

**APPLICATION FOR DETERMINATION OF  
"PUBLIC CONVENIENCE OR NECESSITY"  
ALCOHOL SALES**

Pursuant to Section 23958 and 23858.4  
California Business and Professions Code

TO BE SUBMITTED TO CITY CLERK'S OFFICE  
ROOM 395, CITY HALL

*CD 14*

COUNCIL FILE NO. 14-0083

BACKGROUND INFORMATION

TIME LIMIT FILE: \_\_\_\_\_

As part of the application, the applicant must submit the names and addresses of property owners of all property adjacent (including across the street/alley) to the subject property on gummed labels. Applicant must also submit the following information: 1) notarized signature, 2) a site plan prepared by a map maker (see Planning Department for map maker's list), 3) one 4- by 6-inch picture of the property from each side of the site, and 4) a copy of all previous building permits for the site (Room 400, 201 North Figueroa Street). When you meet with ABC to get the crime and license concentration information for your site, you must bring back the ABC information (on the ABC form) to the City Clerk.

Project Name	<u>The Globe</u>
Address	<u>740 S Broadway, Los Angeles, CA 90014</u>
Type of Business	<u>Bar/ Lounge</u>
Applicant	<u>Chol Enterprises, Inc.</u>
	<u>Name</u>
	<u>740 S. Broadway P.O. Box 13370 LOS ANGELES 90014</u>
	<u>Address</u>
	<u>(310) 912-2253</u>
	<u>Phone Number/Fax Number</u>
Property Owner	<u>740 South Broadway Associates, LLC c/o Houman Sarshar</u>
	<u>Name</u>
	<u>PO Box 1974, Old Chelsea Station, NY, NY 10113</u>
	<u>Address</u>
	<u>(212) 243-6583</u>
	<u>Phone Number/Fax Number</u>
Representative	<u>Elizabeth Peterson</u>
	<u>Name</u>
	<u>400 S Main St. Suite 808, Los Angeles, CA 90013</u>
	<u>Address</u>
	<u>213-620-1904</u>
	<u>Phone Number/Fax Number</u>

A. PROJECT DETAILS

THE FOLLOWING QUESTIONS ARE TO BE ANSWERED BY ALL APPLICANTS:

- Has the City previously approved a conditional use permit for alcoholic beverage sales at this site? Yes  No  If Yes, what is the City case number(s) ZA-2004-5791-CUB;
- Have you recently filed for a new conditional use permit? Yes  No.  If Yes, provide the City case number(s) \_\_\_\_\_

3. Has a previous ABC license been issued? Yes  No . If Yes, when and what type of license  
Type 48 and 68, 2005
4. Type of Alcohol Sales Requested (on- or off-site, beer and wine, full alcohol, etc.):  
full-alcohol license
5. Size of Business 14,000 sq. ft.
6. % of floor space devoted to alcoholic beverages 100%
7. Hours of Operation:
- a. What are the proposed hours of operation and which days of the week will the establishment be open? 6 pm to 3am, daily
- b. What are the proposed hours of alcohol sales? 6 pm to 2 am, daily
8. Parking:
- a. Is parking available on the site? (If so, how many spaces?) No
- b. If spaces are not available on the site, have arrangements been made for off-site parking by lease or covenant? Yes, by lease
- c. Where? 737 S Spring St.
- d. How many off-site spaces? 149
9. Has the owner or lessee of the subject property been suspended from the sale of alcoholic beverages on the subject property or fined by the Alcoholic Beverage Control Department (ABC) in the last 365 days and if so, for what reasons? Provide ABC case number and a copy of final ABC action.  
No
10. Will video game machines or pool or billiard tables be available for use on the subject property and if so, how many? No
11. Will you have signs visible on the outside which advertise the availability of alcohol?  
No
12. How many employees will you have on the site at any given time? Approximately 50
13. Will all employees who sell alcohol attend the local State ABC training class on how to properly sell alcohol? Yes
14. What security measures will be taken including:
- a. Posting of rules and regulations on the premises to prevent such problems as gambling, loitering, theft, vandalism and truancy.
- b. Will security guards be provided and if so, when and how many?  
Yes, during operating hours. 1 guard per 75 patrons

15. Will there be minimum age requirements for patrons? If so, how will this be enforced?

21 at public events, Valid identification must be shown to allow entry.

