

Report to the Los Angeles City Ethics Commission on
Violations of LAMC §49.5.5(A) by LAPD Officer Peter
Zarcone

October 11, 2016

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¹Note that blue text indicates clickable links internal to this document whereas magenta text indicates clickable links to resources on the Internet.

1 Synopsis

1. In November 2015 the Hollywood Property Owners Alliance sponsored a music festival in Hollywood which featured live music and other performances at local restaurants. Some of these restaurants were forbidden by the LAMC from hosting such performances. Peter Zarcone, then-commanding-officer of the Hollywood Division, instructed his Vice Section not to enforce the law against these venues, even though their violations constituted misdemeanors. Thus Peter Zarcone used his position as commanding officer to create a personal advantage for the owners and operators of these venues by allowing them *carte blanche* to violate the law. This also created a personal advantage for Kerry Morrison, the festival's organizer, since it allowed the festival to go on as planned whether or not the venues had obtained the proper permits.

2 Background

2. The Hollywood Property Owners Alliance ("HPOA") is a non-profit organization with which the City of Los Angeles contracts to administer the Hollywood Entertainment District ("HED") business improvement district ("BID"). The Central Hollywood Coalition ("CHC") is a non-profit organization with which the City of Los Angeles contracts to administer the Sunset & Vine BID ("SVBID"). The CHC subcontracts with the HPOA to administer the SVBID. Thus, in effect, the HPOA administers both BIDs for the City of Los Angeles. Kerry Morrison is the executive director of the HPOA.
3. Fabio Conti owns a restaurant called the Fabiolus Cucina ("Fabiolus"), located at 6270 W. Sunset Blvd. in the SVBID. In 2015 Fabio Conti was a member of the CHC Board of Directors. He is currently the president of the CHC Board of Directors.
4. Mama Shelter is a hotel and bar located at 6500 Selma Blvd. in the SVBID.
5. Kitchen 24 (a.k.a K-24) and Outpost are restaurants inside the two BIDs administered by the HPOA.
6. Restaurants which are licensed by the City of Los Angeles to serve alcoholic beverages are required as part of the licensing process to agree to abide by certain conditions, which are listed in letters of determination issued by the Department of City Planning. These determinations are known as conditional use permits ("CUP").
7. Peter Zarcone is a Captain with the LAPD. In 2015 he was the commanding officer of Hollywood Division. In 2015, LAPD officers Jeffry Poole (#36827) and Randall Kutscher (#36601) were assigned to the Alcoholic Beverage Control Section of the Hollywood Division Vice Unit. In 2015 LAPD officer Habib Munoz (#32299) was in charge of the Hollywood Division Vice Unit.

3 Laws

8. The Los Angeles Municipal Code at §12.29 states in part that:

The violation of any valid condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code.

9. The Los Angeles Municipal Code at §12.04.01 states that:

It shall be unlawful for any person to violate any provision of any specific plan and every violation shall be punishable as a misdemeanor.

10. The Los Angeles Municipal Code at §49.5.5(A) states in part that:

City officials, agency employees, . . . shall not misuse or attempt to misuse their positions . . . to create or attempt to create a private advantage or disadvantage, financial or otherwise, for any person.

4 Facts

11. The HPOA sponsored a music festival (“the Festival”) in Hollywood in November 2015 which featured live music in various venues located in both HPOA-administered BIDs. The festival ran from November 5 through November 8. Planning for this event was ongoing in September 2015.
12. On September 15, 2015, Kerry Morrison emailed Peter Zarcone about the festival (see Exhibit 1, page 8) stating:

Pete, is there someone on your team (vice?) who could help me navigate this issue?

For the Music Festival, we are encouraging venues to provide music over the course of the four days — so even a restaurant, if possible, might have a deejay, or some acoustic music, or a jazz quartet, etc.

The question has come up for places like K-24 or Outpost — whose CUP’s preclude live music — what can they do on a short term basis for the purposes of the Festival.

Do you have someone who can help me with this — so I can advise some of our businesses as to what is possible?

kerry

13. On September 24, 2015, Peter Zarcone emailed Kerry Morrison, cc-ing Jeffrey Poole and Randall Kutscher (see Exhibit 2, page 10), stating in part:

Jeff and Randall, Please give Kerry a call regarding one day permits for this 5-day event for Kitchen 24 and a couple of other locations. Thanks!

