

CITY OF LOS ANGELES
CALIFORNIA



DEPARTMENT OF CITY PLANNING

NOTICE OF PUBLIC HEARING
POSSIBLE IMPOSITION OF CONDITIONS TO ABATE NUISANCE OR REVOCATION OF USE

To Owners: Within a 100-Foot Radius
 Within a 500-Foot Radius
 Abutting a Proposed Development Site

And Occupants: Within a 100-Foot Radius
 Within a 500-Foot Radius
And: Others

The purpose of the hearing is to obtain testimony of the property owner and/or business operator, plus affected and/or interested persons regarding the operation of the Cashmere Nightclub, use location address: 6757 West Hollywood Boulevard (property location addresses of: 6757, 6759, 6761, and 6763 Hollywood Boulevard). Following the hearing, the Zoning Administrator may require the discontinuance of the use; or may impose corrective conditions regarding its use as a nightclub in order to mitigate any land use impacts caused by the use. The public is invited to submit written comments prior to the hearing.

Hearing: Office of Zoning Administration
Date: Thursday, October 22, 2015
Time: 11:00 a.m.
Place: Los Angeles City Hall
200 North Spring Street, Room 1020
(Enter from Main Street)
Los Angeles, CA 90012

Case No.: DIR 2015-3461(RV)
CEQA No.: ENV 2015-3462(CE)
Council Dist.: 13
Plan Area: Hollywood
Zone: C4-2D-SN

Applicant: City of Los Angeles
Department of City Planning
Director of Planning

Staff Contact: Tim Fargo
Phone No.: (213) 978-1458
Tim.Fargo@lacity.org

PROJECT LOCATION: 6757 West Hollywood Boulevard
The property is legally described as Fractional Lot 1, Arb 8, Tract Block "A" La Brea.

REQUESTED ACTION: The Zoning Administrator will consider:

1. Los Angeles Police Department arrest report and crime analysis documentation of: multiple violations of Condition Use Permit conditions, including operation as a stripclub instead of as a restaurant / nightclub, failure to operate as a bona fide food service business, subletting the premises to outside promoters, failure to adhere to closing time and required number of security guards, failure to adhere to condition that patrons shall be 21 and over on the premises after 10 p.m., allowance of beverages on the designated dance floor, allowance of dancing on the patio, use of the patio after 10 p.m., allowance of amplified music to extend beyond the premises, queuing of patrons on Hollywood Boulevard, and lack of adequate interior seating; as well as homicide, assault with a deadly weapon, rape, prostitution, solicitation for prostitution, theft, selling of alcoholic beverages containing contaminants, owner not in possession of required worker's compensation insurance, vandalism, and noise disturbance.
2. Pursuant to Section 21084 of the California Public Resources Code, the above referenced project has been determined not to have a significant effect on the environment and which shall therefore be exempt from the provisions of CEQA.

The environmental document will be among the matters considered at the hearing. The decision maker will consider all the testimony presented at the hearing, written communication received prior to or at the hearing, and the merits of the project as it relates to existing environmental and land use regulations.

On April 5, 2013, the Zoning Administrator (Case No. ZA 2012-0090(CUB)(CUX)) approved a conditional use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption, with live entertainment and patron dancing in conjunction with an existing restaurant/nightclub with a prohibition against the use of outdoor patio after 10:00 p.m. The applicant filed an appeal to the Central Area Planning Commission (Case No. ZA 2012-90-CUB-CUX-1A) requesting use of outdoor patio after 10:00 p.m. The appeal was denied. On June 11, 2013, the Central Area Planning Commission modified the conditions of approval (Case No. ZA 2012-90-CUB-CUX-1A) and added a Condition No. 49. The Added Condition permitted the applicant to apply for a Plan Approval after one (1) year to consider extending the closing time for the patio from 10:00 p.m. to 2:00 a.m., daily. In addition, the applicant would be required to conduct a noise study to determine the effects of the operation on the patio area on the adjacent residences to the north of the adjacent alley.

On August 22, 2015 an assault occurred at the site location known as the Cashmere Nightclub. The victim was pronounced dead the following day. The Cashmere Nightclub a 8,925 square-foot restaurant/nightclub with seating for 371 patrons indoors and 56 patron's outdoors is required by Condition No. 45 (Case No. ZA 2012 0090-CUB-CUX1-A) to provide a minimum of 3 State licensed security officers and one additional security officer for every 75 patrons above the first 150 patrons. Additional Conditions restrict the after hour operations to cease between the hours of 2:00 a.m. and 9:00 a.m. including but not limited to private events and promotional events.

The business conducted at the site has generated numerous community complaints, allegations and required consistent police enforcement. As this operation currently jeopardizes and adversely affects the public health, peace and safety of persons residing or working on the premises and the surrounding area and has documented reports of repeated nuisance activities, the City has responded with a notice of public hearing for possible imposition of conditions to abate nuisance or revocation of said use.

Authority: The Director of Planning, through the Office of Zoning Administration, has the authority to revoke the use or impose corrective conditions on the operation of the existing business as a nightclub under Section 12.27.1 (land use impacts caused by any use) of the Los Angeles Municipal Code.

Exhaustion Of Administrative Remedies: If you challenge a City action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence on these matters delivered to the Department before the action on this matter will become a part of the administrative record. Note: This may not be the last hearing on this matter.

Advice To Public: The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the Los Angeles City Planning Department, Office of Zoning Administration, 200 N. Spring Street, Room 763, Los Angeles, CA 90012 (attention: Tim Fargo).

Review Of File: The file, including the application and the environmental assessment, are available for public inspection at this location between the hours of 8:00 a.m. to 4:00 p.m., Monday through Friday. Please call (213) 978-1914 several days in advance to assure that the files will be available. The files are not available for review the day of the hearing.

Accommodations: As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability. The hearing facility and its parking are wheelchair accessible. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. Other services, such as translation between English and other languages, may also be provided upon request.

To ensure availability or services, please make your request no later than three working days (72 hours) prior to the hearing by calling the staff person referenced in this notice.

Como entidad cubierta bajo el Título II del Acto de los Americanos con Desabilidades, la Ciudad de Los Angeles no discrimina. La facilidad donde la junta se llevará a cabo y su estacionamiento son accesibles para sillas de ruedas. Traductores de Lengua de Muestra, dispositivos de oído, u otras ayudas auxiliares se pueden hacer disponibles si usted las pide en avance. *Otros servicios, como traducción de Inglés a otros idiomas, también pueden hacerse disponibles si usted los pide en avance.*

Para asegurar la disponibilidad de éstos servicios, por favor haga su petición al mínimo de tres días (72 horas) antes de la reunión, llamando a la persona del personal mencionada en este aviso.