

**PLANNING DEPARTMENT TRANSMITTAL
TO THE CITY CLERK'S OFFICE**

REVOCATION APPEAL

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
DIR-2016-0824-RV	ENV-2016-0825-CE	13-O'FARRELL
PROJECT ADDRESS:		
6360-6366 WEST HOLLYWOOD BOULEVARD		
APPLICANT/REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
City of Los Angeles Director of Planning		
APPELLANT/REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Mehdi Bolour Palmer Building Associates, LLC and Mehdi & Yassaman Bolour Family Trust 1710 North McCadden Place Los Angeles, CA 90028	323-463-4100	Mdomeyer@denleyinvestment.com
Lee Rubin (Representative) CLR Enterprises Inc 420 S. San Pedro St., Suite 225 Los Angeles, CA 90013	213-229-4300	CLR1985LEE@YAHOO.COM
FINAL PROJECT DESCRIPTION:		
Categorical Exemption and related California Environmental Quality Act findings, and an appeal filed by Mehdi Bolour, (Representative-Lee Rubin, on behalf of Palmer Building Associates, LLC and Mehdi & Yassaman Bolour Family Trust on the entire decision of the Zoning Administrator's determination, pursuant to the provisions of Section 12.27.1 of the Los Angeles Municipal Code, in requiring the discontinuance of the operation of a cocktail bar/lounge with alcohol sales at the establishment known as The Cosmo, located at 6364 West Hollywood Boulevard.		

ATTACHMENTS:	REVISED:	ENVIRONMENTAL CLEARANCE:	REVISED:
<input type="checkbox"/> Letter of Determination <input checked="" type="checkbox"/> Findings of Fact <input checked="" type="checkbox"/> Staff Recommendation Report <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Ordinance <input type="checkbox"/> Zone Change Map <input type="checkbox"/> GPA Resolution <input type="checkbox"/> Land Use Map <input type="checkbox"/> Exhibit A - Site Plan <input type="checkbox"/> Mailing List <input checked="" type="checkbox"/> Other _____	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> Categorical Exemption <input type="checkbox"/> Negative Declaration <input type="checkbox"/> Mitigated Negative Declaration <input type="checkbox"/> Environmental Impact Report <input type="checkbox"/> Other _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

FISCAL IMPACT STATEMENT:

Yes

No

*If determination states administrative costs are recovered through fees, indicate "Yes".

PLANNING STAFF:

TELEPHONE NUMBER

EMAIL

Tim Fargo
Aleta James

213-202-5407

tim.fargo@lacity.org
aleta.james@lacity.org

PLANNING COMMISSION:

Not applicable

PLANNING COMMISSION HEARING DATE:

COMMISSION VOTE:

Not applicable

None

TRANSMITTED BY:

TRANSMITTAL DATE:

Iris F. Awakuni



June 17, 2016

**PLANNING DEPARTMENT TRANSMITTAL
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City of Los Angeles Director of Planning		
APPELLANT/REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Hollywood Nightlife Group, Inc., dba Cosmo Nightclub Mr. Alberto Avila 7119 W. Sunset Boulevard #185 Los Angeles, CA 90046	323-638-0429	mdk@mdklawfirm.com
Michael D. Kolodzi, Esq (Representative) The Kolodzi Law Firm 433 N. Camden Drive, Suite 600 Beverly Hills, CA 90210	310-279-5212	mdk@mdklawfirm.com
FINAL PROJECT DESCRIPTION:		
<p>Categorical Exemption and related California Environmental Quality Act findings, and an appeal filed by Alberto Avila, (Representative-Michael Kolodzi, on behalf of Hollywood Nightlife Group, Inc. on the entire decision of the Zoning Administrator's determination, pursuant to the provisions of Section 12.27.1 of the Los Angeles Municipal Code, in requiring the discontinuance of the operation of a cocktail bar/lounge with alcohol sales at the establishment known as The Cosmo, located at 6364 West Hollywood Boulevard.</p>		

ATTACHMENTS:	REVISED:	ENVIRONMENTAL CLEARANCE:	REVISED:
<input type="checkbox"/> Letter of Determination	<input type="checkbox"/>	<input checked="" type="checkbox"/> Categorical Exemption	<input type="checkbox"/>
<input checked="" type="checkbox"/> Findings of Fact	<input type="checkbox"/>	<input type="checkbox"/> Negative Declaration	<input type="checkbox"/>
<input checked="" type="checkbox"/> Staff Recommendation Report	<input type="checkbox"/>	<input type="checkbox"/> Mitigated Negative Declaration	<input type="checkbox"/>
<input type="checkbox"/> Conditions of Approval	<input type="checkbox"/>	<input type="checkbox"/> Environmental Impact Report	<input type="checkbox"/>
<input type="checkbox"/> Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Other _____	<input type="checkbox"/>
<input type="checkbox"/> Zone Change Map	<input type="checkbox"/>		<input type="checkbox"/>
<input type="checkbox"/> GPA Resolution	<input type="checkbox"/>		
<input type="checkbox"/> Land Use Map	<input type="checkbox"/>		
<input type="checkbox"/> Exhibit A - Site Plan	<input type="checkbox"/>		
<input type="checkbox"/> Mailing List	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Other _____	<input type="checkbox"/>		

FISCAL IMPACT STATEMENT:

Yes

No

*If determination states administrative costs are recovered through fees, indicate "Yes".

PLANNING STAFF:

TELEPHONE NUMBER

EMAIL

Tim Fargo
Aleta James

213-202-5407

tim.fargo@lacity.org
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PLANNING COMMISSION:

Not applicable

PLANNING COMMISSION HEARING DATE:

COMMISSION VOTE:

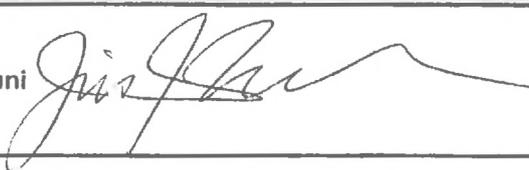
Not applicable

None

TRANSMITTED BY:

TRANSMITTAL DATE:

Iris F. Awakuni



June 17, 2016

LINN K. WYATT
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

JACK CHIANG
HENRY CHU
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May 26, 2016

Director of City Planning (A)
City of Los Angeles
Department of City Planning
200 North Spring Street, Room 763
Los Angeles, CA 90012

Palmer Building Associates LLC (O)
1710 North McCadden Place
Los Angeles, CA 90028

Mehdi Bolour Co-Tr (O)
Mehdi & Yassaman Bolour Family Trust
The MYB Family Trust
849 S. Broadway #930
Los Angeles, CA 90014

Cosmo Nightclub (Op)
6364 West Hollywood Boulevard
Los Angeles, CA 90028

CASE NO. DIR 2016-0824(RV)
REVOCATION / DISCONTINUANCE
OF USE
6360-6366 West Hollywood Boulevard
1646 North Cosmo Street
Hollywood Planning Area
Zone : C4-2D-SN
D. M. : 148-5A187
C. D. : 13
CEQA : ENV 2016-0825(CE)
Legal Description: Lot 1, Tract 3431

Pursuant to the provisions of Section 12.27.1 of the Los Angeles Municipal Code, I hereby REQUIRE:

the discontinuance of the operation of a cocktail bar / lounge with alcohol sales at the establishment known as The Cosmo, located at 6364 West Hollywood Boulevard.

FINDINGS OF FACT

After thorough consideration of the statements, letters and correspondence contained in the file, the report of the Staff Investigator thereon, and the statements made at the public hearing on May 10, 2016, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find as follows:

BACKGROUND

Effective September 4, 2013, the Zoning Administrator (Case No. ZA 2013-0832(CUB) (CUX)) approved a Conditional Use to permit the sale and dispensing of a full line of

alcoholic beverages for on-site consumption, with patron dancing in conjunction with an existing cocktail bar/lounge.

The business conducted at the site has generated numerous community complaints and has required consistent police enforcement, as evidenced by submissions from the Los Angeles Police Department. As the operation may currently jeopardize and adversely affect the public health, peace, and safety of persons residing or working on the premises and in the surrounding area, the City has responded with a public hearing for possible imposition of conditions to abate nuisance or to revoke said use.

The subject property, measuring approximately 7,500 square feet, is a level, rectangular-shaped, corner parcel of land, comprised of one record lot having a frontage of 50 feet along the south side of Hollywood Boulevard, and a distance of 150 feet along the east side of Cosmo Street. The property is developed with an approximately 28,614 square-foot four-story commercial/office building. The subject establishment occupies an existing tenant space on the ground floor. The site is adjoined on all sides by commercially-zoned properties and uses, including the iO West Theater located on the northwest corner of the property. There is no on-site parking.

Hollywood Boulevard, adjoining the subject property to the north, is a designated Avenue I, dedicated to a width of 100 feet and fully improved.

Cosmo Street, adjoining the property to the west, is a Local Street with a width of 36 feet and fully improved.

An alley, adjoining the subject property to the south has a width of 20 feet and is improved.

North, across Hollywood Boulevard, the adjoining properties are classified in the C4-2D-SN Zone and improved with various commercial uses including a bar, clothing store, and a gift store. South, across the alley, the adjoining properties are in the C4-2D Zone and improved with a commercial building with offices and studios. East, the adjoining properties are in the C4-2D-SN Zone and improved with commercial uses including a nightclub and a restaurant. West, across Cosmo Street, adjoining properties are in the C4-2D-SN Zone and improved with a market, medical/dental building, and a clothing store.