14. On November 5, 2015, at 8:18 p.m., after the Festival began, Kerry Morrison emailed Peter Zarcone under the subject “Here is the schedule” thus (see Exhibit 3, page 12) stating:

Here is the schedule

<http://onlyinhollywood.org/festival/>²

15. Also on November 5, 2015, Peter Zarcone forwarded this email to Jason Azpeitia and Habib Munoz with an additional message reading (see Exhibit 3, page 12):

Jason/Habib,

The venues on this link were told they could get one day permits through Sunday for this festival. I’m not sure if Jeff and Randall received all the requests, but I would have approved if they are on this list.

Please keep an eye on it, but don’t shut down the venues on this list unless it becomes a problem. Thanks!

16. On Friday, November 6, 2015 at 8:30 p.m., a live band called The Hollywood Dell Tones performed at The Fabiolus Cucina as part of the Festival (see Exhibit 4, page 14, page 4 in the internal document numbering).

17. On both Friday, November 6, 2015 and Saturday, November 7, 2015, at 9:30 p.m., Mama Shelter hosted a “DJ Set” performed by “BOBZILLA” as part of the Festival (see Exhibit 4, page 14, pages 4 and 6 in the internal document numbering).

18. Fabiolus Cucina’s current CUP prohibits live music (see Exhibit 5, page 19)³ Condition 11 states:

11. No amplified music, no live entertainment including a juke box, disc jockey, or karaoke is permitted.

19. Mama Shelter’s current CUP prohibits both live entertainment and amplified music (see Exhibit 6, page 22)⁴ Condition 10 states:

² The link is to a version of that website archived on October 31, 2015. It was also archived on November 9, 2015: <http://onlyinhollywood.org/festival/>). Those two archived versions are identical. Thus it’s not unreasonable to assume that the archived version reflected the state of the linked-to web page on November 5, 2015.

³ The original record is available from the Department of City Planning: [ZA-2011-2835-CUB Determination Letter](#).

⁴The original record is available from the Department of City Planning: [ZA-2014-3016-CUB-ZV Determination Letter](#).

There shall be no live entertainment or amplified music permitted on the premises.

5 Conclusions

20. Fabiolus Cucina and Mama Shelter appear on the list of venues sent by Kerry Morrison to Peter Zarcone (paragraph 14) subsequently forwarded by him to Habib Munoz and Jason Azpeitia with an instruction not to enforce LAMC §12.29 against venues on the list (paragraph 15).
21. Thus Peter Zarcone created a personal advantage for Fabio Conti and Fabiolus Cucina by instructing his subordinates not to shut them down (paragraph 20) when they violated their CUP (paragraph 18) by allowing a performance of live music (paragraph 16) even though this violation constitutes a misdemeanor according to the Los Angeles Municipal Code (paragraphs 8 and 9). This constitutes a violation of §49.5.5(A) (see paragraph 10) by Peter Zarcone.
22. Thus Peter Zarcone created a personal advantage for Mama Shelter by instructing his subordinates not to shut them down (paragraph 20) when they violated their CUP (paragraph 19) by allowing a DJ to perform and to play amplified music as part of his performance on two occasions (paragraph 17) even though this violation constitutes a misdemeanor according to the Los Angeles Municipal Code (paragraphs 8 and 9). This constitutes a violation of §49.5.5(A) (see paragraph 10) by Peter Zarcone.
23. Peter Zarcone also created a personal advantage for Kerry Morrison by instructing his subordinates not to shut down any of the venues on the list that she submitted to him (paragraph 15) since she planned the Festival as part of her job (paragraphs 11, 12, and 13) and would have suffered adverse consequences potentially including but not limited to loss of credibility with her Board of Directors, loss of influence with the property owners in her BIDs, and so on, had any of the participating venues been shut down or had staff or owners arrested for violating their CUPs as a result of their participation in her Festival.⁵ This constitutes a violation of §49.5.5(A) (see paragraph 10) by Peter Zarcone.

6 Requested action

24. I ask the City Ethics Commission to investigate whether these actions constitute a violation of LAMC §49.5.5(A) on the part of Peter Zarcone and, if they do, to see that he's held responsible for his actions.

⁵This is not an imaginary phenomenon. The Hollywood Division Vice Section arrests employees of restaurants for violating CUP conditions on a regular basis.

