



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

June 12, 2013

TO: David W. Louie, Chair  
Esther L. Valadez, Vice Chair  
Harold V. Helsley, Commissioner  
Curt Pedersen, Commissioner  
Pat Modugno, Commissioner

FROM: Maria Masis   
Section Head, Zoning Permits East

SUBJECT: **Additional Materials for Hearing**  
**Project No. R2013-00520-(1)**  
**Adult Business Permit No. RMIS 201300001**  
**RPC Meeting: June 12, 2013**  
**Agenda Item: 8**

Please find the attached letter dated June 10, 2013 from the Sheriff's Department Major Crimes Unit and a revised copy of the Draft Findings with modification to Draft Finding number 36, for the above referenced project.

MM: DA

COUNTY OF LOS ANGELES  
**SHERIFF'S DEPARTMENT**  
*A Tradition of Service Since 1850*

DATE: June 10, 2013

OFFICE CORRESPONDENCEFILE  
NO.

**FROM:** JEFFREY WALKER, SERGEANT  
MAJOR CRIMES BUREAU

**TO:** JOHN C. BABBITT, LIEUTENANT  
INDUSTRY STATION

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**SUBJECT: BLISS SHOWGIRLS INSPECTION**

The purpose of this memorandum is to provide additional information regarding a recent inspection of "Bliss Showgirls," 13217 Valley Boulevard in the unincorporated area of La Puente.

On June 4, 2013 an unannounced inspection was conducted at "Bliss Showgirls" at the request of Regional Planning. Personnel from Regional Planning, Treasurer Tax Collector, and Industry Station were present, along with Civilian Investigator Araceli Pedroza from Major Crimes Bureau's Licensing Detail. She briefed me on her observations:

Upon arrival at the location, the employee inside the cashier office would not allow uniformed Industry Station deputies entry into the location, saying he first had to contact a manager. It was an approximately 5 minute delay until a manager arrived at the location.

Per the business conditions, which were given to the owner by Civilian Investigator Benjamin Garcia in 2011, a manager has to be present at all times while the club was open for business and all managers have to be licensed per 7.92.050(P) LACC. Also, all employees of the business are required to cooperate with law enforcement. The manager, Mr. Mohammad Jajieh, the owner's brother, was not licensed per 7.92.050(P) LACC.

She noticed adult material was displayed in a small side room adjacent to the cashier's office. This area is accessible to the non paying public and is partially visible from the street. If the cashier steps away anyone could access this area, including children. This is a violation of 7.92.050(J) LACC.

Investigator Pedroza noted there was a security guard present, but he may not have been state licensed, which is required per 7.92.050(A) LACC. This will require further investigation.

Investigator Pedroza noted the "VIP" rooms were walled in, with curtained entryways.

Her opinion was this is a clear violation of 7.92.050(H) LACC. In speaking with Diane Aranda from Regional Planning, she told Investigator Pedroza that Regional Planning was given plans by the owner which were different than those which were submitted to the Business License Commission in 2011. This too will require further investigation.

Based on the above, Investigator Pedroza denied the current referral (TTC #137255) based on the violations uncovered during the inspection on June 4, 2013. This denial may result in a hearing with the Business License Commission sometime in the future. At this time, the Business License Commission **has not** granted Bliss Showgirls a license to operate. The club has been allowed to legally operate however, in accordance with the business conditions previously issued, until Planning Commission renders an decision as to the requirements of Title 22 of the Los Angeles County Code.

**REVISED DRAFT FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION  
COUNTY OF LOS ANGELES  
PROJECT NO. R2013-00520-(1)  
ADULT BUSINESS PERMIT NO. 201300001**

1. **ENTITLEMENT REQUESTED.** Adult Business Permit (ABP) to authorize an adult-oriented business with cabaret in the M-1-BE (Light Manufacturing-Billboard Exclusion) Zone and Avocado Heights Community Standards District within the Puente Zoned District pursuant to County Code Section 22.62.050.
2. **HEARING DATE. MAY 22, 2013**
3. **PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION.**
4. **PROJECT DESCRIPTION.** The applicant, Chawkat Jajieh, is requesting approval of an adult business permit (ABP) to authorize the operation of an existing adult-oriented business with cabaret in the M-1-BE (Light Manufacturing-Billboard Exclusion) Zone within the unincorporated community of Avocado Heights.