16. Are there any other alcoholic beverage outlets within a 600-foot radius of the site? Provide names and address of such business and type of business.

See Attached Sheet

17. Are there any schools (public or private and including nursery schools) churches or parks within 1,000 feet of your proposed business? Where? (Give Address)

Iglesia Universal Church, 707 S Broadway; UNAM LA, 634 S Spring St.; Fashion Career Int'l School, 112 W 9th St, #1030

18. Will the exterior of the site be fenced and locked when not in use?

Yes

19. Will the exterior of the site be illuminated with security lighting bright enough to see patrons from the street? Yes

B. THE FOLLOWING QUESTIONS ARE TO BE ANSWERED WHERE ONLY THE OFF-SITE SALE OF ALCOHOLIC BEVERAGES IS SOUGHT:

1. Will the gross sale of alcohol exceed the gross sale of food items on a quarterly basis?

N/A

2. Will cups, glasses or other similar containers be sold which might be used for the consumption of liquor on the premises? N/A

3. Will beer and wine coolers be sold in single cans or will wine be sold in containers less than 1 liter (750 ml)? N/A

4. Will "fortified" wine (greater than 16% alcohol) be sold? N/A

C. THE FOLLOWING QUESTIONS ARE TO BE ANSWERED WHERE ONLY THE ON-SITE SALE OF ALCOHOLIC BEVERAGES IS SOUGHT:

1. What is the occupancy load as determined by the Fire Department (number of patrons)? 775

2. What is the proposed seating in all areas? 576

3. Is there to be entertainment such as a piano bar, juke box, dancing, live entertainment, movies, etc.? (Specify?) DJ, Live Entertainment

4. If a cocktail lounge is to be maintained incidental to a restaurant, the required floor plans must show details of the cocktail lounge and the separation between the dining and lounge facilities. N/A

## 5. Food Service

- a. Will alcohol be sold without a food order? N/A
- b. Will there be a kitchen on the site as defined in the Los Angeles Municipal Code?  
No

6. Will discount alcoholic drinks or a "Happy Hour" be offered at any time?  
No

Provide a copy of the proposed menu if food is to be served. N/A

D. PUBLIC CONVENIENCE AND NECESSITY EVALUATION

The City of Los Angeles is very concerned if a new request to sell alcohol is subject to one of the conditions below. There is a strong likelihood that the City will deny your "public convenience or necessity" application if one of the above listed conditions apply to your site. (It is strongly suggested that you contact your Council Office and discuss your project. If the Council Office does not oppose your project, you should then check with your local area police vice unit as well as the Planning Department Public Counter at (213) 977-6083 for the determination of whether the proposed site is within a Specific Plan area, and the Community Redevelopment Agency (CRA) project staff at (213) 977-1682 or 977-1665, to determine if your site is in a CRA Project Area. If any of the five conditions listed below apply to your site, you should carefully consider if you want to file for a Public Convenience or Necessity finding.

1. The proposed site is in an area with a long-term level of undue concentration of alcoholic beverage outlets.
2. The geographic area is the target of special law enforcement activity, i.e., police task force is working on reducing vice in the area, or eliminating juvenile crime (such as cruising or graffiti) or gang activity.
3. The proposed site is in close proximity to sensitive uses, including schools, parks, churches, youth activities, homeless shelters, mental health or alcohol or drug treatment centers.
4. The geographic area has elevated levels of alcohol-related crimes, including but not limited to: public intoxication, driving under the influence, assault, vandalism, prostitution, drug violations, loitering.
5. The proposed site is located in a Specific Plan or Community Redevelopment Agency Project area which specifically includes a policy to control future alcoholic beverage sales.

E. If the project site is not subject to one of the above criteria, your project will be evaluated by the City Council with consideration given to the following possible benefits and detriments to the community:

1. Possible Benefits

Would the business:

- a. Employ local residents (how many)
- b. Generate taxes (provide estimate)
- c. Provide unique goods and services (which ones)
- d. Result in an aesthetic upgrade to the neighborhood (in what exact way)
- e. Contribute to the long term economic development (how)
- f. Provide a beneficial cultural/entertainment outlet (specify)



F. APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a. The undersigned is the owner or lessee if entire site is leased, or authorized agent of the owner with power of attorney or officers of a corporation (submit proof).
- b. The information presented is true and correct to the best of my knowledge.