7 Exhibits

7.1 Exhibit 1 – September 15, 2015 Morrison to Zarcone – Festival planning question

From: Kerry Morrison <Kerry@hollywoodbid.org> [kerry@hollywoodbid.org]
To: PETER ZARCONE [peter.zarcone@lapd.lacity.org]
Subject: FW: Only in Hollywood Music + Arts Festival Nov 5-8
Created: 15-Sep-2015 16:50
Delivered: 15-Sep-2015 16:51
Stored: 18-Nov-2015 21:24
Status: forwarded,opened,read,replied
Box Type: received
Folder: PETER ZARCONE Home > Mailbox
Message Id: 55F84CAC.LAPDDomB.POB5.200.20000A3.1.9151.1
Attachments: TEXT.htm [Save] [Open]
Mime.822 (excluded from export)

Pete, is there someone on your team (vice?) who could help me navigate this issue?

For the Music Festival, we are encouraging venues to provide music over the course of the four days – so even a restaurant, if possible, might have a deejay, or some acoustic music, or a jazz quartet, etc.

The question has come up for places like K-24 or Outpost – whose CUP's preclude live music – what can they do on a short term basis for the purposes of the Festival.

Do you have someone who can help me with this – so I can advise some of our businesses as to what is possible?

kerry

From: Amy Ablakat [mailto:amy.ablakat@lacity.org]
Sent: Friday, September 11, 2015 10:11 AM
To: Kerry Morrison <Kerry@hollywoodbid.org>
Cc: Dan Halden <daniel.halden@lacity.org>; Devin Strecker <Devin@hollywoodbid.org>; Camila Webb <OnlyinHollywood@hollywoodbid.org>
Subject: Re: Only in Hollywood Music + Arts Festival Nov 5-8

Hi Kerry,

Unless the property has a Conditional Use or some other Planning action that prohibits live entertainment, City Planning would not have any issue live entertainment in a commercial zone. They would likely have to get some type of clearance from LAPD though.

As for alcohol, if the property does not have the right to sell alcohol, they can get a "one-day permits" or caterer's permit (not exactly sure of the name) from ABC. Non-profits do this often.

Thanks,
Amy Ablakat

Sent from my iPhone

On Sep 11, 2015, at 9:17 AM, Kerry Morrison <Kerry@hollywoodbid.org<mailto:Kerry@hollywoodbid.org>> wrote:

**7.2 Exhibit 2 – September 24, 2015 Zarcone to Morrison, Poole,
Kutscher – One day permits**

From: PETER ZARCONE [peter.zarcone@lapd.lacity.org]
To: Kerry Morrison [kerry@hollywoodbid.org]
CC: JEFFRY POOLE [36827@lapd.lacity.org], RANDALL KUTSCHER [36601@lapd.lacity.org]
Subject: Re: FW: Only in Hollywood Music + Arts Festival Nov 5-8
Created: 24-Sep-2015 16:38
Delivered: 24-Sep-2015 16:38
Stored: 18-Nov-2015 21:46
Status: accepted,forwarded,opened,read
Box Type: sent
Folder: PETER ZARCONE Home > Sent Items
Message Id: 56042706.LAPDDomB.POB5.200.20000AB.1.2A455.1
Attachments: TEXT.htm [Save] [Open]
IMAGE.png [Save] [Open]
IMAGE.png [Save] [Open]
IMAGE.png [Save] [Open]
IMAGE.png [Save] [Open]
IMAGE.png [Save] [Open]
Mime.822 (excluded from export)

Kerry,

It's not in my sent items either- it must have gone into the ether from my trusty I-phone!

Jeff and Randall, Please give Kerry a call regarding one day permits for this 5-day event for Kitchen 24 and a couple of other locations. Thanks!

Peter A. Zarcone, Captain
Commanding Officer
Hollywood Area
(213) 972-2900

>>> Kerry Morrison <Kerry@hollywoodbid.org> 9/24/2015 3:51 PM >>>

Pete, forgive me, but I cannot find your response. Microsoft has started a new service called "clutter" and it makes a decision about moving emails into that category, so maybe it ended up there.

Can you respond again with the emails for Randall and Jeff and I'll help to get them in touch with K-24 and Outpost, if they haven't already.

Thanks so much.
Kerry

From: Kerry Morrison
Sent: Tuesday, September 15, 2015 4:51 PM
To: ZARCONE, PETER <peter.zarcone@lapd.lacity.org>
Subject: FW: Only in Hollywood Music + Arts Festival Nov 5-8

Pete, is there someone on your team (vice?) who could help me navigate this issue?