The applicant is requesting approval for the unpermitted expansion to the existing building and modifications to the interior floor plan area. The previously approved site plans has the building at approximately 2,250 square feet. The proposed site plan has illustrates a 2,570 square feet and a 96.75 square feet attach storage unit. The project also includes improvements to the parking lot area by adding additional parking spaces and landscaping. The project proposes to increase parking spaces from the previously approved 38 parking spaces to 58 parking spaces and increase landscaping to over 6.23 percent of the site.

The subject property has operated as an adult-oriented business with live entertainment for over thirty years. The adult-oriented business with cabaret was established before December 22, 1978, the date of the enactment of the County's adult entertainment regulations. The adult business with cabaret had a CUP that expired in 1997, and in order to continue operation, is required to have a valid ABP. The proposed adult-oriented business with cabaret is not proposing to sell alcoholic beverages and proposes to employ dancers that perform totally nude. The adult business with cabaret proposes to operate seven days a week with a maximum of twenty employees.

5. **LOCATION.** The Project site is located at 13217 Valley Boulevard, southeast of the San Gabriel River Freeway.
6. **SITE PLAN DESCRIPTION.** The site plan depicts the subject property as two rectangular-shaped lots (8563-009-019 and 8563-009-001) totaling at approximately 26,340-square feet. An existing 2,675-square foot one-story building is situated on the lot to the east (8563-009-019) with an area to the rear enclosed with a ten-foot high solid metal fence used as an outside storage area for recycling bins and for the storage of business related items. The lot (8563-009-001) to the west is depicted with fifty-eight (58) parking standards (43 standard parking spaces and 15 compact parking spaces) including two handicap accessible parking spaces. Lights are located on metal posts along northern portion of the parking lot. Additional lights are located at the entrance of the building and next to the employee entrance with two security cameras. There is a 7'x6' trash dumpster

that is enclosed and located adjacent to parking space labeled number eighteen on the site plan. Access is along two paved driveways along Valley Boulevard.

The floor plan depicts the cashier counter at the customer main entrance area. The non-alcoholic bar counter is located to the north of the main entrance adjacent to the file and video room, office and men and women restrooms. The dancer's dressing rooms and storage area are to the west of the restrooms adjacent to the disc jockey location. The customer seating areas are located to the north, east and south of the dancer stage area. The dancer's have a separate entrance area to the north of the main customer entrance area with direct access to the dressing room.

7. **EXISTING ZONING.** The site is located within the M-1-BE (Light Manufacturing-Billboard Exclusion) Zone and Avocado Heights Community Standards District.

Surrounding properties are zoned as follows:

North: City of Industry  
South: C-1 (Restricted Business)  
East: City of Industry  
West: C-1 (Restricted Business)

8. **EXISTING LAND USES.** The subject property is developed with an adult-oriented business with cabaret.

Surrounding properties are developed as follows:

North: Southern Pacific Electric Railroad Tracks, vacant land  
South: Restaurant, retail, liquor store  
East: Radiator shop, auto sales, auto mechanic  
West: Auto dismantling yard, furniture store

9. **PREVIOUS CASES/ZONING HISTORY.** Assessor records illustrate that the building was built prior to the 1950's. There are building permits on file that show building improvements for a nightclub in the 1960's. Photographs dated 1978 for Zone Change 79-016 depicts the subject property as "Slick Nick's Total Nude Saloon". The following are case history associated with the subject property.