Previous zoning related actions on the site include:

Case No. ZA 2013-0832(CUB)(CUX) - Effective September 4, 2013, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption, with patron dancing in conjunction with an existing cocktail bar/lounge.

License No. 523702 - California Department of Alcoholic Beverage Control License Type 48 (on-sale general public premises), issued to Hollywood Nightlife Group Inc. on September 10, 2012. The license expires on August 31, 2016.

Building Permit No. 12016-10000-10911 - On August 22, 2012, the Department of Building and Safety issued a building permit for general tenant improvement which included: moving the existing bar counter and restrooms, and remodeling the entry and mezzanine.

Case No. ZA 2007-6657(CUB)(CUX)(ZV) - On July 16, 2008, the Zoning Administrator denied the sale of a full line of alcoholic beverages for on-site consumption; and denied a variance to permit zero parking spaces in lieu of the required 12 spaces, located in the lower level (basement) of the subject site.

Case No. ZA 2007-2075(CUB)(CUX) - On March 20, 2008, the Zoning Administrator approved the continued sale of a full line of alcoholic beverages for on-site consumption and a dance hall with live entertainment in conjunction with a 2,407 square-foot existing cocktail bar/lounge.

Case No. ZA 2000-4581(CUB)(CUX)(PA2) - On May 6, 2005, the Zoning Administrator found that most conditions had been complied with, Condition Nos. 23, 29, 31 and 38 were not in compliance.

Case No. ZA 2000-4581(CUB)(CUX)(PA) - On February 26, 2003, the Zoning Administrator found that most conditions had been complied with, and modified Condition No. 31 to require an additional compliance review due to violation of Condition Nos. 10, 14, 23, and 28.

Certificate of Occupancy No. 2001LA15647 - Issued July 19, 2001, for a change of use from restaurant to drinking establishment/dance hall with alcohol consumption on-site (2,407 square feet) and 40 off-site parking spaces provided per the Zoning Administrator.

Case No. ZA 2000-5435(CUB) - On June 1, 2001, the Zoning Administrator approved a request for a Comedy Club with ancillary sales and dispensing of alcoholic beverages for on-site consumption.

Case No. ZA 2000-4581(CUB)(CUX) - On May 31, 2001, the Zoning Administrator approved a public dance hall with the sale of a full line of alcoholic beverages. On August 24, 2001, a Letter of Correction was issued, in reference to the above described case, amending Condition No. 15 to read as follows: "Hours of restaurant operation shall be limited to 6 p.m. to 2 a.m., Monday through Friday, and 12 noon to 2 a.m., Saturday and Sunday. After hours use of the facility, other than routine clean-up maintenance, is not permitted."

The Hollywood Community Plan map designates the property for Regional Center Commercial uses with corresponding zones of C2, C4, P, PB, RAS3, and RAS4.

The property is within the Hollywood Signage Media Supplemental Use District. The case is not affected.

The property is within the Los Angeles State Enterprise Zone. The case is not affected.

The property is within the Transit Priority Areas. The case is not affected.

CORRESPONDENCE AND REPORTS RECEIVED PRIOR TO THE PUBLIC HEARING

Arrest and Investigative Reports: There were 24 arrest and investigative reports submitted for the property location 6364 Hollywood Boulevard and near the subject site between January 7, 2015 and April 25, 2016. Reports about incidents that occurred near the subject site are marked as such with the location of the incident.

1. April 25, 2016, 12:30 a.m. – Public Nuisance Complaint Application and Digital Penetration Investigative Report – Victim reported being sexually assaulted in a Cosmo nightclub storage closet.
2. April 16, 2016, 12:25 a.m. – Violation of Conditional Use Permit Arrest Report – Arrest of manager for violation of conditions. Officers observed violation of Condition 17 (admission was charged for entry).
3. April 1, 2016, 11:30 p.m. – Public Nuisance Complaint Application and Violation of Conditional Use Permit Arrest / Release from Custody Report – Officers observed violation of Condition 17 (admission was charged for entry) and 21 (music was audible beyond the subject site), as well as violation of ABC Condition 6 (bottle service was observed).
4. March 26, 2016, 11:35 p.m. – Public Nuisance Complaint Application and Violation of Conditional Use Permit Arrest / Release from Custody Report – Arrest of manager for violation of conditions. Officers observed violation of Condition 17 (admission was charged for entry), 18 (security guards were not wearing distinctive uniforms), and 21 (music was audible beyond the subject site), as well as violation of ABC Condition 6 (bottle service was observed).
5. March 17, 2016, 11:50 p.m. – Public Nuisance Complaint Application and Violation of Conditional Use Permit Arrest / Release from Custody Report – Arrest of manager for violation of conditions. Officers observed violation of Condition 17 (admission was charged for entry).
6. February 26, 2016, 2:30 a.m. – Cosmo Street Adjacent to Subject Site – Public Nuisance Complaint Application – Officers responded to a radio call of an Assault with a Deadly Weapon investigation. The victim, a disgruntled Cosmo nightclub patron, got into an altercation with the Cosmo manager and security guards on Cosmo Street adjacent to the nightclub. The victim sustained an eight-inch laceration to the chest. The victim's girlfriend was struck in the face.
7. February 25, 2016, 11:20 p.m. – Public Nuisance Complaint Application – Go-go dancer working at the location was arrested for being at the location under the

age of 21 and presenting a fake driver's license. The manager was also arrested for allowing a minor inside the premises.

8. February 20, 2016, 12:05 a.m. – Public Nuisance Complaint Application and Violation of Conditional Use Permit Arrest / Release from Custody Report – Arrest of manager for violation of conditions. Officers observed violation of Condition 17 (admission was charged for entry).
9. February 7, 2016, 12:45 a.m. – Public Nuisance Complaint Application – Officers observed violation of Conditions 12 (the facility appeared to be leased to a promoter) and 17 (admission was charged for entry).
10. January 30, 2016, 1:30 a.m. – Public Nuisance Complaint Application and Service of Alcohol to Overly Intoxicated Person Arrest / Release from Custody Report – Arrest of bartender for serving an obviously intoxicated patron an alcoholic beverage.
11. January 16, 2016, 12:45 a.m. – Public Nuisance Complaint Application and Violation of Conditional Use Permit Employee's Report – Officers observed violation of Conditions 17 (admission was charged for entry), and 18 (security guards were not wearing distinctive uniforms).
12. December 31, 2015, 11:20 p.m. – Public Nuisance / Violation of Conditional Use Permit Complaint Application and Possession of Cocaine / Violation of Conditional Use Permit Arrest Report – Officers observed violation of Conditions 7 (occupancy had exceeded 130 persons), 17 (admission was charged for entry), 18 (security guards were not wearing distinctive uniforms and did not possess guard cards), 21 (music was audible beyond the subject site), 23 (bartenders were not aware of the conditions), 26 (illegal activity taking place on the premises), and 27 (lack of STAR training for bartenders). The manager was also arrested for possession of cocaine.
13. December 28, 2015, 12:05 a.m. – Public Nuisance and Violation of Conditional Use Permit Complaint Application – Officers observed violation of Conditions 18 (security guards were not wearing distinctive uniforms and one was confirmed not to possess a guard card) and 21 (music was audible beyond the subject site).
14. December 27, 2015, 11:00 p.m. – Violation of Conditional Use Permit Complaint Application and Arrest / Release from Custody Report – Officers observed violation of Condition 18 (security guards were not wearing distinctive uniforms).
15. December 26, 2015, 11:00 p.m. – Violation of Conditional Use Permit Arrest / Release from Custody Report and Misd Warrant Arrest Report – Arrest of manager for violation of conditions. Officers observed violation of Condition 18 (security guards were not wearing distinctive uniforms). Additionally, a security guard was arrested for outstanding warrants.

16. December 24, 2015, 1:00 a.m. – Southeast Corner of Hollywood Boulevard and Cosmo Avenue – Discharge of Firearm in City Investigative Report – After an argument escalated on the southeast corner of Hollywood Boulevard and Cosmo Avenue, the suspect fired one round into the ground and fled the location.
17. December 23, 2015, 11:45 p.m. – Violation of Conditional Use Permit Complaint Application and Arrest / Release from Custody Report – Arrest of manager for violation of conditions. Officers observed violations of Conditions 8 (hours of operation exceeded 6 p.m. to 2 a.m.), 9 (after-hours use of the facility), and 21 (music was audible beyond the subject site).
18. December 22, 2015, 11:20 p.m. – Violation of Conditional Use Permit Complaint Application and Arrest / Release from Custody Report – Arrest of manager and employee for violation of conditions. Officers observed violation of Conditions 10 (location closed for a private party without notification to Hollywood Vice), 12 (the facility appeared to be leased to a promoter), 14 (advertising was discovered promoting DJ entertainment), 17 (admission was charged for entry), 18 (security guard was not wearing distinctive uniform and did not possess guard card); and 27 (lack of STAR training).
19. December 20, 2015, 12:03 a.m. – 1617 Cosmo Street – Possession of a Loaded Firearm Arrest Report – Officers arrested suspect at 1617 Cosmo Street for possession of a loaded firearm. Upon review of an Investigative Report that was taken on December 13, 2015, the ammo casings for a previous shooting in the alley behind 1624 Cahuenga Boulevard matched the firearm recovered. The suspect was subsequently arrested for Assault with Deadly Weapon - Firearm.
20. December 13, 2015, 1:50 a.m. – Alley Behind 1624 Cahuenga Boulevard and Parking Lot Adjacent on the West Side of Cosmo Street – Assault with a Deadly Weapon (Firearm) Investigative Report – Suspect discharged six to seven shots at victim. Victim sustained a single gunshot wound.
21. October 16, 2015, 11:40 p.m. – Violation of Conditional Use Permit Complaint Application and Arrest / Release from Custody Report – Officers observed violation of Conditions 10 (location closed for a private party without notification to Hollywood Vice) and 22 (electronic age verification devices not being used). One security guard was arrested for failing to possess a guard card. Eight underage patrons inside the club also were arrested, including one underage patron in possession of an alcoholic beverage and in possession of a false ID.
22. March 5, 2015, 10:30 p.m. – Violation of Conditional Use Permit Employee's Report – Officers observed violation of Condition 10 (location closed for a private party without notification to Hollywood Vice).