**7.3 Exhibit 3 – November 5, 2015, Zarcone, Morrison, Azpeitia,
Munoz – List of Festival venues**

From: PETER ZARCONE <26271@lapd.lacity.org> [peter.zarcone@lapd.lacity.org]
To: JASON AZPEITIA [35504@lapd.lacity.org], HABIB MUNOZ [32299@lapd.lacity.org]
CC: ALEX BAEZ [26623@lapd.lacity.org], OSBALDO RAMOS [30916@lapd.lacity.org]
Subject: Fwd: Here is the schedule
Created: 05-Nov-2015 20:24
Delivered: 05-Nov-2015 20:24
Stored: 18-Nov-2015 23:26
Status: accepted,opened,read
Box Type: sent
Folder: PETER ZARCONE Home > Sent Items
Message Id: 563BBAF2.LAPDDomB.POB5.200.20000AB.1.30866.1
Attachments: TEXT.htm [Save] [Open]

Jason/ Habib,

The venues on this link were told they could get one day permits through Sunday for this festival. I'm not sure if Jeff and Randall received all the requests, but I would have approved if they are on this list.

Please keep an eye on it, but don't shut down the venues on this list unless it becomes a problem. Thanks!

Peter A. Zarcone, Captain
Commanding Officer
Hollywood Area

Begin forwarded message:

> From: "Kerry Morrison" <Kerry@hollywoodbid.org>
> Date: November 5, 2015 at 8:18:15 PM PST
> To: "PETER ZARCONE" <peter.zarcone@lapd.lacity.org>
> Subject: Here is the schedule
>
> <http://onlyinhollywood.org/festival/>
>
> Shared via the Google app
>
>
> Sent from my iPhone

**7.4 Exhibit 4 – November 5–8, 2015 – HPOA Music Festival
Schedule**

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11:30 p.m. – Cage Match at iO West ([Map It](#))



FRIDAY, NOVEMBER 6

- ✓ 12:00 p.m. – 9:00 p.m. – [Co-LAb Pop Up Gallery](#) ([Map It](#))
- ✓ 5:00 p.m. – 10:00 p.m. – [Create LA - Hollywood Arts Council](#) Pop Up Gallery Curated by [Padrick Bentley](#) ([read our interview here](#)) ([Map It](#))
- 🎵 5:00 p.m. – 8:00 p.m. – [BurntReynolds](#) (DJ Set) – [Space 15 Twenty](#) ([Map It](#))
- ✓ 5:00 p.m. – 11:00 p.m. – [Kim Gottlieb Walker](#) (Author of Bob Marley & the Golden Age of Reggae) Rare Photo Exhibit + [Teve Guitar](#) Gallery at [Caffe Etc.](#) ([Map It](#))
- ✓ 5:00 p.m. – 8:00 p.m. – [The School for the Movement of Technicolor People](#) at LACE ([Map It](#))
- 🎵 6:00 p.m. – 9:00 p.m. – TMS Reports at [Caffé Etc.](#) ([Map It](#))
- 🎵 6:00 p.m. – 9:00 p.m. – Tha Juice Joint – Open Mic + Live Jam Session at [The Study](#) – \$5 Cover ([Map It](#))
- 🎵 6:00 p.m. – [Bombon](#) at [The Record Parlour](#) ([Map It](#))
- 🎵 6:00 p.m. – 9:00 p.m. – Hampton Productions presents Thaddeus The Artist: Inspired by Passion...Benefitting The LACER Kids and The Hollywood Central Park at the [Taft Building](#) ([Map It](#))
- 🎬 6:00 p.m. – 10:00 p.m. – Rooftop Film Club at The Montalbán – "Casablanca" – [BUY TICKETS](#) ([Map It](#))
- 🎵 6:00 p.m. – 9:00 p.m. [Staci Griesbach](#) at [Loews Hollywood Hotel](#) ([Map It](#))
- 🎵 7:00 p.m. – O Gallery and DJ's at Hollywood Sound Recorders ([Map It](#))
- 🎵 7:00 p.m. – [Egyptian Lover](#) Live DJ Set at [Amoeba](#) ([Map It](#))
- 🎵 7:00 p.m. – [David Ramirez](#) with [Liza Anne](#) at Hotel Café – [BUY TICKETS](#) ([Map It](#))
- ✓ 7:00 p.m. – [The Creative Portrait Exhibition](#) Opening Reception at Los Angeles Center of Photography ([Map It](#))