- Zone Change Case Number 79-016 changes Puente District 76 from M-1 (Light Industrial) to M-1-BE (Light Industrial-Billboard Exclusion) Zone. Approved by the Board of Supervisor's on July 22, 1980.
- NCR 231- Non-conforming Review for an adult cabaret was denied by the Regional Planning Commission on October 3, 1984.
- On December 20, 1984 Board of Supervisor's considered an appeal to the Regional Planning Commission's denial of NCR 231. The decision was upheld and the appeal was denied.
- On February 4, 1987 the Regional Planning Commission approved Conditional Use Permit 86-139-(1) to authorize an adult cabaret.
- On October 8, 1987 the Board of Supervisor's conducted a de novo hearing of Conditional Use Permit 86-139-(1). The Board of Supervisor's denied CUP 86-139-(1)

based on incompatibility with the existing community, inconsistency with the land use economic goals and inhibits the establishment of industry in the area.

- On September 27, CUP 89-368-(1) a request to authorize an adult cabaret was denied by the Regional Planning Commission.
- On December 21, 1989 the Board of Supervisor's considered an appeal of the Regional Planning Commission's denial of CUP 89-368-(1). The Board of Supervisor's denied the appeal and upheld the Regional Planning Commission's decision.
- On December 19, 1991 the Board of Supervisor's reconsidered the previous denial of 89-368-(1) a request to authorize an adult cabaret. The Board of Supervisor's approved CUP 89-368-(1).
- In 1996 the Board of Supervisor's adopted the Adult Business Ordinance 22.62.
- Plot Plan 18342 approved a 22-foot high 10x7 pole sign with parking lot lights. Approved on June 8, 1997.
- From the years 1993 to 2001 there were various Building and Safety violations for interior post and beam work, electrical and plumbing. Illegal expansion to the rear office area and a storage unit to the existing building. The violations are still pending and contingent on approval of this adult business permit.
- In 2007 Zoning Enforcement cited the property for not having a valid permit, for a temporary structure on the property and not meeting development standards.
- On September 12, 2007 the new owner, Chawkat Jijieh, applied for an Adult Business Permit RMIS 201300001 to operate an adult-oriented business with cabaret.
- On September 22, 2009 COC 200900027 was recorded to hold together three lots in order to provide adequate parking for the existing adult business.

10. **GENERAL PLAN / COMMUNITY PLAN CONSISTENCY.** The subject property is located within the I (Major Industrial) classification of the Countywide Land Use Plan. The intent of this land use classification is to assure that sufficient land is allocated for a wide range of industry and industry-related activities serving both domestic and export markets and providing jobs for a large portion of the resident labor force. Area which are generally appropriate for major industrial uses include manufacturing of all types, mineral extraction sites, refineries, warehousing and storage, and product research and development. There are no specific policies related to the existing type of use in the Plan. The adult business with cabaret has existed at the subject location for over 30 years and is permitted under the current zoning ordinance requirements with a valid adult business permit therefore is consistent with the Countywide land Use Plan.

11. The following policies of the General Plan are applicable to the proposed project under the Non-Industrial Uses within Major Industrial Area's section:

- Policy 2: The proposed non-industrial use, individually or in combination with adjacent uses, will not adversely impact the viability of surrounding areas for the maintenance or expansion of industrial activities.

The commercial building on the subject property was built in the 1930's and the adult business use has been in operation for over 30 years. The adult business use is compatible with the existing commercial and industrial uses along Valley Boulevard.

- Policy 3: Compatibility of the proposed non-industrial use with current and future industrial activities in the area is ensured through specific site plan review and approval.
12. The subject site has existed as an adult business with CUP 89368-(1) approved in 2007. At the time the adult business was approved, the adult business complied with the permitted zone class, location requirements and development standards. The commercial and industrial uses adjacent to adult business to the south, east and west provide a buffer between the existing adult business and the residential. With the appropriate conditions and enforcement, the proposal to allow the adult business with cabaret to continue operation will not disrupt the surrounding neighborhood.
  13. **ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE.** The project complies with Section 22.32.080 of the County Code, establishments in the M-1-BE Zone.
  14. Signs shall comply with the provisions of Part 7 of Chapter 22.52 and 22.62.030 (G) of the Los Angeles County Code.

The subject site has approval for a 10'x7' 22-foot high pole sign with parking lot lights and a roof top business sign. The existing billboard on the subject property was established prior to Zone Change Case Number 79-016 that approved changes to Puente District 76 from M-1 (Light Industrial) to M-1-BE (Light Industrial-Billboard Exclusion) Zone. The Board of Supervisor's approved Zone Change Number 79-016 on July 22, 1980.

