

CATEGORICAL EXEMPTION and PLANNING AND LAND USE MANAGEMENT (PLUM) COMMITTEE REPORT relative to a Revocation appeal filed for the operation of the Habibi Café, located at 923-925 South Broxton Avenue.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND, based on the whole of the administrative record, that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15321 (Enforcement Actions by Regulatory Agencies), and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources apply.
2. ADOPT the FINDINGS to revoke the use and discontinue the operation of Habibi Café, as contained in the September 8, 2022 Memorandum from the Department of City Planning Department (DCP), Zoning Administrator, as the Findings of Council.
3. RESOLVE TO DENY THE APPEAL filed by Jan Fathi, Operator of Habibi Café (Representative: Martin S. Wolf, Esq., MSW Law Firm), and THEREBY SUSTAIN the determination of the Zoning Administrator, pursuant to Los Angeles Municipal Code Section 12.27.1 to revoke the restaurant/retail use with hookah smoking for on-site consumption, and discontinue the operation of the existing business known as Habibi Café located at 923-925 South Broxton Avenue, inasmuch as the operation of the business has not resulted in the elimination of the problems associated with the use, and for over 20 years the nuisances associated at the site have impacted nearby uses and affected public safety and welfare as indicated in a communication dated August 31, 2022 from Council District 5, in addition to the Los Angeles Police Department (LAPD) 'calls for service' and crime reports/statistics, as contained in the September 8, 2022 Memorandum from the DCP, Zoning Administrator.

Applicant: City of Los Angeles, Office of Zoning Administration

Case No. DIR-2021-1463-RV-1A

Environmental No. ENV-2021-1464-CE

Fiscal Impact Statement: None submitted by the DCP. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted

Summary:

At a regular meeting held on November 1, 2022, the PLUM Committee considered a Revocation appeal relative to the operation of the Habibi Café, located at 923-925 South Broxton Avenue. DCP staff provided an overview of the matter. A Representative of Council District Five provided comments in support of denying the appeal. A Representative from the LAPD presented crime statistics and investigations regarding the property site. After an opportunity for public comment, and presentation by the Appellant, the Committee recommended to deny the appeal and thereby sustain the Zoning Administrator's determination to revoke the restaurant/retail use with hookah smoking for on-site consumption, and discontinue the operation of the existing business known as Habibi Café. This matter is now submitted to the Council for consideration.

Respectfully Submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
HARRIS-DAWSON:	YES
BLUMENFIELD:	YES
LEE:	ABSENT
RODRIGUEZ:	YES

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-NOT OFFICIAL UNTIL COUNCIL ACTS-