23. January 8, 2015, 1:00 a.m. – Lack of Guard Card on Person Arrest / Release from Custody Report – A security guard was arrested for failure to have a valid guard card on his person.
24. January 7, 2015, 11:30 p.m. – Violation of Conditional Use Permit Employee's Report – Officers observed violation of Conditions 18 (security guards were not wearing distinctive uniforms and did not possess guard cards), 22 (electronic age verification devices not being used), and 31 (the name of the manager was not listed in a conspicuous place). Additionally, an individual was selling marijuana and four individuals appeared to be smoking marijuana inside of the club.

Crime Analysis Mapping System Arrest Summary Report: There were 19 arrest charges submitted for the property location 6364 Hollywood Boulevard between January 9, 2014 and February 27, 2016:

No.	Date	Time	Description
1	2/27/2016	2245	MOVING TRAFFIC VOL
2.	2/27/2016	2245	MISC OTHER VIOLS
3.	2/27/2016	2300	MISC OTHER VIOLS
4.	1/30/2016	0130	LIQUOR LAWS
5.	12/31/2015	2320	NARCOTIC DRUG LAWS
6.	12/22/2015	2300	DRIVING UNDER THE INFLU
7.	10/16/2015	2350	LIQUOR LAWS
8.	10/16/2015	2350	LIQUOR LAWS
9.	10/16/2015	2350	LIQUOR LAWS
10.	10/16/2015	2350	LIQUOR LAWS
11.	10/16/2015	2350	LIQUOR LAWS
12.	10/16/2015	2350	LIQUOR LAWS
13.	10/16/2015	2350	LIQUOR LAWS
14.	11/14/2014	0720	MISC OTHER VIOLS
15.	10/9/2014	0400	LARCENY
16.	10/9/2014	0415	LARCENY
17.	10/9/2014	0415	RECEIVE STOLEN PROP
18.	9/26/2014	1600	NARCOTIC DRUG LAWS
19.	1/9/2014	0220	DRIVING UNDER THE INFLU

Crime Analysis Mapping System Crime Summary Report: There were 12 crime charges submitted for the property location 6364 Hollywood Boulevard between October 9, 2014 and March 10, 2016:

No.	Date	Time	Description
1.	3/10/2016	0205	OTHER/ALTERCATION
2.	3/10/2016	0205	OTHER/ALTERCATION
3.	2/26/2016	0230	OTHER/PUBLIC NUISANCE
4.	2/26/2016	0230	OTHER/ALTERCATION

5.	2/26/2016	0230	AGGRAVATED ASSAULT
6.	2/26/2016	0150	AGGRAVATED ASSAULT
7.	2/25/2016	2320	OTHER/PUBLIC NUSIANCE
8.	2/20/2016	0005	OTHER/PUBLIC NUSIANCE
9.	1/16/2016	0045	OTHER/COMPLAINT APP
10.	1/15/2016	2130	AGGRAVATED ASSAULT
11.	10/10/2014	0200	THEFT
12.	10/9/2014	0330	THEFT

Crime Analysis Mapping System Calls for Service Summary Report: There were 19 calls for service submitted for the property location 6364 Hollywood Boulevard between May 28, 2014 and March 10, 2016:

No.	Date	Time	Description
1	3/10/2016	0211	BATTERY JUST OCCURRED
2	3/5/2016	0016	BATTERY SUSPECT
3	2/28/2016	2107	OTHER
4	2/7/2016	2318	DISTURBANCE FIGHT
5	1/17/2016	1835	OTHER
6	9/28/2015	0313	NARCOTICS SUSPECT
7	6/25/2015	2317	DISPUTE BUSINESS
8	4/30/2015	0122	DISPUTE BUSINESS
9	4/25/2015	1649	OTHER
10	3/15/2015	0043	BATTERY SUSPECT NOW
11	1/22/2015	0108	DISTURBANCE GROUP/FIGHT
12	11/27/2014	0054	DISPUTE DOMESTIC VIOLENCE
13	11/14/2014	1048	OTHER
14	10/16/2014	1635	THEFT
15	10/16/2014	1635	THEFT
16	10/10/2014	2100	OTHER
17	8/1/2014	2319	DISTURBANCE PARTY
18	7/6/2014	1310	OTHER
19	5/28/2014	2307	DISTURBANCE GROUP

Other Departments:

An email was received on May 9, 2016 with an attached letter dated May 10, 2016 from Councilmember Mitch O'Farrell, Council District 13. Councilmember O'Farrell recommended revocation of the existing Conditional Use Permit, citing multiple and repeated violations of the Conditional Use Permit, including failure of guards to wear distinctive uniforms, failure to utilize age verification devices, subletting the premises to outside promoters, improper notification to the Los Angeles Police Department of private parties, failure to adhere to mandated closing time, and allowance of amplified music to extend beyond the premises. Councilmember O'Farrell also cites several instances of criminal activities located on the subject property, including eight underage

patrons arrested in the venue of which one was in possession of alcohol, multiple shootouts occurring on the street outside of the club involving individuals who had been patronizing the club, the manager of the club being arrested for the possession of cocaine, a brawl outside of the club involving several Cosmo staff members, and a sexual assault occurring inside a storage closet witnessed by a guard who did not apprehend the suspect nor contact the police.

General Public:

At the time of report preparation, one correspondence from the general public had been received dated May 4, 2016 from Susan Sempers. She cited noise disturbance at the location regarding sound being audible off-site up to nearly two blocks away at Selma and Ivar.

PUBLIC HEARING

A public hearing was conducted by the Zoning Administrator on May 10, 2016 at 10:00 a.m. at City Hall, located at 200 North Spring Street. In attendance and testifying were the legal representatives for the property owner, the legal representative for the operator, nightclub managers and employees, representatives of the Los Angeles Police Department, representatives from the Office of the City Attorney, stakeholders, and a representative of the Office of the Thirteenth Council District.

Prior to opening the hearing to public testimony, the Department of City Planning's staff investigator presented a summary of background information and other pertinent information regarding the location. The presentation was a summary of the Staff Investigator Report, which is attached to the case file, including an account of an investigative operation conducted jointly with the Los Angeles Police Department on March 17, 2016.

The following is a summary of the points made in public hearing testimony:

Officer Benjamin Thompson – Los Angeles Police Department, Hollywood Vice

- Testimony to provide a chronological record of the Hollywood Vice Unit involvement with the Cosmo nightclub:
 - January 7, 2015, 11:30 p.m. – During an undercover operation, officers observed violation of Conditions 18 (security guards were not wearing distinctive uniforms and did not possess guard cards), 22 (electronic age verification devices not being used), and 31 (the name of the manager was not listed in a conspicuous place). Additionally, an individual was selling marijuana and four individuals appeared to be smoking marijuana inside of the club.
 - January 8, 2015, 1:00 a.m. – A security guard was arrested for failure to have a valid guard card on his person.

- March 5, 2015, 11:30 p.m. – Officers observed violation of Condition 10 (location closed for a private party without notification to Hollywood Vice).
- In September 2015, Hollywood Vice began to concentrate investigative resources on the Cosmo after receiving multiple complaints of loud noise and after-hours business functions occurring. Initially, they were unable to substantiate assertions during investigations on September 12, 14, 20, and October 9. After-hours activity did not appear to be happening.
- October 16, 2015, 10:40 p.m. – Initially denied entry by security and told that the location was closed for a private event, LAPD returned later that evening and found violations of the Conditional Use Permit. An event was being hosted with underage patrons. Eight underage patrons inside the club were arrested, including one underage patron in possession of an alcoholic beverage and in possession of a false ID. The manager was arrested for violations of Conditions 10 (location closed for a private party without notification to Hollywood Vice) and 22 (electronic age verification devices not being used). One security guard also was arrested for failing to possess a guard card.
- Following this inspection, Hollywood Vice investigators focused a vast amount of resources to investigate issues of non-compliance of the CUP and criminal conduct which was occurring at the property. This was in response to two incidents of dramatic crime which occurred and were found to be connected to the Cosmo.
- December 13, 2015 – Shooting occurred near the club, involving multiple possible suspects that exchanged gunfire in the vicinity of the Hollywood Blvd. and Cosmo Ave. intersection. The suspects had been patronizing the Cosmo nightclub prior to the shooting. They were seen on surveillance cameras leaving the Cosmo and retrieving firearms parked in vehicles beside it, and then exchanged gunfire in the street. One suspect was wounded by gunfire, while the other suspect was arrested for shooting the individual.
- December 24, 2015 – An additional shooting incident occurred directly beside the Cosmo involving the suspects that had been patronizing the Cosmo. The suspect was involved in a dispute outside the premises and fired a shot into the sidewalk.
- December 22, 2015, 11:20 p.m. – Investigators initiated an audit of the premises. Officers observed violation of Conditions 10 (location closed for a private party without notification to Hollywood Vice), 12 (the facility appeared to be leased to a promoter), 14 (advertising was discovered promoting DJ entertainment), 17 (admission was charged for entry), 18 (security guard was not wearing distinctive uniform and did not possess guard card), and 27 (lack of STAR training). The manager and an employee were arrested for violation of conditions.