Currently, existing business wall signage does not meet current County Code requirements and did not receive approval from the Department of Regional Planning and/or the Department of Public Works Building and Safety. At the time of this report, the applicant has not proposed signs for the subject property.

15. Development Standards, Section 22.52.1110 of the County Code, parking requirements for entertainment, assembly and dining areas shall provide for one or more automobile parking spaces for each three persons based on the occupant load as determined by the county engineer.
16. The proposed use is permitted in the M-1-BE (Light Manufacturing-Billboard Exclusion) zone, pursuant to section (22.62.040), with Regional Planning Commission approval. The adult-oriented business with live entertainment requires one (1) space for every 3 persons based on the occupant load with a minimum of three (3) parking spaces. The occupant load is calculated as 144 with a minimum of 48 parking spaces required and 58 are illustrated on the site plan. The required two handicap parking spaces are also provided.
17. Part 7 of Section 22.52.610, Specifications for Fences and Walls, regulate walls and fences for outside storage within Industrial zones.

18. The adult business proposes to have outside storage to the rear of the property that consists of recycling bins and office related items. The outside storage area to the rear is enclosed by a ten foot high solid metal fence and will not be visible from the street, highways, commercial and residential uses. The proposed project complies with the outside storage/display requirements.
19. The purpose of the Avocado Community Standards District is to preserve the open character of the Avocado Heights community and to improve its appearance with property maintenance standards. The CSD also establishes standards to improve the compatibility between residential uses and neighboring industrial and
20. The proposed project is to continue the operation of an adult business with live entertainment within an existing building on a developed lot. The Avocado Community Standards District development standards regulate new development and properties that adjoin residential, schools or parks.
21. **NEIGHBORHOOD IMPACT/LAND USE COMPATIBILITY.** The project site is surrounded by a mixture of manufacturing, industrial and commercial uses. The proposed project should not have an adverse visual impact as it is located between a major commercial corridor and the San Gabriel River (605) Freeway. It is consistent with I (Major Industrial) classification of the Countywide Land Use Plan and zone specific development standards. The residential properties to the south of the project site are buffered from the adult business by a major six lane arterial Valley Boulevard and commercial uses to the south.
22. The adult-oriented business is consistent with the location and development standards contained in the Los Angeles County Code Section 22.62.080 for the consideration of approval for the ministerial permit. The adult-oriented business is located in a zone classification which lists the adult-oriented business as a permitted use and the proposed development is consistent with the surrounding community, as evidenced by the current land uses consisting of warehouses, truck-leasing company, and self-storage. The subject property is not located within a 250-foot radius of any residential and/or agricultural use, 500 feet of any public or private school (kindergarten through twelfth grade) or child care center, or within 500 feet of any park owned by a public entity whether such use is within or outside the unincorporated area of the county (Ord. 96-0004 § 1 (part), 1996.).
23. There is a church located within a commercial center approximately 127 feet from the project site. Section 22.62.090 (Existing Adult Businesses) of the Los Angeles County Code states that a legally conforming adult business shall not be considered non-conforming due to location requirements , if the adult business is continuous, which means that interruptions in use cannot exceed six months. The adult business has been continuously operating at the subject location for over 30 years.
24. The Sheriff's Department has received various crime related calls for service for the property. The installation of additional lighting, security guards and cameras should help deter crime at the project site.
25. **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS.** The Fire Department cleared the project for hearing on May 8, 2013. The letter dated May 8, 2013 is included in this package. The Department of Public Works also cleared the project for hearing on May 8, 2013.