Date 1/9/14

Applicant signature \_\_\_\_\_  
 \_\_\_\_\_  
 Signature of property owner if tenant or lessee is filling application

\*\*\*\*\*

State of New York  
 County of New York

On 01/09/14 before me, Justin Villalobos  
Date Name of Notary Public

personally appeared Houman Sarsher  
Name(s) of Signer(s)

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[Signature]  
 Signature of Notary Public

JUSTIN VILLALOBOS  
 Notary Public, State of New York  
 Qualified in Bronx County  
 NO. 01VI6227055  
 My Commission Expires 08-23-2014

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## E. If the project site is not subject to one of the above criteria, your project will be evaluated by the City Council with consideration given to the following possible benefits and detriments to the community:

1. Possible Benefits

Would the business:

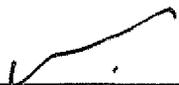
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- b. Generate taxes (provide estimate)
- c. Provide unique goods and services (which ones)
- d. Result in an aesthetic upgrade to the neighborhood (in what exact way)
- e. Contribute to the long term economic development (how)
- f. Provide a beneficial cultural/entertainment outlet (specify)



F. APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a. The undersigned is the owner or lessee if entire site is leased, or authorized agent of the owner with power of attorney or officers of a corporation (submit proof).
- b. The information presented is true and correct to the best of my knowledge.



\_\_\_\_\_  
Applicant signature

11/9/2014  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of property owner if tenant or lessee is filling application

\*\*\*\*\*

State of California

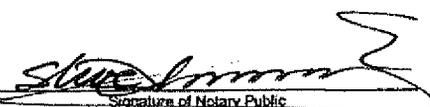
County of Los Angeles

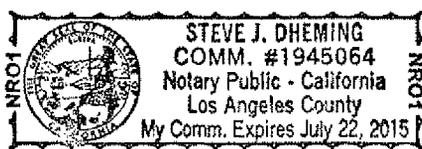
On 01/09/2014 before me, Steve J. Dheming  
Date Name of Notary Public

personally appeared Eric Bernard Klebert Chol.  
Name(s) of Signer(s)

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

  
 \_\_\_\_\_  
Signature of Notary Public



\* The Planning Department has a list of private map makers who will prepare the names and addresses for you. This list is available at the public counter, Room 300, Counter N, 201 North Figueroa Street or 6251 Van Nuys Boulevard, Van Nuys. Alternatively, you may obtain a list of such adjoining owners from the City Clerk's Office (Room 730, 201 North Figueroa Street) or from a title company and prepare the labels yourself.

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**P C N A T T A C H M E N T**

**The Globe**  
**740 S. Broadway**  
**Los Angeles, CA 90014**  
14000 Sq. Ft. Bar/Lounge

**Representative:**

Elizabeth Peterson Group, Inc.  
Elizabeth Peterson  
400 S Main St. #808  
Los Angeles, CA 90013  
T: 213-620-1904  
elizabeth@epgla.com

**Applicant:**

Chol Enterprises, Inc.  
740 S. Broadway P.O. Box 13370  
Los Angeles, CA 90014  
T: (310) 912-2253

E. If the project site is not subject to one of the above criteria, your project will be evaluated by the City Council with consideration given to the following possible benefits and detriments to the community:

1. Possible Benefits - Would the business:

**a. Employ local residents (how many)**

Applicant will contribute to the local community by providing as many as 80 jobs to local residents.

**b. Generate taxes (provide estimate)**

Applicant anticipates approximately \$4,200,000.00 in annual taxable sales.

**c. Provide unique goods and services (which ones)**

This project will provide on-site full-line alcohol sales to the growing and diversifying downtown community, and the Los Angeles area as a whole. Operating as a premiere bar and nightclub, the venue will provide a multi-use event center able to exhibit world-class DJs, Fashion Show, movie premieres, and live performances, all with first rate service in a unique venue special to the downtown area. The applicant is an experienced event manager, having ran lounges & events center in his native country of France, and brings with him a sophisticated and worldly atmosphere while fostering safe and responsible entertainment and nightlife for the community.

**d. Result in an aesthetic upgrade to the neighborhood (in what exact way)**

The project will utilize a currently vacant historic building, renewing life not only for the site, but to Broadway, continuing the efforts of Council District 14's Bringing Back Broadway initiative. This project will upgrade not only the building, but the pedestrian experience by reutilizing the historic theater entrance, restoring the historic marquee of the Globe Theater, and helping to illuminate and

activate the streetscape and returning the neighborhood to its historic vibrancy and fame.