- December 23, 2015, 2:30 a.m. – Hollywood Vice investigators and supervision conducted an audit of the club. Officers observed violations of Conditions 8 (hours of operation exceeded 6 p.m. to 2 a.m.), 9 (after-hours use of the facility), and 21 (music was audible beyond the subject nightclub). The manager was arrested for violation of conditions.
- December 26, 2015, 11:00 p.m. – Hollywood Vice investigators conducted an investigation of the club. Officers observed violation of Condition 18 (security guards were not wearing distinctive uniforms). The manager was arrested for violation of this condition.
- December 28, 2015, 12:05 a.m. – Hollywood Vice investigators conducted an investigation of the club. Officers observed violation of Conditions 18 (security guards were not wearing distinctive uniforms and one was confirmed not to possess a guard card) and 21 (music was audible beyond the subject nightclub). Business was also operating in violation of two Alcoholic Beverage Control license conditions, including 17 (music was audible beyond the subject nightclub) and 19 (security guards were not wearing distinctive uniforms and one was confirmed not to possess a guard card). The manager was arrested for violation of conditions.
- December 31, 2015, 11:20 p.m. – Hollywood Vice investigators conducted an investigation of the club. Officers observed violation of Conditions 7 (occupancy had exceeded 130 persons), 17 (admission was charged for entry), 18 (security guards were not wearing distinctive uniforms and did not possess guard cards), 21 (music was audible beyond the subject Nightclub), 23 (bartenders were not aware of the conditions), 26 (illegal activity taking place on the premises), and 27 (lack of STAR training for bartenders). The manager was also arrested for violations of conditions and possession of cocaine.
- January 16, 2016, 12:45 a.m. – West Valley Vice investigators in conjunction with Hollywood Vice investigators performed an undercover investigation of the Cosmo nightclub. Officers observed violation of Conditions 17 (admission was charged for entry) and 18 (security guards were not wearing distinctive uniforms).
- January 30, 2016, 12:30 a.m. – Hollywood Vice investigators performed an investigation of the Cosmo nightclub for regulatory compliance. Officers reported that they observed a bartender serving an obviously intoxicated patron an alcoholic beverage. The bartender was arrested for reportedly serving the intoxicated patron the alcoholic beverage.
- February 7, 2016, 12:45 a.m. – Hollywood Vice investigators performed an inspection of the Cosmo nightclub. Officers observed violation of Conditions 12 (the facility appeared to be leased to a promoter) and 17 (admission was charged for entry).

- February 20, 2016, 12:05 a.m. – Hollywood Vice investigators performed an undercover compliance inspection of the Cosmo nightclub. Officers observed violation of Condition 17 (admission was charged for entry). The manager was arrested for violation of conditions.
- February 25, 2016, 11:20 p.m. – ABC investigators conducted an audit of the Cosmo nightclub. A Go-go dancer, said to have been employed at the location, was arrested for being at the location under the age of 21 as well as for presenting a fake driver's license. The manager was also arrested for allowing a minor inside the premises.
- February 26, 2016 – Hollywood Vice investigators met with officers from the Hollywood Entertainment Detail. Officers responded to a radio call of an Assault with a Deadly Weapon investigation. The victim, a disgruntled Cosmo nightclub patron, reported that he got into an altercation with the Cosmo manager and security guards on Cosmo Street adjacent to the nightclub after a disagreement inside the club regarding a bottle service bottle being spilled by a member of the Cosmo staff. The victim sustained an eight-inch laceration to the chest that required 13 sutures. The victim's girlfriend was struck in the face. Security footage of the altercation taking place immediately next to the Cosmo rear entrance was submitted to the file.
- March 17, 2016, 11:50 p.m. – Hollywood Vice and Wilshire Vice investigators conducted an undercover inspection of the Cosmo nightclub. Officers observed violation of Condition 17 (admission was charged for entry). The manager was arrested for violation of conditions. A complaint application was completed in regards to the licensed operator.
- March 26, 2016, 11:35 p.m. – Hollywood Vice and Foothill Vice investigators conducted an undercover inspection of the Cosmo nightclub. Officers observed violation of Condition 17 (admission was charged for entry), 18 (security guards were not wearing distinctive uniforms), and 21 (music was audible beyond the subject Nightclub), as well as violation of ABC Condition 6 (bottle service was observed) and ABC Conditions Nos. 2, 17, and 19. The manager was arrested for violation of conditions.
- April 1, 2016, 11:30 p.m. – Hollywood Vice and Foothill Vice investigators in conjunction with Foothill Vice investigators conducted an undercover inspection of the Cosmo nightclub. Officers observed violation of Condition 17 (admission was charged for entry) and 21 (music was audible beyond the subject Nightclub), as well as violation of ABC Conditions 2 (admission was charged for entry), 6 (bottle service was observed), and 17 (music was audible beyond the subject nightclub). The manager was arrested for violation of conditions.
- April 8, 2016, 11:20 p.m. – Hollywood Prostitution Enforcement Detail officers in conjunction with California State Employment Development Department conducted an undercover inspection of the Cosmo nightclub for workers

compensation and state commercial licensing compliance. Investigators from the Employment Development Department discovered the location manager was unlicensed to employ proprietary security employees. The location manager was cited for not being registered to employ proprietary security employees.

- April 16, 2016, 12:55 a.m. – Hollywood Vice conducted an undercover inspection of the Cosmo premises. Officers observed violation of Condition 17 (admission was charged for entry). The manager was arrested for violation of conditions.
- April 25, 2016, 4:30 a.m. – Hollywood Patrol Officers responded to UCLA Hospital in response to a report of a violent sexual assault which occurred within the Cosmo nightclub premises. Victim reported being sexually assaulted in a Cosmo nightclub storage room. During the reported sexual assault, the location security guard walked in to the closet and broke up the assault but took no action regarding the assault and did not detain the suspect.
- May 7, 2016, 1:30 a.m. – Hollywood Vice investigators conducted an undercover audit of the Cosmo premises. Vice investigators encountered a patron who sold one of the participating investigators narcotics. One of the establishment security guards presided over the exchange and provided the narcotics seller cover during the interaction. The narcotics seller was arrested for selling powdered cocaine to the undercover vice investigator. The security guard that presided over the transaction fled the location after uniformed officers entered to affect the involved arrest.
- The Cosmo site is operated by Alberto Avila.
- The Cosmo nightclub has assumed an operational mode of noncompliance and wanton disregard for public safety.
- An attempt to impose additional conditions will be ineffective because they have demonstrated that they are unwilling to comply with existing conditions.
- Hollywood Vice and the LAPD assert that revocation of use is the only remedy that will effectively relieve the community of the nuisance and criminal activity.

Officer Annabelle Eubank – Los Angeles Police Department, Hollywood Vice

- In the interest of the community and public safety, revocation will be necessary in this case. Imposing stricter conditions will not solve or mitigate the criminal elements.
- Cosmo nightclub has been out of compliance with their CUP for an extended period of time.

Sergeant Habib Munoz – In Charge of the Hollywood Vice Unit

- Testimony provided by Officer Thompson established that the owners and operators have no interest in being in compliance with their CUP.

- CPAB meetings are organized for club owners/managers to attend with the intent to help them have a successful business and ensure that operations are in compliance with the law and Conditional Use Permits; only once has a manager from Cosmo attended.
- Sgt. Munoz made himself available and wanted to meet with Mr. Avila to discuss the problems at Cosmo and try to solve them, but Mr. Avila has rescheduled every meeting.
- Keep responding to the location and the more violations we get.
- Over the past few months, crimes becoming very violent in nature: two shootings happened in December.
- People are in harm's way, including businesses, club-goers, people who live in the area, and tourists.
- Resources are being re-routed from other parts of the city and the Hollywood Division, creating voids.
- In the February 26th stabbing, upon inspection the following day, there was no cooperation from staff and no information from security was provided on what took place. A security guard had run out the back when LAPD arrived.
- On April 25 there was the digital penetration incident.
- The crimes are getting bigger and bigger in nature.
- Last Friday through Saturday morning, narcotics were blatantly being sold inside the premises.
- Drain on resources for inspection and follow-up investigations.
- Unlawful acts allowed by the owner and operator are going to continue.
- Location needs to no longer exist.