26. **OTHER AGENCY COMMENTS AND RECOMMENDATIONS.** On September 19, 2011 the Los Angeles County Sheriff's Department, Industry Substation provided staff with a Crime Analysis Report regarding calls for service. These calls for service include calls for narcotics, vehicle citation, stolen property, alcohol and drug intoxication and physical assault. Calls for service include robberies and other disturbances, generally in the parking lot. There are no specific law enforcement concerns at 13217 Valley Boulevard".
27. Staff requested updated calls for service on February 11, 2013. The updated calls for service were for the years 2008 to 2013. The calls for service had similar incidences including narcotics, aggravated assault, burglary, Federal offense with money (counterfeit), petty theft, weapons found on location, and vehicle citations.
28. Recommendations from the Sheriff's Department include providing appropriate lighting in the parking lot area, ensuring security cameras are in place throughout the parking lot and accessible to law enforcement and providing trained security at the premises during operation hours.
29. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** Pursuant to the Provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
30. **PUBLIC COMMENTS.** There were two emails from the public requesting project information. One of the constituent stated that there is a church across Valley Boulevard and that residential is located just outside of the 250-feet.

#### ADULT BUSINESS SPECIFIC FINDINGS

32. The adult business is consistent with the location requirements and development standards. There are no residential areas within 250-feet from the subject properties, or 500-feet from any public or private school (kindergarten through twelfth grade), child care center, or any public park owned by a public entity whether such use is within or outside the unincorporated area of the county. A church is located across Valley Boulevard approximately 127-feet from the subject property. The adult business was legally established and has been operating continuously prior to the establishment of the church.

Therefore, the adult business is considered a conforming use and consistent with location and development standards.

33. The subject property is located within an M-1-BE (Light Manufacturing-Billboard Exclusion) Zone which complies with Section 22.62.040 (Permitted Zone Classes).

Therefore, the adult business is located in a zone classification which lists the adult business as a permitted use.

34. The site plan and floor plan approval and yearly inspections will ensure the adult business complies with the development features pursuant to 22.62 (Adult Business) and other zone-specific development standards.

Therefore, the adult business complies with the development features prescribed in Section 22.62. of the Los Angeles County Code.

35. The applicant has submitted evidence illustrating filing with the Business License Department for an adult business permit for the location at 13217 Valley Boulevard. Staff also attended a Business License Commission hearing on April 20, 2011 and an appeal in regards to the adult business. Final business license approval is contingent on approval of this adult business permit 201300001.

Therefore, the adult business with cabaret is consistent with the Business License filing requirements.

36. The Commission finds that the ministerial Adult Business Permit meets all location requirements and development standards. Therefore, the Commission approves the Adult Business Permit based on the Permittee's compliance with the ministerial requirements, which do not take into consideration the operating procedures or compatibility of the project in the community.

#### ENVIRONMENTAL DETERMINATION

37. Pursuant to County Code Section 22.62.080 (C), "any application for a permit pursuant to 22.62.080 shall be considered to be a ministerial permit and, as such, is not subject to the time limits specified in Section 65950 et seq. of the Government Code, or the California Environmental Quality Act.
38. **TERM LIMIT.** To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Regional Planning Commission determines that it is necessary to limit the term of the grant to ten (10) years.
39. **RECORD OF PROCEEDINGS.** The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13<sup>th</sup> Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Los Angeles County Department of Regional Planning.

#### BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That the adult business is consistent with the location and development standards contained in this chapter; and
- B. That the adult business is located in a zone classification which lists the adult business as a permitted use; and
- C. Except as otherwise specifically provided in this chapter, the adult business complies with the development features prescribed in this title; and
- D. That the adult business has submitted to the director documentation evidencing successful completion of the processes and receipt of the license required under Chapter 7.92 of this code. In cases where such documentation is unavailable at the time the planning commission takes action on the application, any action by the planning commission granting an adult business permit shall be conditioned upon the applicant providing to the director the documentation required by this subsection, and no adult business permit shall be valid unless and until such documentation has been provided to the director.

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for an Adult Business Permit as set forth in Section 22.62.080 of the Los Angeles County Code (Zoning Ordinance).

**REGIONAL PLANNING COMMISSION ACTION:**

1. In view of the findings of fact and conclusions presented above, RMIS 201300001 is Approved subject to the attached conditions.

**VOTE:**

Concurring:

Dissenting:

Abstaining:

Absent:

Action Date: June 12, 2013

MM: DA

June 12, 2013

c: Each Commissioner, Zoning Enforcement, Building and Safety