**e. Contribute to the long-term economic development (how)**

By reopening the former theatre and creating events of high standard, the applicant is re-establishing this valuable real-estate as a viable business, contributing continual taxable sales, employee wages, and improving the economic viability of this area. Additionally, the subject property's integral location in the heart of downtown, along a historic and vibrant street in close proximity of several major transportation stops, allows the site to have continued access to help the area grow economically.

**f. Provide a beneficial cultural/entertainment outlet (specify)**

The Globe will become a theater of the 21st century, offering a subtle mix between the glamour of the past and the vibrancy of the present. The applicant will reactivate and brighten a historic building that is currently vacant by returning it to its former glory with a top of the line lighting system and restored original architecture, but with a use that is more current and appropriate for the demographics of the Downtown community. By utilizing a historic structure, the applicant is bringing architecture from a bygone era back to life for the community to experience today while adapting it to a use that will allow it to remain active for many years to come. Additionally, the applicant is an experienced and well-connected event operator and plans to host international DJs, artists, live performances, and movie premieres, as well as highlight the many artists, painters, photographers, musicians, and dancers of the Downtown artist community in general. The applicant has worked in the entertainment industry for many years, and brings with him a wealth of knowledge of how to provide exemplary service and entertainment in a safe, well-maintained, and well-managed facility. The applicant's international experience in the entertainment industry will provide a new, and varied type of entertainment to the downtown community.

2. Possible Detrimental Impacts

Is the immediate area in which the license is sought subject to:

**a. Excessive calls to the Police Department**

The subject property is in a highly pedestrian-oriented area of Los Angeles, being centered in Downtown. The nearby proximity of LAPD headquarters, City Hall, and Downtown's general activity level calls for a high number of officers per capita, and reactivating this property will not result in an increase in calls to the Police. Additionally, as the applicant is aware of past issues at this location from previous owners, safety of both patrons, and the community is a top priority. The applicant will be providing extensive security for the facility to ensure the safety of all patrons.

**b. Police resources being already strained**

Police resources are not strained in this area, and the applicant is committed to providing security to mitigate any strain on the LAPD that may arise.

**c. High rates of alcoholism, homelessness, etc.**

The security measures negotiated between the applicant and LAPD will mitigate any issues that may arise.

**d. Large "youth" (under 21) population**

There is not a large "youth" population in this area.

3. With regard to the operation of the proposed business explain:

**a. The method of business operation: (large volume of alcohol to food sales, "late" hours (after midnight), high % unskilled (no ABC training class) staff, high % of underage (under 21) staff, etc.).**

As an experienced operator, the applicant is committed to providing an efficient and safe hospitality venue to the community and will strictly adhere to the conditions of the Conditional Use Permit granted for the site, which were developed in collaboration with LAPD. The applicant has also developed an excellent security and staff plan, with input from the LAPD, to ensure that all patrons are safe, and any issues that may arise are mitigated. All employees will attend Department of Alcoholic Beverage Control Board "STAR" and Los Angeles Police Department "Lead" training programs within 6 months of the beginning of the proposed bar/lounge's operation or of hiring. All staff will be over the age of 21, and trained in their service position.

**b. Would the business duplicate a nearby business already in existence?**

No. While downtown is home to many hospitality-oriented establishments, none fit the same goal, purpose or caliber of service that this project will provide. The applicant is replacing a former nightclub, but infusing the concept with a more sophisticated purpose and higher quality performances and service. There are no other venues in the area that serve the community with the same opportunities to experience a beautiful historic structure while hearing some of the most current musicians and DJs in the world. It will be a highlight for not only the downtown community, but all of Los Angeles.

**c. Other non-alcohol sales business options available so alcohol does not have to be sold, e.g., more specialty products, broader range of items like fresh meats, or fruits and vegetables, etc.**

While the proposed bar and nightclub is utilizing a Department of Alcoholic Beverage Control Type-48 license, non-alcoholic beverages such as sodas and juice will be made available to patrons wishing to experience the unique environment without consuming alcoholic beverages. Additionally, select ancillary retail goods such as t-shirts will be made available to patrons.