Daniel Halden – Hollywood Field Deputy, Council District 13

- Submitting a letter from Councilmember O'Farrell to the file.
- The Cosmo nightclub has been cited for multiple and repeated CUP violations, including failure of security guards to wear distinctive uniforms, to use electronic age verification devices, subletting the premises to outside promoters, improper notification to the Los Angeles Police Department of private parties, failure to adhere to mandated closing time, and allowance of amplified music to extend beyond the premises.
- Conditions are put in place to protect public safety and quality of life and it is serious when they are violated.
- Location has been found on multiple occasions to be a source of criminal activity and other threats to public safety.
- October 16, 2015: eight underage patrons were arrested in the venue, including one in possession of alcohol. The manager was also arrested.
- December 13, 2015: A shootout on the street occurred with people recovering guns from their respective vehicles, involving individuals who were patronizing the club that evening.
- December 24, 2015: A shooting occurred after a confrontation escalated outside of the club. The individuals involved had been patronizing the club before the incident occurred.
- December 31, 2015: There was an arrest of the manager who was also found to

- be in possession of cocaine.
- February 26, 2016: There was a brawl involving multiple members of Cosmo staff.
- April 16, 2016: The manager was arrested for violation of Condition No. 17, admissions charges, of which he been found repeatedly to have been in violation.
- April 25, 2016: A sexual assault reportedly happened inside a storage closet at the club. A security guard reportedly broke up the assault while it was taking place, allowed the assailant to leave the premises with no repercussions, and did not notify LAPD.
- May 7, 2016: The incident mentioned by Officer Thompson would have been included if it had not happened so recently.
- Obtaining a CUP is a privilege.
- The recurring problems violate the public trust and put a strain on City resources, the Los Angeles Police Department, City Attorney, Department of Building and Safety, and City Planning Department.
- Due to the lengthy and well-documented history of Conditional Use violations as well as the tragic and unlawful incidents that have taken place, Councilman Mitch O'Farrell of the Office of the 13th District recommends the revocation of the existing Conditional Use of the location.

Mark Domeyer – General Council for the Landlord

- Consulted with the tenants before the hearing.
- Property owner had not heard of any complaints of any nature.
- The property loses value if there are no alcohol sales allowed.
- Perhaps conditions should be imposed, not revocation.

Rick Blake – Attorney for the Operator

- Requests a continuance on the case because testimony given by the LAPD has exceeded the scope of the report.
- Short notice for the hearing; the mailing for the hearing was sent out April 19 and wasn't received until the 24th; did not receive the staff report until May 2nd or 3rd.
[Note: The case file shows that the hearing notice was sent on April 14, 2016.]
- Need more time to prepare.
- Our client has over a million dollars invested in the business; wants to sell the property.
- Back in April, Blake contacted the LAPD's Vice Unit for a meeting; Officer Eubanks scheduled the meeting but Mr. Aguilar [sic] needed to be present and he lives out of state; due to a conflict the meeting was re-scheduled; Mr. Aguilar then missed his plane due to an accident on the freeway; LAPD refused to re-schedule.
[Note: It is believed that Mr. Blake was referring to Mr. Alberto Avila, the business owner.]
- The establishment is located on Hollywood Boulevard and Cahuenga, a highly pedestrianized area; there are many other clubs in the area that operate in the evening, selling alcohol, and none of them are required to close their doors; all of them have noise coming out of them, there is no one who would be disturbed by the noise that happens on the site.

- The entry to the offices above is the entryway where there was graffiti.
- Submitted pictures of neighboring area.
- Trash cans are used by all tenants of the building, not just Cosmo.
- We believe that the Police Department has targeted us for a reason which does not have to do with the condition violations. Only one of the instances against Cosmo has been filed with the court. Not a single one has gone to a hearing or proceeding. The violations for the vast part do not and have not existed. A patrol unit will drive up to the club and hand them a ticket. The Police Department is attempting to build a case of violations that have not occurred.
- The incidents referenced by the Police Department involving shootings do not reference the Cosmo nightclub.
- The incident involving the person who had bottle service would not have occurred because we don't have bottle service. At the close of business, staff was leaving the location when the patron attacked staff members without provocation and they defended themselves. There was no beating, no kicking, no thumping; it was just a small altercation.
- The minor with a false ID was the sister of the woman in the ID. There was no action taken by ABC.
- We have a video where the Police Department walks up to the premises and they arrested the doorman without providing cause until booked.
- The Police Department is creating or alleging problems that do not exist.
- We are not a location that is in continuous violation.
- We do not charge a cover charge.
- We have a person keep a tally at the door.
- Security guards wear black suits with patches on the shoulders and were told by the Police Department to remove them, and then they are asked by the police "where are your patches?" Guards are using safety pins for the patches.
- There are no promoters or promotions; people come in as a draw and are paid to come in; they are not promoters and do not bring their own people in.
- There hasn't been a private party at the location in over a year.
- The alley is beyond the premises and is out of their control.
- Minors are not allowed inside and are not hired; there was one incidence where there were minors inside the premises.
- There are two licensed security guards at all times.
- The club is open from 11 p.m. to 2 a.m.; after-hours arrest happened at 2:01 or 2:02 and people were leaving the premises.
- The incident with the doorman with cocaine did occur but the doorman was patting down a customer, took the cocaine, and then was in possession of the cocaine.
- There is no smoking of marijuana inside the premises and drug deals do not happen.

Jacqueline Lawson – Deputy City Attorney

- Produced the criminal case numbers and charges that were being filed:
 - 5CA15614 – LAMC 12.29 – CUP violation – Defendant 1: Manager, Defendant 2: President, Defendant 3: LLC – October 16, 2015.
 - 6CJ07541 – H&S Code 11350 – Manager of the nightclub charged with

- possession of narcotic – December 31, 2015.
- 6CJ07541 – Penal Code Sections 370, 372 – President of the Cosmo nightclub charged with public nuisance – January 7, 2015 through December 31, 2015.

Steve Houchin – Deputy City Attorney

- Cases under review for violations occurring on the following dates:
 - 12/22/15
 - 12/23/15
 - 12/26/15
 - 1/16/16
 - 1/30/16
 - 2/7/16
 - 2/20/16
 - 2/25/16
 - 2/26/16
 - 3/18/16
 - 3/26/16
 - 4/1/16
 - 4/16/16
- They have a year to file charges. Can be added to existing cases or be treated as new cases.

Brandon Sornberger – Manager of iO West Club

- There on behalf of Charna Halpern, owner, located in Chicago.
- Primary concerns are noise violations and safety issues.
- Noise violations impair the ability to perform live comedy.
- We have been at the location for 15 years and had not had a problem previously.
- Shootings on 12/13 and 12/24 occurred right outside of the location.
- Bullet holes are in the walls next to our building.
- Bullet hole in the ground is directly in front of the front door to iO West.
- Fights continue to occur.
- Last Wednesday, a fight occurred in which a garbage can was thrown through our establishment.
- Glass shattered when an individual was thrown up against our door.
- Area seems to be less safe since they have been there.

Mike Canale – Manager of iO West Club

- Since they have been operating, there have been significant financial losses, can't say for sure all of it is attributed to them, but it is certainly part of it.
- Patrons have stopped coming and performers have stopped performing because of the excessive noise and fear of violence.

Conrad Straub – Manager of Cosmo Nightclub

- There is a tally girl at the front, not a cashier.
- There are no outside promoters.
- 2/25/2016: The underage go-go dancer never worked for the establishment.
- 2/7/2016: There are no promoters, everything is in house.

- Service of an overly intoxicated person: the person who purchased the alcohol was not the overly intoxicated person.
- After the first citing of security guards not in proper uniform, they went out and got the patches. LAPD said they weren't supposed to be wearing them. Then next time they came in and said "Where are the patches?"
- Some guards are considered security guards and some are considered hosts – LAPD will talk to someone who is not working in a security guard capacity but they will still get a ticket. Hosts don't have to be state-licensed.
- On December 24, the shooting which occurred was to the east of the property, at Project LA, submitting a video as evidence to the file.
- Multiple venues nearby, Project and Hemingway's next door; they operate with their doors wide open, sound coming out, hundreds of people in the middle of the street, drunk on the sidewalk, but it seems like we get blamed for it.
- Think we are being harassed by LAPD.
- December 13 incident, there is no mention of Cosmo in the police report. Our understanding was the person came from a block away and ended up on that corner.
- Regarding the sexual assault a week or two ago, the investigation is still ongoing, but it seems that from the video we furnished, the incident may not have occurred or if anything did occur, it was consensual.
- February 25 incident, we were leaving out of the back entrance, a gentleman got out of his car and runs and attacks me. We defended ourselves and his girlfriend proceeded to run over a security guard. I and four other Cosmo employees filed a police report and have yet to hear anything from LAPD regarding that incident.
- Regarding moving traffic and violations and other incidents listed, there are multiple business in that area and it seems that Cosmo is getting blamed for everything that occurs on that corner.
- On May 7 or 8, we assisted LAPD by restraining the suspect. We are making the effort.
- With security patches, one officer says one thing and another officer says another thing.
- One time we got a ticket for noise and the music wasn't even on.
- Seems like we are being targeted for some underlying reason.

Una Nedeljov – Host for Cosmo Nightclub

- Model signed with Seven Talent Agency out of Miami, hired to host places.
- This was one of my jobs, people come out to see me.
- Never promoted the club.
- Just one night of employment there.