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- 8:00 p.m. - "[Afros and Ass Whoopins](#)" at Second City - [BUY TICKETS](#) - ([Map It](#))
- 8:00 p.m. - Lee Bob and the Truth (Previously Billed as A Million Billion Dying Suns) at [The Record Parlour](#) ([Map It](#))
- 8:00 p.m. - 11:00 p.m. - Live Bands at [Piano Bar](#) ([Map It](#))
- 8:00 p.m. - Soda Jerk and Friends at [iO West](#) - \$10 - [BUY TICKETS](#) - ([Map It](#))
- 8:00 p.m. - [Sensei Status](#) at [Sassafras Saloon](#) ([Map It](#))
- 8:30 p.m. - [The Hollywood Dell Tones](#) at [Fabiolus Cucina](#) ([Map It](#))
- 9:00 p.m. - [Slim Jefferson](#) at Co-LAB Pop Up Gallery ([Map It](#))
- 9:00 p.m. - [RÜFÜS DU SOL](#) at The Fonda Theatre - [BUY TICKETS](#) - ([Map It](#))
- 9:00 p.m. - [Opening Night: The Improvised Musical!](#) at iO West - \$10 - [BUY TICKETS](#) - ([Map It](#))
- 9:00 p.m. - [Jared James Nichols](#) at [The Americana Lounge](#) ([Map It](#))
- 9:00 p.m. - "[Undateable](#)" at Second City - [BUY TICKETS](#) - ([Map It](#))
- 9:00 p.m. - 2:00 a.m. - Spinning Old Rock, Soul and Funk at Grandpa Johnson's ([Map It](#))
- 9:30 p.m. - Control presents Mayhem / Antiserum, Apashe, Thugli, and Dainjaa at Avalon - [BUY TICKETS](#) - ([Map It](#))
- 9:30 p.m. - [BOBZILLA](#) (DJ Set) at Mama Shelter ([Map It](#))
- 10:00 p.m. - DJ Roundhouse at [Saint Felix](#) ([Map It](#))
- 10:00 p.m. - [Orpheus Roy](#) and Friends with Red Door at iO West - \$10 - [BUY TICKETS](#) - ([Map It](#))
- 10:00 p.m. - [Midnight Spaghetti and the Chocolate G Strings](#) at [The Record Parlour](#) ([Map It](#))
- 11:00 p.m. - [The Vibrometers](#) at [Saint Felix](#) ([Map It](#))
- 11:00 p.m. - DJ Funkenstein at [The Record Parlour](#) ([Map It](#))
- 11:00 p.m. - The Lyndsay Hailey Variety Hour at iO West - \$5 - ([Map It](#))



SATURDAY, NOVEMBER 7

- ✓ 12:00 p.m. – 8:00 p.m. – [Co-LAb Pop Up Gallery](#) ([Map It](#))
- ✓ 12:00 p.m. – 8:00 p.m. – [Create LA](#) – [Hollywood Arts Council](#) Pop Up Gallery Curated by [Padrick Bentley](#) ([read our interview here](#)) ([Map It](#))
- ✓ 12:00 p.m. – 11:00 p.m. – [Kim Gottlieb Walker](#) (Author of Bob Marley & the Golden Age of Reggae) Rare Photo Exhibit + [Teye Guitar](#) Gallery at Caffe Etc. ([Map It](#))
- 🎵 12:00 p.m. – [Gregory and the Melody](#) at [The Record Parlour](#) ([Map It](#))
- 🎭 12:00 noon – ["Really Awesome Improv Show."](#) at Second City – [BUY TICKETS](#) – ([Map It](#))
- ✓ 12:00 noon – 8:00 p.m. – [The School for the Movement of Technicolor People](#) at LACE ([Map It](#))
- 🎵 1:00 p.m. – [Rabyt](#) at [The Americana Lounge](#) ([Map It](#))
- ✓ 🎵 1:00 p.m. – 6:00 p.m. – [Create Now](#) Arts Fair for Youth at [The Los Angeles Film School](#) – Sponsored by [Champion Real Estate Company](#) and [Robertson Properties Group](#) ([Map It](#))
- 🎵 2:00 p.m. – [Laura Jean Anderson](#) at [The Record Parlour](#) ([Map It](#))
- ✓ 3:00 p.m. – 8:00 p.m. – Hampton Productions presents Thaddeus The Artist: Inspired by Passion...Benefitting The LACER Kids and The Hollywood Central Park at the [Taft Building](#) ([Map It](#))
- 🎵 3:00 p.m. – Mitchel Schaffer at [Saint Felix](#) – FREE ([Map It](#))
- 🎵 4:00 p.m. – [Kid Bloom](#) at [The Record Parlour](#) ([Map It](#))
- 🎵 4:00 p.m. – 10:00 p.m. DJ Wednesday at [Saint Felix](#) – FREE ([Map It](#))
- 🎵 4:00 p.m. – [Casper and the Bad Spirits](#) at [Saint Felix](#) – FREE ([Map It](#))
- 🎵 5:00 p.m. – 8:00 p.m. – [DJ Val](#) – [Space 15 Twenty](#) ([Map It](#))
- 🎵 6:00 p.m. – 9:00 p.m.- Live in Color (Live Performances by Marian Mereba, Just Liv, Jess Collen + Live Art by [@Enkone](#)) at [The Study](#) ([Map It](#))
- 🎵 5:00 p.m. – [Alyeska](#) at [The Americana Lounge](#) ([Map It](#))
- 🎵 5:00 p.m. – [Canto](#) at [Couture](#) – FREE w/[Button](#) ([Map It](#))
- 🎵 5:00 p.m. – Charlie & The Valentine Killers at [Saint Felix](#) ([Map It](#))
- 🎵 5:45 p.m. – [The Luis Zavaleta Band](#) at [Couture](#) – FREE w/[Button](#) ([Map It](#))
- 🎵 6:00 p.m. – [Miles Tackett](#) at [The Record Parlour](#) ([Map It](#))
- 🎵 6:00 p.m. – Jam at [Saint Felix](#) ([Map It](#))