**P C N A T T A C H M E N T**

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The project will utilize a currently vacant historic building, renewing life not only for the site, but to Broadway, continuing the efforts of Council District 14's Bringing Back Broadway initiative. This project will upgrade not only the building, but the pedestrian experience by reutilizing the historic theater entrance, restoring the historic marquee of the Globe Theater, and helping to illuminate and

activate the streetscape and returning the neighborhood to its historic vibrancy and fame.

**e. Contribute to the long-term economic development (how)**

By reopening the former theatre and creating events of high standard, the applicant is re-establishing this valuable real-estate as a viable business, contributing continual taxable sales, employee wages, and improving the economic viability of this area. Additionally, the subject property's integral location in the heart of downtown, along a historic and vibrant street in close proximity of several major transportation stops, allows the site to have continued access to help the area grow economically.

**f. Provide a beneficial cultural/entertainment outlet (specify)**

The Globe will become a theater of the 21st century, offering a subtle mix between the glamour of the past and the vibrancy of the present. The applicant will reactivate and brighten a historic building that is currently vacant by returning it to its former glory with a top of the line lighting system and restored original architecture, but with a use that is more current and appropriate for the demographics of the Downtown community. By utilizing a historic structure, the applicant is bringing architecture from a bygone era back to life for the community to experience today while adapting it to a use that will allow it to remain active for many years to come. Additionally, the applicant is an experienced and well-connected event operator and plans to host international DJs, artists, live performances, and movie premieres, as well as highlight the many artists, painters, photographers, musicians, and dancers of the Downtown artist community in general. The applicant has worked in the entertainment industry for many years, and brings with him a wealth of knowledge of how to provide exemplary service and entertainment in a safe, well-maintained, and well-managed facility. The applicant's international experience in the entertainment industry will provide a new, and varied type of entertainment to the downtown community.

2. Possible Detrimental Impacts

Is the immediate area in which the license is sought subject to:

**a. Excessive calls to the Police Department**

The subject property is in a highly pedestrian-oriented area of Los Angeles, being centered in Downtown. The nearby proximity of LAPD headquarters, City Hall, and Downtown's general activity level calls for a high number of officers per capita, and reactivating this property will not result in an increase in calls to the Police. Additionally, as the applicant is aware of past issues at this location from previous owners, safety of both patrons, and the community is a top priority. The applicant will be providing extensive security for the facility to ensure the safety of all patrons.

**b. Police resources being already strained**

Police resources are not strained in this area, and the applicant is committed to providing security to mitigate any strain on the LAPD that may arise.

**c. High rates of alcoholism, homelessness, etc.**

The security measures negotiated between the applicant and LAPD will mitigate any issues that may arise.

**d. Large "youth" (under 21) population**

There is not a large "youth" population in this area.

3. With regard to the operation of the proposed business explain:

**a. The method of business operation: (large volume of alcohol to food sales, "late" hours (after midnight), high % unskilled (no ABC training class) staff, high % of underage (under 21) staff, etc.).**

As an experienced operator, the applicant is committed to providing an efficient and safe hospitality venue to the community and will strictly adhere to the conditions of the Conditional Use Permit granted for the site, which were developed in collaboration with LAPD. The applicant has also developed an excellent security and staff plan, with input from the LAPD, to ensure that all patrons are safe, and any issues that may arise are mitigated. All employees will attend Department of Alcoholic Beverage Control Board "STAR" and Los Angeles Police Department "Lead" training programs within 6 months of the beginning of the proposed bar/lounge's operation or of hiring. All staff will be over the age of 21, and trained in their service position.

**b. Would the business duplicate a nearby business already in existence?**

No. While downtown is home to many hospitality-oriented establishments, none fit the same goal, purpose or caliber of service that this project will provide. The applicant is replacing a former nightclub, but infusing the concept with a more sophisticated purpose and higher quality performances and service. There are no other venues in the area that serve the community with the same opportunities to experience a beautiful historic structure while hearing some of the most current musicians and DJs in the world. It will be a highlight for not only the downtown community, but all of Los Angeles.

**c. Other non-alcohol sales business options available so alcohol does not have to be sold, e.g., more specialty products, broader range of items like fresh meats, or fruits and vegetables, etc.**

While the proposed bar and nightclub is utilizing a Department of Alcoholic Beverage Control Type-48 license, non-alcoholic beverages such as sodas and juice will be made available to patrons wishing to experience the unique environment without consuming alcoholic beverages. Additionally, select ancillary retail goods such as t-shirts will be made available to patrons.