Michael Kolodzi – General Council of Cosmo Nightclub

- Contrary to the testimony by Officer Thompson and the prosecutors, there is only one case actually filed against Cosmo nightclub.
- The cocaine possession was the result of a pat-down of a patron.
- Previous cases mention another nightclub previously owned by Alberto Avila.
- Client has opened an Internal Affairs investigation with Vice regarding the continued and intentional pattern of harassment in trying to evict my client from

the premises.

- Any revocation by this board on the alleged citations will set a serious and dangerous precedent, specifically the denial of due process prior to their day in court.
- That dangerous precedent will result in litigation against the City, Police Department, and all agencies involved.
- LAPD has not been as open with meeting with our clients. Rescheduling occurred due to factors out of their control. After the second cancelation, LAPD says "That's it, no more meetings, you're done."
- Cosmo nightclub requests a denial of any revocation of the CUP.

Marty Shelton – Capital Commercial

- Testifying on behalf of the ownership of a property at 6363 Hollywood Boulevard between Cahuenga and Ivar on the north side of the street.
- Negative impact on the businesses in the neighborhood, gives image that that it is not safe.
- If the revocation of the CUP takes place, it will benefit the community.

Mark Domeyer – General Council for the Landlord

- These are all allegations at this point, none of them have been adjudicated by any court.
- Significant investments in the property.
- Denial of due process.

Matthew Goldberg – Security Manager for Cosmo Nightclub

- Was doing pat-downs on the front door, put the cocaine on his person, and he was arrested.
- Two weeks ago, he was arrested for charging at the front door. The officer did not see Goldberg charging people, he had just been told to come and arrest him.

Michael Kolodzi – General Council of Cosmo Nightclub

- On the one case filed, the pre-trial date is August 2, 2016.

Sarah Fasha – Host for Cosmo Nightclub

- Model, Miss Egypt in the Queen of the Universe Pageant, military veteran, motivational speaker.
- Was hired by Cosmo to be a host, to have her fans come to the nightclub.

Troy Lynn Hill – Host for Cosmo Nightclub

- Was handcuffed by LAPD officers for not having a guard card when he was serving as a host for the night.
- Felt that his human rights were being violated.

SUBMISSIONS RECEIVED AT PUBLIC HEARING

Photographs of the surrounding area were submitted by Rick Blake.

Arrest reports that were already part of the public record were submitted by Rick Blake.

Video footage of two separate events was submitted by email by Cosmo nightclub manager Conrad Straub. One video purportedly shows the shooting of December 24, 2015 taking place of front of Project L.A. The other shows an arrest of Matthew Goldberg by the Los Angeles Police Department.

Documentation was submitted regarding the careers of Una Nedeljev and Sarah Fasha.

SUMMARY – ALETA JAMES – ASSOCIATE ZONING ADMINISTRATOR

In review of the case file and all public testimony, the Zoning Administrator stated that based on evidence presented and testimony heard, that there were a multitude of flagrant and ongoing violations of existing conditions (Case No. ZA 2013-0832-CUB-CUX), including multiple violations of Condition Nos. 12, 17, 18, and 21, as well as violations of Condition Nos. 7, 22, 23, 26, 27, 31, 8, 9, 14, and 10. Additionally, there had been serious and violent crimes that had occurred at the location. As the owner/operator had shown a blatant disregard for the existing conditions set forth by the City of Los Angeles, the Zoning Administrator contended that imposition of additional operational conditions would be fruitless. The Zoning Administrator closed the hearing and said that there would be a decision shortly, followed by a 15 day appeal period.

REVIEW OF COMPLIANCE WITH CONDITIONS OF CASE NO. ZA 2013-0832(CUB)(CUX), EFFECTIVE SEPTEMBER 4, 2013, AS RELATED TO A NUISANCE ABATEMENT POSSIBLE REVOCATION ACTION PER LOS ANGELES MUNICIPAL CODE SECTION 12.27.1

The nuisance investigation includes an assessment of Condition compliance with respect to the terms and conditions of the Zoning Administrator's determination, Case No. ZA 2013-0832(CUB)(CUX). Staff conducted a field analysis as part of the nuisance investigation on March 17, 2016 between 9:30 p.m. and 11:00 p.m., accompanied by approximately five Los Angeles Police Department officers. All photos included were taken on said date and time. At the time of the investigation, the nightclub was open to the public.

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.

Investigator's Response: No comment.

2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.

Investigator's Response: No comment.

3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning

Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

Investigator's Response: No comment.

4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.

Investigator's Response: The business manager stated that the club does not usually receive any graffiti, and that graffiti is removed immediately after it is identified. The club had noticeable graffiti to the immediate left of the front entry of the building and on the trash bin in the back.

5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.

Investigator's Response: No comment.

6. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceedings against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

Investigator's Response: No comment.

7. The square footage shall not exceed 2,907 square feet, which includes the mezzanine level. The maximum seating shall not exceed 65 seats on both levels. No outdoor seating has been requested or permitted. Maximum occupancy shall not exceed 130 persons unless a lower number is determined by the Fire Department and/or the Department of Building and Safety. The permitted occupancies as authorized by Conditional use permit action and by the Fire Department, respectively, shall be posted on the premises.

Investigator's Response: At the time of the site visit, there were less than five patrons in the establishment. The manager said that there were ten to fifteen people that would be seated at each of the twelve tables.

8. Hours of operation shall not exceed 6 p.m. to 2 a.m. daily.

Investigator's Response: The club manager stated that the hours of operation were from 10:30 p.m. to 2 a.m. and that they were stated on their website. A review of the Cosmo website on April 22, 2016 did not reveal the hours of operation.

9. No after-hours use of the facility shall be permitted.

Investigator's Response: The club manager stated at the time of the site visit that there are no after-hour uses of the facility.

10. The premises shall not be exclusively used for private parties, including promotional events, in which the general public is excluded. However, the premises may be used up to a maximum of 12 times per calendar year for private events from which the general public is excluded. Notification to LAPD Hollywood Area Vice Detail shall be made at least 7 days in advance of such events. The business operator shall maintain a log of the date and general purpose of all such events, which shall be made available upon request of the Police Department or Zoning Administrator or other enforcement agency.

Investigator's Response: The club manager stated that there have been no private parties in over a year, and if they do have them, they would inform the LAPD Hollywood Area Vice Detail at least two weeks in advance.

11. No pool tables or coin operated electronic, video or mechanical amusement devices shall be maintained on the premises. No karaoke and no juke box shall be permitted.

Investigator's Response: There were no amusement devices, karaoke/juke boxes, or coin-operated games at the time of site visit.

12. The facility shall not be leased or rented out to promoters at any time. The operator shall at all times retain operational control of the premises and utilize only the facility's regular employees, own security staff and bartenders for any event.

Investigator's Response: The club manager stated that all employees, security staff, and bartenders are all in-house.

13. Live musical entertainment is limited to three (3) musicians.

Investigator's Response: The club manager stated that musicians are not used at the club.

14. A DJ is permitted in the mezzanine area. There shall be no public advertising for any DJ entertainment at this facility.

Investigator's Response: The club manager stated that there has not been any advertisement for the DJ, who is located in the mezzanine area of the club. The Cosmo website and social media pages, however, did advertise DJ

entertainment, such as DJ Mark Da Spot, DJ Crooks and DJ David Hopper as of April 22, 2016. See Attachment 1.

15. Prior to the initiation of any live entertainment, including a DJ, a Café/Entertainment permit shall be obtained from the Police Department, as applicable, and the permit shall be posted on the premises.

Investigator's Response: The club has a valid Café/Entertainment permit which is valid until 12/31/16.

16. A dance floor which does not exceed 200 square feet is permitted. Prior to the conduct of any dancing, a Dance Hall Permit shall be obtained from the Police Department and posted on the premises.

Investigator's Response: The club has a valid Dance Hall permit which is valid until 12/31/16.

17. There shall be no cover charge or prepayment required for admission to the premises.

Investigator's Response: The club manager stated that there is no cover charge or prepayment required for admission to the premises. One of the site investigators heard a patron state that the club was free before 10:00 p.m., implying that there was a cover charge after 10:00 p.m.

18. A minimum of two (2) State-licensed, uniformed security guards, employed by a State-licensed private security company or private patrol operator shall be provided Sunday through Thursday and a minimum of three (3) security guards shall be provided Friday and Saturday. The guards shall begin their duties 30 minutes prior to the opening of the facility and remain until 30 minutes after closing. Said guards shall not include the operator of the subject business nor any employee or relative thereof. The guards shall comply with Section 7582.26(f) (B and P Code) with respect to their distinctive uniforms.

Investigator's Response: Not in compliance. The establishment was open to the public and there were no security guards present at the time of the site visit. The manager said one guard was on break and one had not arrived yet. The club manager said that the guards usually start their shift at 9:50 p.m.

19. The applicant shall maintain a minimum of 50 off-site parking spaces during all business hours of the facility at a location within a 750-foot radius of the subject property for the duration of the grant. The parking lot operator shall reserve these spaces exclusively for the subject business. Signs shall be posted at the parking lot advising patrons that parking is available for the subject facility and such parking location shall also be identified in any advertisement or website for the facility.

Investigator's Response: The club manager stated that there is a lot with a valet located by the Couture Nightclub on Cosmo Street. The lot is located within 750 feet of the subject site.

20. **Within 30 days of the effective date of this action**, the applicant shall provide the Zoning Administrator a copy of an active lease for the off-site parking for inclusion in the case file.