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- 6:00 p.m. – 10:00 p.m. – Rooftop Film Club at The Montalban – "Some Like It Hot" – [BUY TICKETS](#) – ([Map It](#))
- 6:30 p.m. – [Detroit Diesel Power](#) at [Couture](#) – FREE w/[Button](#) ([Map It](#))
- 7:00 p.m. – [Fall of Troy](#) at The Fonda Theatre – [BUY TICKETS](#) – ([Map It](#))
- 7:00 p.m. – 9:00 p.m. [Poncho the Artist](#) exhibition at [Saint Felix](#) ([Map It](#))
- 7:15 p.m. – [Eva & The Vagabond Tales](#) at [Couture](#) – FREE w/[Button](#) ([Map It](#))
- 7:30 p.m. – LA Jazz Society 37th Annual Jazz Tribute Awards & Concert honoring Alan & Marilyn Bergman at [The Montalban](#) – [BUY TICKETS](#) – ([Map It](#))
- 8:00 p.m. – O Gallery at Hollywood Sound Recorders with PrOfles, Vox, and Touch Vinyl DJ's ([Map It](#))
- 8:00 p.m. – Wild Honey Presents: [Those Pretty Wrongs](#) (Original Big Star drummer Jody Stephens & Luther Russell) and Dan Wilson For the Autism Think Tank at Ivar Theater- [BUY TICKETS](#) – ([Map It](#))
- 8:00 p.m. – "[Armagayddon](#)" at Second City – [BUY TICKETS](#) – ([Map It](#))
- 8:00 p.m. – 11:00 p.m. – Live Bands TBA at [Piano Bar](#) ([Map It](#))
- 8:00 p.m. – The Lampshades at [iO West](#) – \$10 – [BUY TICKETS](#) – ([Map It](#))
- 8:00 p.m. – 11:00 p.m. – [Create LA](#) – Party at the Pop Up – [Hollywood Arts Council](#) Pop Up Gallery Curated by [Padrick Bentley](#) ([read our interview here](#)) featuring a performance by [Devon Werkheiser](#) ([Map It](#))
- 8:00 p.m. – Ben Rose Band (Funk, Top 40, Soul) at [Sassafras Saloon](#) ([Map It](#))
- 8:00 p.m. – [Midnight Spaghetti](#) at [The Americana Lounge](#) ([Map It](#))
- 8:00 p.m. – [Megan Tibbits](#) at [Couture](#) – FREE w/[Button](#) ([Map It](#))
- 8:45 p.m. – [Matt Bloyd](#) at [Couture](#) – FREE w/[Button](#) ([Map It](#))
- 9:00 p.m. – "[Beyond a Reasonable Drought](#)" at Second City – [BUY TICKETS](#) – ([Map It](#))
- 9:00 p.m. – 2:00 a.m. – Spinning Disco at Grandpa Johnson's ([Map It](#))
- 9:00 p.m. – [Rob Stone](#) at [The Record Parlour](#) ([Map It](#))
- 9:00 p.m. – The Armando Show at [iO West](#) – \$10 – [BUY TICKETS](#) – ([Map It](#))
- 9:30 p.m. – [Hona Costello](#) at [Couture](#) – FREE w/[Button](#) ([Map It](#))
- 9:30 p.m. – [BOBZILLA](#) (DJ Set) at Mama Shelter ([Map It](#))
- 10:00 p.m. – [Barbarian Overlords](#) at [The Record Parlour](#) ([Map It](#))
- 10:00 p.m. – DJ Roundhouse at [Saint Felix](#) ([Map It](#))
- 10:00 p.m. – Dr God / Sister at [iO West](#) – \$10 – ([Map It](#))
- 11:00 p.m. – Laughtivism at iO West – \$5 – ([Map It](#))

