight</p> <p>At closing time, all areas (inside and outside) of the business must be vacated. All music (house system and bands) shall be turned off, and no sales, service or consumption of food or alcohol shall occur after closing time. Staff may remain on the premises for one hour after closing time. “Last call” for food and drinks to patrons shall commence 60 minutes prior to closing time and no sales or service of food or drinks, and all music shall be off 30 minutes prior to closing time</p>
1	18-0075 (#1)	Upstairs	Hours of Operation (Last call removed)	<p>Thursday 11am – 1:00am (upstairs)</p> <p>At closing time, all areas (inside and outside) of the business must be vacated. All music (house system and bands) shall be turned off, and no sales, service or consumption of food or alcohol shall occur after closing time. Staff may remain on the premises for one hour after closing time.</p>
2	14-0063	Upstairs and Downstairs	Alcohol w/ Food	The service of alcohol shall occur in conjunction with food service as a “bona fide eating place” type of alcohol license (Type 47) from the State of California shall be maintained.
3	14-0063	Upstairs	Security Guard	The Business Operator’s representatives shall provide a state licensed, bonded and certified security guard from 9:30pm on Thursday, Friday and Saturday and any day there is a Special Event or Amplified Sound until all staff members have left the premises. The security guard shall ensure that operations comply with all conditions of approval, including but not limited to the following: noise, use of the back door, litter, access, windows and doors being closed, and any other adverse impacts on the neighborhood.

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4	14-0063	Upstairs	Storage-Utility Room	The back door and storage/utility room on Bayview Drive shall remain closed and not be used after 10:00 pm, except the back door may be used for trash removal or disabled or emergency access only. Additionally, bands shall be allowed to use the back door for the loading and unloading of amplified sound equipment and shall vacate the site by closing time. The back door keypad access shall be maintained and only be accessible from the outside by the owners/operators and employees, however, all outside areas shall be disabled after 10:00 pm. No patron shall be provided a key or access code for the back door or the storage/utility room. The Business Operator's representatives shall contact the Police Department the first of every month to advise of key access code changes and any other changes
5	14-0063	Downstairs	Patron Access-Windows	Patrons must use Manhattan Ave for access to the 900 Club after 10:00pm except for the purpose of disabled or emergency access. The entrance on Bayview Drive for the 900 Club may be used by patrons before 10:00pm and the door shall remain closed when not in use. Patrons shall use the 9 th Street entrance for access to the first floor and the door shall remain closed when not in use.
5	18-0075 (#2)	Downstairs	Patron Access-Windows	Patrons shall use the 9th Street entrance for access to the first floor, and the 9th Street door downstairs shall remain closed when not in use. The downstairs window on Manhattan Ave shall be closed daily after 10:00pm. The downstairs window on 9th Street shall be replaced with a fixed window that cannot open.
6	14-0063	Upstairs-Downstairs	Background Music	Background music through the house system, is allowed on both the first and second floors during all hours of operation, so long as the music cannot be heard with the unaided ear at the eastern-most edge of Bayview Drive and the southern edge of 9 th Street.
7	14-0063	Upstairs-Downstairs	Non-amplified Sound	Non-amplified sound (up to a total of three instrumental musicians and/or vocalists) shall be allowed on both the first and second floors during all operating hours, so long as the music cannot be heard with the unaided ear at the eastern-most edge of Bayview Drive and the southern edge of 9 th Street. Musicians performing with non-amplified sound shall be allowed to use the back or side door for the loading and unloading of equipment during operating hours only
8	14-0063	Upstairs	Dancing	Dancing is permitted on Friday and Saturday nights only. Dancing shall be limited to a 12 foot x 12 foot maximum area on the second floor

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9	14-0063	Upstairs	Entertainment Permits/ Special Events	The City may issue, issue with conditions, or deny the entertainment permit. In addition to the conditions that may be imposed pursuant to MBMC Section 4.20.080, any entertainment permit issued pursuant to this condition shall contain the following additional conditions: entertainment is permitted only: (a) on the second floor of the premises: (b) on Thursday, Friday, Saturday, or on a day of a "Special Event" as defined in condition 10; and (c) for no more than 18 days per year. The Business Operator shall provide written notification of the proposed entertainment to the Director of Community Development, the Police Department and each residence located on 9 th Street between Highland Ave and Manhattan Ave and Bayview Drive between 9 th Street and 10 th Street a minimum of 7 days prior to such entertainment. For the purposes of the subsection B "entertainment" shall mean any activity involving music including but not limited to live bands, one or more performers of music, or amplified radio, or prerecorded music but shall not include background music allowed by Condition 6 or non-amplified sound allowed by Condition 7
9, subsection B	18-0075	Upstairs	Permits	and (c) for no more than 24 days per year
10	14-0063	Upstairs	Special Events	A maximum of 6 Special Events shall be allowed annually. For the purpose of this section, "Special Events" are events of more than 50 people for which there is a contract for exclusive use of the second floor of the venue. A security guard shall be on-site at all times during Special Events to ensure that operations comply with all conditions of approval, including but not limited to, noise, use of back door, litter, access, windows and doors being closed, and any other adverse impact on the neighborhood. If entertainment (as defined in Condition 9) is proposed for a Special Event, the day of the Special Event shall be included in the maximum allowable 18 days per year for entertainment, as specified in any permit issued pursuant to Condition No. 9. The Business Operator shall provide written notification of each Special Event to the Director of Community Development, the Police Department and each residence located on 9 th Street between Highland Avenue and Manhattan Avenue and Bayview Drive between 9 th Street and 10 th Street a minimum of 7 days prior to such entertainment
11	14-0063	Upstairs-Downstairs	Max Noise Standards	Noise emanating from the site shall not exceed maximum noise standards established by the Municipal Code and any applicable State Code. Outdoor sound equipment and outdoor amplification systems are prohibited. All doorways and windows shall remain closed during entertainment (as defined in Condition 9) and any Special Event (as defined in Condition 10) except as required for ingress and egress