Investigator's Response: At the time of staff report preparation, it had not been determined whether a lease for off-site parking had previously been submitted.

21. Any music, sound or noise emanating from within the subject premise shall not be audible beyond the subject site, and not cause any loud, unnecessary and unusual noise which disturbs the peace or quiet of the surrounding neighborhood or causes discomfort or annoyance to any reasonable person of normal sensitivity residing in the area in violation of Section 116.01 of the Municipal Code, to the satisfaction of the Police Department. In addition, all exterior doors of the premises shall be kept closed at all times except for the normal passage of patrons or deliveries, or during emergency situations.

Investigator's Response: There was no sound audible beyond the subject site at the time of the site visit. Additionally, all exterior doors of the premises were closed at the time of the visit, and the club manager stated that the club keeps the door closed at all times.

22. Electronic age verification device(s), which can be used to determine the age of any individual attempting to purchase alcoholic beverages, shall be installed on the premise at each point-of-sale location. Employees shall be made knowledgeable in the operation of such devices.

Investigator's Response: The club has an age verification device which the club manager said security/personnel use at the door when patrons come in. The age verification device, however, was not working at the time of the visit. The manager had a backup age verification device on a smart phone that was operational.

23. These Conditions of approval as well as a copy of any business permit, insurance information, security and any emergency contact phone numbers shall be retained on the property at all times and shall be produced immediately upon the request of the Zoning Administrator, the Police Department, the Department of Building and Safety or other enforcement agency. Additionally, a copy of the Conditional use and the alcohol license shall be provided to all employees who shall sign an acknowledgment form stating that they have read and understood all of the ABC and Conditional use permit Conditions. Said form shall be maintained at the location by the owner and/or manager who shall present it to Police personnel, ABC investigators or any other City agency upon request

Investigator's Response: The club manager produced the conditions of approval, relevant business permits, and CUP/ABC licenses. The ABC license expires August 31, 2016.

24. The applicant shall be responsible for maintaining the area adjacent to the premises over his/her control free of litter.

Investigator's Response: Litter in the area adjacent to the premises did not appear to be a problem at the time of the site visit. The club manager said that staff sweeps the area adjacent to the premises on a daily basis.

25. Lighting shall be sufficient to identify anyone at the main entrance to the facility.

Investigator's Response: The lighting on the site is believed to be sufficient enough to identify anyone at the entrance to the facility.

26. The applicant owner and on-site manager(s) shall comply with all applicable laws and Conditions and shall properly manage the facility to discourage illegal and criminal activity on the subject premises.

Investigator's Response: No comment.

27. **Within six (6) months of the effective date of this action**, all employees involved with the sale of alcoholic beverages shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR). Upon completion of such training, the applicant shall request the Police Department to issue a letter identifying which employees completed the training. The applicant shall transmit a copy of the letter from the Police Department to the Zoning Administrator as evidence of compliance. In the event there is a change in the licensee and/or a change in employees, within six months of such change, this training program shall be required for all new staff.

Investigator's Response: Proof of STAR training was provided in the form of a letter that was submitted by email to staff on March 23, 2016. It listed three employees who received training on February 24, 2016. At the time of the investigation, the club manager was unable to present it to investigators.

28. No employee or agent shall be permitted to accept money or any other item of value from a customer for the purpose of sitting or otherwise spending time with the customers while on the premises. No female or male patrons shall be made available to act as escorts, companions or guests of customers.

Investigator's Response: The club manager stated that there have not been any such escorts, companions or guests of customers on the premises.

29. There shall be no use of the subject premises which involves Section 12.70 of the Los Angeles Municipal Code uses (Adult Entertainment).

Investigator's Response: The club manager stated that there is no Adult Entertainment on the premises.

30. No enclosed customer booths shall be permitted. If booths exist and are separated by a partition, said booths shall be completely open on at least one side.

Investigator's Response: There were no enclosed customer booths on the premises.

31. The name of the on duty manager shall be listed in a conspicuous place near the entrance of the business for customers and other enforcement agencies to view. The phone number shall also serve as a hotline number for contact regarding any complaints of the facility's operation.

Investigator's Response: The name of the on duty manager Matthew Goldberg was listed in a conspicuous place near the entrance of the business for customers and other enforcement agencies to view. Additionally, a hotline number (323) 957-1925 for complaints regarding the facility's operation was listed on the above mentioned sign. A call to the phone number on April 22, 2016 revealed that that it was the main line for the club with a recorded message, allowing interested parties to leave a message.

32. A video security camera system shall be maintained that provides surveillance of interior areas, including any high-risk areas and the exterior of the premises. The tapes shall be maintained for a minimum of 30 days and made available immediately upon request to the Police Department or any other enforcement agency.

Investigator's Response: There were only six cameras out of 16 that were working and monitoring at the time of the site visit, according to the manager, and confirmed on the security camera monitoring screen. Of the 16 cameras, the manager said that 14 cameras were inside and two cameras were outside. Of the six cameras that were working, four were inside and two were outside. The manager said that the recordings are kept for three months.

33. The mitigation measures identified in ENV 2007-2076-MND-REC are retained and incorporated as Conditions of this grant, as applicable, unless otherwise noted below:

a. Public Services (Fire)

The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features:

- 1) Fire lanes, where required, shall be a minimum of 20 feet in width;
- 2) All structures must be within 300 feet of an approved fire hydrant; and
- 3) Entrances to any dwelling unit or guest room shall not be more than 150 feet distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane. (**ZA Note:** The request does not alter the prior use and most recently has involved only interior improvements)

b. Public Services (Police)

The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to Design out Crime Guidelines: Crime Prevention through Environmental Design published by the Los Angeles Police Department's Crime Prevention Section (located at Parker Center, 150 N. Los Angeles Street, Room 818, Los Angeles, (213) 485-3134. These measures shall be approved by the Police Department prior to the issuance of building permits. (**ZA Note:** No new building permits are proposed.)

c. Utilities (Solid Waste)

Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

Investigator's Response: There was a solid waste bin in the rear alley, which the club manager said gets emptied two to three times a week. The manager said that the owners of the building take care of it.

34. The authorization granted herein for the sale of alcohol and dancing on the subject premises is for a period of **three (3) years** from the effective date of this grant. Thereafter, a new authorization shall be required to continue the sale of alcoholic beverages and dancing.

Investigator's Response: No comment.

35. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any Condition(s) of the grant, resulting in an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator will have the right to require the business operator(s) to file for a plan approval application together with associated fees, to hold a public hearing to review the

business operator's compliance with and the effectiveness of the Conditions of the grant. The hearing shall be advertised for the purpose of reviewing compliance with these Conditions and may be advertised for possible nuisance abatement/revocation of the grant, if so warranted.

Investigator's Response: No comment.

36. **Within 30 days of the effective date of this action**, a covenant acknowledging and agreeing to comply with all the terms Conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the Conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

Investigator's Response: At the time of staff report preparation, it had not been determined whether a covenant had been filed.

AUTHORITY

On October 27, 1997, under Ordinance No. 171,740, Section 12.21-A,15 was repealed and superseded by Section 12.27.1 which continued the established procedures for the modification, discontinuance or removal of a use, building or structure that constitutes a public nuisance or endangers the public health or safety or violates any provision of City, State or Federal statutes or ordinance.

FINDINGS

As presented in the information documented herein through correspondence and public testimony by affected parties, it is hereby determined that the operation of the nightclub known as The Cosmo has created public nuisance impacts at the site. The Zoning Administrator, on behalf of the Director, finds that the business as operated:

1. **Jeopardizes or adversely affects the health, peace, or safety of persons working or residing in the surrounding area.**

Effective September 4, 2013, the Zoning Administrator in Case No. ZA 2013-0832(CUB)(CUX) approved a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption with patron dancing in conjunction with an existing cocktail bar/lounge. Such conditions were put in place to preserve the health, peace, and safety of persons working and residing in the surrounding area. The record, including arrest reports, correspondence, and testimony at the public hearing, indicates that there have been documented, ongoing violations of these conditions.

Numerous investigations by the Los Angeles Police Department have documented not only an extensive record of violations of the Conditional Use

Permit, as well as violations of conditions of the State of California alcohol license, but also serious and violent criminal activities which have taken place at the site or adjacent to the site involving patrons and staff of the Cosmo nightclub. These activities appear to be increasing in frequency over the past year, including numerous shooting incidents and assaults in recent months, and directly jeopardize the peace and public safety of the surrounding area.

The Los Angeles Police Department submitted 24 arrest and investigative reports, 19 arrest charges, 12 crime charges, and 19 calls for service for the period of time between January 9, 2014 and April 25, 2016. Of the greatest concern and most directly threatening the public safety are the shooting that took place on December 13, 2015 adjacent to the Cosmo, the shooting that occurred on December 24, 2015 adjacent to the Cosmo, the brawl, including knife and vehicular assaults that took place on February 26, 2016 adjacent to the Cosmo, and the sexual assault that took place on April 25, 2016 inside the Cosmo. With the trajectory of events as they have progressed at the site, it is reasonable to expect that such grave and violent incidents will continue to occur at the site should no action be taken by the Office of Zoning Administration.