7.5 Exhibit 5 – Fabiolus Cucina CUP ZA-2011-2835-CUB⁶

⁶The first two pages are reproduced here. The complete original record is available from the Department of City Planning: [ZA-2011-2835-CUB Determination Letter](#).

LINN K. WYATT
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

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CHARLES J. RAUSCH, JR.
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CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

**DEPARTMENT OF
CITY PLANNING**

MICHAEL J. LOGRANDE
DIRECTOR

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July 27, 2012

Fabio Conti (A)(O)
Fabiolus Restaurant, Inc.
6270 West Sunset Boulevard
Los Angeles, CA 90028

Felix Jasso (R)
Jasso's Construction
10725 Forest Street
Santa Fe Springs, CA 90670

CASE NO. ZA 2011-2835(CUB)
CONDITIONAL USE
6270 West Sunset Boulevard
Hollywood Planning Area
Zone : C4-2D-SN, R4-2D
D. M. : 147A189
C. D. : 13
CEQA : ENV 2011-2836-CE
Legal Description : Lot 3, 4, 6 and 7,
Leland Tract

Pursuant to Los Angeles Municipal Code Section 12.24-W,1, I hereby APPROVE:

a conditional use to allow the sale and dispensing for consideration of a full line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant which is authorized to sell beer and wine,

upon the following additional terms and conditions:

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.
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.
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.
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.



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.
6. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees 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.
7. Maximum square footage for the restaurant shall not exceed 1,805 square feet of interior space and 1,555 square feet of outdoor patio space.
8. Maximum seating for the restaurant shall not exceed 38 indoor seats and 104 outdoor seats within a patio for a total of 142 seats. No outdoor seating on any public right-of-way along the sidewalk has been requested or approved herein. This grant shall not extend to any seating on such public right-of-way unless a revocable permit is obtained and the floor plan in Exhibit "A" is modified to reflect any seat count on the sidewalk, provided that the maximum seat count remains at 142 seats, inclusive of any public right-of-way sidewalk seating. Proof of a revocable permit approval and a revised floor plan shall be submitted to the Zoning Administrator prior to any use of this grant on any sidewalk.
9. Hours of operation shall not exceed 11 a.m. to 2 a.m., daily.
10. No cover charge or admission fee is permitted. No after-hours use of the restaurant is permitted. The facility shall not be used for private parties from which the general public is excluded.
11. No amplified music, no live entertainment including a juke box, disc jockey or karaoke is permitted.
12. No conditional use for dancing has been requested or approved herein. Dancing is prohibited.
13. No pool tables or coin operated electronic, video or mechanical amusement devices shall be maintained on the premises.
14. These conditions of approval shall be retained on the property at all times and shall be produced immediately upon the request of the Zoning Administrator, Police Department or Department of Building and Safety.

7.6 Exhibit 6 – Mama Shelter CUP ZA-2014-3016-CUB-ZV ⁷

⁷The complete original record is available from the Department of City Planning: [ZA-2014-3016-CUB-ZV Determination Letter](#).

