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August 31, 2022

Los Angeles City Council
c/o Office of the City Clerk
City Hall, Room 395
Los Angeles, California 90012

Attention: PLUM Committee

Dear Honorable Members:

RECOMMENDATION FOR A REVOCATION OF THE RESTAURANT / RETAIL USE WITH HOOKAH SMOKING FOR ON-SITE CONSUMPTION AND DISCONTINUANCE OF THE OPERATION AT THE EXISTING BUSINESS KNOWN AS HABIBI CAFE LOCATED AT 923 - 925 SOUTH BROXTON AVENUE; CASE NO. DIR-2021-1463-RV-1A; CF 21-1272

The Habibi Cafe, as currently operated, is a public nuisance and, over the years, has adversely affected the safety of the community on a repeated basis. While the Zoning Administrator and Planning Department staff have done an excellent job in crafting corrective conditions, I am requesting a revocation of the use and discontinuance of the current operation at the site. The operator has had many chances to clean their act up and disallow illegal and dangerous activities at their establishment; however, the site has continued to be a nuisance and an issue for other lawful businesses and patrons in Westwood Village.

In the months since the Zoning Administrator's Letter of Determination, dated October 6, 2021, applying numerous corrective conditions on the site's operation, the operator has not taken any efforts to eliminate the problems associated with the use and has failed to demonstrate a willingness or ability to eliminate the problems associated with the use. Additionally, I have received numerous correspondences from my constituents in the Westwood community reporting shootings, fights, late night hours of operation, loud music, live entertainment, and unpermitted encroachments on the public sidewalk.

As attested in the Zoning Administrator's Letter of Determination, the restaurant/retail operations have required consistent police enforcement, as evidenced by Los Angeles Police Department documentation including arrest reports, investigative reports, and crime analysis relating to an attempted murder, shootings, a stabbing, numerous batteries and an assault with a deadly weapon, criminal threats, robberies and thefts, and vandalism.

There is enough evidence to revoke their operation because of the amount of crime: 190 Calls for Service, 100 criminal incidents (more than half related to disturbances/group disturbances, including fights), assault with a deadly weapon, and battery. There were 51 investigative reports, notices to appear, or arrest reports submitted for the subject property between April 1, 2001, and September 25, 2020; these are detailed in the Letter of Determination. Among the serious incidents is a homicide that occurred on December 25, 2005, and two additional gun-related incidents on August 11, 2020, and August 22, 2020. Most recently, on August 20, 2022, a violent robbery involving two guns took place outside the establishment as the victims were leaving the establishment at 4:30 in the morning. Additional incidents were reported to the City by the University of California at Los Angeles Police Department. The amount of crime is excessive, 41 incidents (80 percent) of arrests/investigative reports occurred mostly during the evening/early morning hours from 7:30 p.m. to 5:00 a.m. The hookah smoking service operated within Habibi Cafe is in violation of Los Angeles Municipal Code 41.50, Smoking Prohibited in Designated Areas. The Westwood Neighborhood Council also supports the revocation and has attested that this business often operates until 4:00 a.m. in the morning as an illegal nightclub with entertainment for over 20 years.

It would be possible to safely and securely operate a restaurant / retail establishment at the subject location that could serve as a vibrant hub for the local middle-eastern community. However, such an establishment would need to have an operator that cares about creating a safe environment for families with children and such an operator would need to seek the proper permits for their operation. This operator is not able to provide a safe environment for this community.

I recommend the Committee deny the appeal and revoke, pursuant to Los Angeles Municipal Code Section 12.27.1, the restaurant/retail use with hookah smoking for on-site consumption at the existing business known as Habibi Cafe 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.

Sincerely,



PAUL KORETZ
Councilmember, Fifth District