Of lesser concern but also jeopardizing the public health, peace, and safety are the repeated violations of conditions, for which the operators have shown a blatant disregard in achieving and maintaining compliance. These conditions include the following:

- Condition No. 7: Occupancy level exceeded
- Condition No. 8: Hours of operation exceeded
- Condition No. 9: After-hours use of facility
- Condition No. 10: Failure to notify LAPD of private parties
- Condition No. 12: Facility leased to outside promoters
- Condition No. 14: Public advertising of DJ entertainment
- Condition No. 17: Admission charged to enter premises
- Condition No. 18: Security guards failed to be state-licensed and to wear distinctive uniforms
- Condition No. 21: Noise audible beyond the premises
- Condition No. 22: Lack of use of age verification devices
- Condition No. 23: Employees not aware of conditions
- Condition No. 26: Criminal activity having taken place on the premises
- Condition No. 27: Lack of STAR training for employees
- Condition No. 31: Name of manager and contact phone number not visible

2. Constitutes a public nuisance.

There are considerable spillover impacts from the use of the site which affect the surrounding neighborhood. These include assaults, discharge of firearms, and lack of compliance with the Conditional Use Permit and the State of California liquor license.

The public nuisance is most evident with noise disturbances originating from the location and threats to public safety from the history of violent crimes that have

taken place at the site. Most evidently, the impacts have been seen by the iO West club, neighboring the Cosmo nightclub, which has seen a decrease in bookings and attendance for which they believe the activity generated by the adjacent Cosmo nightclub has played a negative role.

Additionally, the use has generated a considerable police response to the location, which constitutes a public nuisance. The need for continued investigations has been a drain on Los Angeles Police Department resources. Moreover, the significant allocation of resources to one location impairs the ability of the Police Department to effectively allocate the remaining available resources to the rest of the community.

3. Has resulted in repeated nuisance activities.

Los Angeles Police Department investigations have discovered ongoing and repeated violations of the conditions imposed by the City in Case No. ZA 2013-0832(CUB)(CUX), including non-compliance associated with noise audible beyond the premises, security guards failing to be state-licensed and to wear distinctive uniforms, lack of STAR training, lack of notification to Hollywood Vice of private parties, admission being charged to enter the premises, and the facility being leased to outside promoters.

There has been an insufficient attempt by the property owner, operator, and employees to abide by all of the operating conditions set forth in Zoning Administrator's determination despite repeated visits, warnings, and arrests by the Los Angeles Police Department for violations of the same conditions. Some of these repeated arrests have taken place on a weekly or daily basis, with no responsive action from the operator or employees to attempt to achieve compliance.

Moreover, there has developed a pattern of repeated, violent incidents taking place inside and adjacent to the club in recent months. The failure of the security guard to detain the suspect or call the Los Angeles Police Department during the reported sexual assault on April 25, 2016, as well as the lack of information and lack of cooperation from staff regarding the stabbing incident on February 26, 2016, including that a security guard had run out the back when LAPD arrived to conduct the investigation, all demonstrate the blatant disregard of the operator and staff to conduct the business in a manner that seeks to preserve the public safety and to work in collaboration with the Los Angeles Police Department towards such ends.

4. Violates any provision of this chapter, or any other city, state or federal regulations, ordinance or statute.

The record includes a detailed account of Los Angeles Police Department investigations and arrests concerning the Cosmo nightclub, including violations of conditions imposed by the City and the State of California Alcoholic Beverage Control. This includes violations of Conditional Use Permit Condition Nos. 7, 8, 9, 10, 12, 14, 17, 18, 21, 22, 23, 26, 27, and 31 of Case No. ZA 2013-

0832(CUB)(CUX) as well as violations of State of California Alcohol Beverage Control Condition Nos. 2, 6, 17, and 19.

Additionally, arrests of Cosmo business owners, management, and employees have been made regarding possession of narcotics, allowing a minor inside the premises, service of an overly intoxicated person, failure to have valid security guard card certification, and outstanding warrants.

5. **Prior governmental efforts to cause the owner or operator to eliminate the problems associated with the use or discretionary zoning approval have failed (examples include formal action, such as arrest and citations, by the Police Department, Order to Comply Notice by Department of Building and Safety, the Director, Zoning Administrator or City Planning Commission, or any other governmental agency).**

The Cosmo nightclub has placed a heavy demand on limited Los Angeles Police Department resources and has resulted in twenty separate arrest and investigative incidents just since December 13, 2015. These governmental efforts to cause the owner or operator to eliminate the nuisance problems associated with the use and achieve condition compliance have failed, as documented by the excessive and repeated number of arrests, investigations, and calls for service submitted by the Los Angeles Police Department, many regarding repeated violations of the same conditions over a short time frame.

Two attempts by the Los Angeles Police Department to meet with the operator in the effort to eliminate public nuisances and to bring the establishment into compliance with conditions resulted in the meetings being cancelled by the business owner.

There has been no discernible improvement of the operation subsequent to the repeated actions of the Police Department conducting investigations and making arrests at the site. There also has been no demonstrable effort to correct or address any of the violations identified. Thus, there have been numerous opportunities given the business operator and management of the Cosmo nightclub to demonstrate an attempt to comply with conditions and to address issues of public nuisance at the site with no positive results.

6. **The owner or operator has failed to demonstrate to the satisfaction of the Director, the willingness or ability to eliminate the problems associated with the use or discretionary zoning approval.**

The current business manager and the legal representatives of the business owner attended the public hearing of May 10, 2016. They denied that many of the crimes submitted in testimony had taken place at the location, especially regarding Conditional Use Permit violations, and attempted to establish that the owners and operators were the victims of unfair targeting by the Los Angeles Police Department for an unknown reason.

When there was acknowledgement of the connection of the Cosmo nightclub to

nuisance activity originating from the site, the seriousness of such activity was dismissed or downplayed. Indicative of this, in the February 26, 2016 incident in which a former patron of the Cosmo had attacked the business manager and was subsequently attacked by Cosmo staff, resulting in an eight-inch laceration to the chest that required 13 sutures as well as at least one member of the Cosmo staff being intentionally struck by a car, all taking place on a City street adjacent to the club, the incident was described as only a "small altercation."

Thus, the business operator and management have continued to not take responsibility for most of the public nuisances originating from the location, including most of the violations of the Conditional Use Permit, as well as the threats to public safety being generated at the site. No constructive measures to alleviate the public nuisances associated with the site were proposed by the property owner, operator, or employees. Therefore, there continues to be no demonstrable effort to correct or address the violations and public nuisances at the location by the property owner, business owner, business management, or employees.

The Zoning Administrator hereby finds, on behalf of the Director of Planning, that the repeated administrative attempts made to improve the operation of the cocktail bar/lounge, with its associated alcohol sales, have not resulted in the elimination of the problems associated with the use. The use of the property as a cocktail bar/lounge with the sale of alcohol is hereby ordered discontinued.

It is the purpose of these proceedings, under Ordinance No. 171,740, to provide a just and equitable method to be cumulative with and in addition to any other remedy available for the abatement of public nuisance activities.

It is further determined that the instant action by the Zoning Administrator is in compliance with Section 12.27.1 of the Municipal Code and has been conducted so as not to impair the constitutional right of any person. All of the procedures followed as a part of this action conform to the Municipal Code. The property owner and the operator of the premises have been provided notice of these proceedings and have been afforded the opportunity to review the file in advance of the hearing, which was duly noticed, and to testify at the hearing and respond to the allegations concerning the impacts of the operation of the Cosmo nightclub.

APPEAL PERIOD - EFFECTIVE DATE

The Zoning Administrator's determination in this matter will become effective after JUNE 10, 2016, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://planning.lacity.org>**. Public offices are located at:

Figueroa Plaza
201 North Figueroa Street,
4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Inquiries regarding this matter shall be directed to Tim Fargo, Planning staff for the Office of Zoning Administration at (213) 202-5407.

VINCENT P. BERTONI, AICP
Director of Planning



ALETA D. JAMES
Associate Zoning Administrator

ADJ:TF

cc: Councilmember Mitch O'Farrell, Thirteenth District
Adjoining Property Owners
Public Hearing Sign-in / Notification Sheet: May 10, 2016

SIGN IN / NOTIFICATION SHEET (May 10, 2016)

CASE NO. DIR 2016-0824(RV)

ADDRESS: 6364 West Hollywood Boulevard

PLEASE WRITE OR PRINT LEGIBLY AND STAY WITHIN THE BOXES - 1 NAME PER BOX

SAMPLE

<p>John Doe 200 North Spring St., #763 Los Angeles, CA 90012</p>	<p>Sarah Easha 244 #W Tuynge Ave Burbank CA 91502</p>	
<p>DEN THOMPSON 1758 N. WILCOX AVE LA CA 90028</p>		
<p>Jachir LAWSON - CITY ATTORNEY 200 N. MAIN ST #500 LA CA 90012</p>		
<p>Steve Houchin - City Attorney 200 N. Main Street #500 LA CA 90012</p>		
<p>Rick A. Blake BLAKE + AYAZ 2107 N. Broadway #106 Santa Ana, Calif 92706</p>		
<p>Matt Goldberg 8554 Ojensburg Ave. Carnegie Park, CA 91304</p>		
<p>Carroll Strub 7119 W. Sunset Blvd #185 Los Angeles CA 90046</p>		
<p>MARTY SHELTON 1830 COLBY AVE #9 LA, CA 90025</p>		