ASSOCIATE ZONING ADMINISTRATORS

R. NICOLAS BROWN
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CHARLES J. RAUSCH, JR.
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ERIC GARCETTI
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DIRECTOR

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January 29, 2015

Benjamin Trigano (A)(O)
Mama Wilcox Land, LLC
612 North Almont Drive
Los Angeles, CA 90069

Christopher Pak (R)
Archeon International Group
3530 Wilshire Boulevard, Suite 615
Los Angeles, CA 90010

CASE NO. ZA 2014-3016(CUB)(ZV)
CONDITIONAL USE
6500 West Selma Avenue (6506-6514
West Selma Avenue; 1557 North Wilcox
Avenue)
Hollywood Community Plan
Zone : C4-2D
D. M. : 148-5A187
C. D. : 13
CEQA : ENV-2014-3017-MND
Legal Description: Lot 1, H.J. Whitely
Tract No. 2

Pursuant to Los Angeles Municipal Code Section 12.24-W, 1, I hereby APPROVE:

a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed ground floor restaurant and rooftop restaurant within an existing hotel in the C4-2D Zone,

a Conditional Use to permit in-room alcohol access cabinets (minibars) within hotel guest rooms,

Pursuant to Los Angeles City Charter Section 562 and Los Angeles Municipal Code Section 12.27-B, I hereby APPROVE:

a Zone Variance to permit the five (5) required parking spaces to be provided off-site within 750 feet by lease in lieu of covenant as required pursuant to Section 12.26-E.5;

a Zone Variance to permit an approximately 144 square foot roof sign to be located on a flat roof in lieu of a sloping roof as required by Section 14.4.13-D.3.

upon the following additional terms and conditions:

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.

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.
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.
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.
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.
6. **Indemnification.** 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.
7. Approved herein is the following:
 - a. The sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with the maintenance, use and operation of a proposed ground floor and rooftop restaurant with a maximum of 295 seats.
 - i. The ground floor restaurant with bar/lounge may have a maximum of 170 interior seats, with the following hours of operation:
 - a. The restaurant may operate from 6:00 a.m. to 12:00 a.m. (Midnight) daily;
 - b. The bar/lounge may operate from 6:00 a.m. to 2:00 a.m. daily. Food service (appetizers/tapas, salad and limited entrees) shall be available in the bar/lounge dining area during hours of operation.
 - ii. The rooftop restaurant/bar may have a maximum of 125 exterior seats with hours of operation from 10:00 a.m. to 12:00 a.m. (Midnight) daily. After-hour use of the facility, other than routine clean-up and maintenance, is not permitted.

- b. The sale and dispensing of a full line of alcoholic beverages within “mini-bars” within the hotel guest rooms.
 - c. A roof top sign approximately 144 square feet to be located on an existing scaffold.
8. The premises shall be maintained as a bona fide eating place (restaurant) with an operational kitchen and shall provide a full menu containing an assortment of foods normally offered in such restaurants. Food service of the full menu shall be available at all times during all operating hours, except as allowed by Condition No. 7.
 9. There shall be no service, sales or possession of an alcoholic beverage on any sidewalk area or adjacent parking lot or alley way.
 10. There shall be no live entertainment or amplified music permitted on the premises.
 11. The applicant shall not sublet the premises to outside “promoters” for nightclub or concert activity. Private parties hosted by Mama Shelter, in which general public is excluded from the entire Restaurant/Bar area or the entire rooftop restaurant area are permitted provided that an appropriate one-day permit is submitted for approval to LAPD and ABC.
 12. The applicant/operator shall not require an admission or cover charge. Any advertisement of an admission charge or cover is prohibited.
 13. The facility shall not be leased or contracted out to third party promoters that will require a cover charge or prepayment for admission to the facility for uses such as or similar to rave parties, electronic music parties, or record release parties advertised and open to the general public.
 14. The applicant shall provide a lease signed by applicable parties who control parking within 750 feet of the hotel for a minimum of 5 parking spaces during all hours the hotel is open for business. The lease shall be for minimum periods of one year and shall be maintained throughout the duration of the grant. The lease shall state that the 5 parking spaces are exclusively reserved for the applicant's facility shall be inclusive of all hours the hotel is open for business. The lessor shall provide a statement summarizing the number of parking spaces on each affected lot, the number for exclusive use of the facility, and the number of remaining spaces which the lessor controls. Off-site parking lot locations shall be to the satisfaction of the Zoning Administrator. Copies of each lease shall be provided to the Zoning Administrator upon their execution. Failure to maintain an active lease will be grounds for revocation.
 15. Valet parking shall be required to obtain all applicable licenses and/or permits from the Department of Transportation and the Los Angeles Police Department. Proof of licenses and/or permits shall be submitted to the Department of City Planning.