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12	14-0063	Upstairs	Parking	Three parking spaces shall be maintained on-site at the rear of the building
13	14-0063	Upstairs- Downstairs	Access and Exits	Required access and exits shall remain unobstructed at all times in compliance with Fire and Building requirements
14	14-0063	Upstairs- Downstairs	Occupancy	The occupancy limits stated below shall not be exceeded and are required to be posted on-site at all times: Downstairs – 31 Upstairs – 92
14	18-0075	Upstairs- Downstairs	Occupancy	The applicant shall provide updated dimensioned floor plans to the Building Official and Fire Marshall to reassess occupancy loads for the entire building based on the egress system.
15	14-0063	Downstairs	Sign Code	All signs shall be in compliance with the City's Sign Code. Pole signs and internally illuminated awnings shall be prohibited.
15	18-0075	Downstairs	Sign Code	New signage stating that smoking is prohibited and occupants need, to be respectful of neighbors shall be posted near the downstairs exit, subject to review and approval of the Director of Community Development.
16	14-0063	Upstairs- Downstairs	Noise	The following noise mitigation measures shall be installed within 45 days and maintained at all times: a. Temper glass panels installed over each upstairs stained glass window along the south wall b. A separate tempered glass panel installed over the inside windows upstairs along the south rear hallway c. Double pane windows on Manhattan Ave and 9 th Street upstairs and downstairs. d. Signage on the Bayview Drive rear door (inside and outside) to not enter or exit after 10:00pm e. Sound curtains shall be installed on the double pane windows adjacent to Manhattan Ave and 9 th Street on the second floor.
16	18-0075	Upstairs- Downstairs	Noise	f. The downstairs windows on Manhattan Ave and 9th Street and the 9th Street door downstairs shall be closed daily after 10:00pm g. A self-closing mechanism shall be affixed to the downtown 9th Street door. h. Signage related to "no smoking and respecting neighbors" as described in condition #15

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17	14-0063	Upstairs- Downstairs	Business Operator to Police Property	The Business Operator's representatives shall police the property in all areas immediately adjacent to the premises to keep it free of litter, and shall undertake and implement all reasonably necessary actions to discourage patrons from entering residential areas. The Business Operator's representatives shall ensure all City and other governmental laws, rules, ordinances, regulations, codes, requirements, operating permits, and conditions are met, maintained and upheld. The Business Operator's representatives shall undertake and implement all reasonably necessary techniques to prevent loitering, unruliness, and boisterous activities of patrons and limit all activities to comply with the City's Municipal Noise Ordinance.
17	18-0075	Upstairs- Downstairs	Business Operator to Police Property	<p>b. An onsite manager shall be available at all times to actively address noise and other issues, be responsive to neighbors, and manage unruly patrons.</p> <p>c. The operator shall provide the list of conditions for the business to all employees when they are hired and trained, include them in any employee handbook and make sure they are physically available at the bars both upstairs and downstairs.</p>
18	14-0063	Upstairs- Downstairs	City Inspection	The Community Development Department staff shall be allowed to inspect the site at any time. The Business Operator's representatives shall provide the Police, Fire, County Health Departments and the Alcoholic Beverage Control (ABC) with the key pad code for access any time. The Business Operator's representatives shall contact the Police Department the first of every month to advise of any key access code changes
19	14-0063	Upstairs- Downstairs	CC Use Permit Review	At any time in the future, the Planning Commission or City Council may review the Use Permit for the purpose of revocation or modification. The Planning Commission or City Council may modify the Use Permit in any manner it deems necessary to protect the public health, safety, and welfare, and ensure that the activities on the premises do not adversely impact neighboring properties, including, but not limited to the following: limitation of hours; limitation of total occupancy; requiring valet parking; elimination of live entertainment or amplified sound; dancing or the establishment of any other condition deemed necessary to mitigate or alleviate impacts to adjacent land uses
20	14-0063	Upstairs- Downstairs	1-Year Review	One year following the effective date of this Resolution, a duly noticed public hearing shall be conducted by the Planning Commission for the purpose of reviewing the subject Use Permit for compliance with all conditions

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