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- **“Initial Submissions”**: Compliant submissions received no later than by end of day Monday of the week prior to the meeting, which are not integrated by reference or exhibit in the Staff Report, will be appended at the end of the Staff Report. The Staff Report is linked to the case number on the specific meeting agenda.
- **“Secondary Submissions”**: Submissions received after the Initial Submission deadline up to 48-hours prior to the Commission meeting are contained in this file and bookmarked by the case number.
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If you have any questions, please contact the Commission Office at (213) 978-1300.

SECONDARY SUBMISSIONS

DAY OF HEARING SUBMISSIONS

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July 20, 2020

Via Email Only: apcsouthla@lacity.org

South Los Angeles Area Planning Commission

Re: **ZA-2018-5147-CUB-CUX-1A**
CEQA: ENV-2018-5148-CE

To Honorable Commissioners:

This office has been retained by Nozar Farhad, the owner of the real property located at 3311 S. Main Street, Los Angeles, California, which property is the subject of this evening's appeal of the Zoning Administrator's determination dated May 6, 2020 to approve a Conditional Use Permit to allow the sale and dispensing of a full line of alcohol for on-site consumption, in conjunction with the operation of a restaurant/bar with live entertainment including dancing. I have read Associate Zoning Administrator Henry Chu's 30 page report dated April 24, 2020, including its approvals, findings of fact, the 65 conditions imposed by the Zoning Administrator, the 6 Mandatory Conditional Use Findings, and the appeal filed by Jeffrey Marks along with his accompanying letter dated May 16, 2020.

The purpose of this letter is to support the findings of the Zoning Administrator in granting the Condition Use Permit, in that the complaints made by Mr. Marks in his appeal and letter accompanying same have all been addressed within the 65 conditions attached to the approval of the CUP.

I note that a number of complaints registered by Mr. Marks pertain to prior ownership of the subject property, and prior users of the premises. For that reason, those remarks should be deemed irrelevant and immaterial, as they have no application to this owner or this user.

In particular, the Appellant has registered a number of complaints pertaining to the intended use of the premises by Mr. Richard Ali, including but not limited to noise, crime, parking/valet, lines forming outside the restaurant, trash, smoking, security and lighting, a mechanism for registering neighborhood complaints, and the consumption of alcoholic beverages on and outside the premises. These complaints have all been addressed in the 65 conditions that are attached to the Conditional Use Permit. For example, addressing concerns regarding noise can be found in Condition No. 20 and 21. Conditions regarding security, lighting and crime prevention within the area have been addressed in Condition No. 7, 11, 12, 13, 14, 15. Concerns regarding parking, and the use of valet parking have been addressed in Condition No. 26, 27 and 28. Concerns regarding trash have been addressed in Condition No. 23, 33, 34, 35. Conditions regarding smoking (and second

South Los Angeles Area Planning Commission

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hand smoke) are addressed in Condition No. 48 and 49. Concerns regarding anyone's ability to register complaints with the property user, and public officials, have been addressed in Condition No. 22. While primary jurisdiction and control of the sale and dispensing of alcoholic beverages is a primary function of the Department of Alcohol Beverage Control, it is also addressed in Condition No. 24 and 25. Mr. Marks's concerns regarding the lines forming outside the restaurant waiting for admission, and the accompanying problem of noise, security, lighting, are all addressed in the conditions pertaining to security, lighting, and neighborhood crime (along with compliance with Alcohol Beverage Control requirements).

In addition, the Applicant would be required to file and have approved a Plan Approval Application which shall review and address Applicant's compliance with the 65 imposed conditions in a public hearing, which would be subject to the notification requirements established by Section 12.24-D of the Los Angeles Municipal Code.

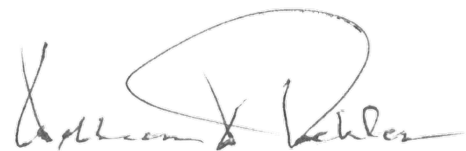
Furthermore, as with all Conditional Use Permits, the Zoning Administrator retains the right to review Applicant's plan and operations to see to it that the Applicant is meeting all the requirements the Zoning Administrator has imposed, and who has the power to conduct a further public meeting, and even add conditions if the circumstances warrant.

This is not a new use to the community as found by the Zoning Administrator, but a use that has existed at this location, albeit in alternative forms, for a number of years; at least since 1980.

This is an allowed use in this zone, and with the 65 conditions imposed by the Zoning Administrator, all six (6) findings necessary for approval of a Conditional Use Permit have been met.

For that reason, it is respectfully requested that this Planning Commission deny this Appeal.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'William D. Koehler', with a large, stylized loop at the end of the signature.

WILLIAM D. KOEHLER

WDK/st

cc: Nozar Farhad



THE LAW OFFICES OF BREYON J. DAVIS

July 21, 2020

VIA EMAIL ONLY

Email: apcsouthla@lacity.org

RE: CUP Application for 3311 S. Main, Los Angeles, CA 90007

Dear Planning Commission,

The purpose of this letter is to provide a day of hearing submission to address the appellant Jeffrey Marks concerns. Please note the same issues were previously addressed with exhibits and submitted to Esther Ann on April 1, 2020. I am providing this summary on behalf of my client (and applicant) Richard Ali in consideration of final approval.

Voiced Public Concern

The owner of an adjacent apartment building vocalized opposition to the venue on three grounds during the CUP hearing:

1. Noise from music playing inside the venue during dancing hours;
2. Misunderstanding of venue being a club only and not also a restaurant;
3. Concern regarding where customers would park.

Issue 1: As to the noise concern, Exhibit A to the April 1st letter is a report by my client's sound engineer regarding noise levels inside the establishment as well as the noise levels inside the apartment owner (Mr. Marks's) building while the music is being played at 95 decibels. My client intends to maintain the volume at 95 decibels at all times. Based on the report, my client is over the decibel standards by 6db for a residential zone but is far below the noise pollution standards for a commercial zone, as well as an industrial zone. The Subject Property is in an industrial zone and therefore, falls within the necessary requirements, however, my client is willing to lower the levels to that of a residential zone by purchasing additional equipment as recommended by the sound engineer.



Etta Armstrong <etta.armstrong@lacity.org>

ZA-2018-5147-CUB-CUX-1A -- Public Comment

1 message

Esther Ahn <esther.ahn@lacity.org>

Mon, Jul 20, 2020 at 2:12 PM

To: Henry Chu <henry.chu@lacity.org>, Etta Armstrong <etta.armstrong@lacity.org>, Planning APC South LA <apcsouthla@lacity.org>

Hello,

In relation to the upcoming appeal for **Case No. ZA-2018-5147-CUB-CUX** tomorrow, a neighbor has submitted this comment and requested it be included for the public record:

Ms. Ahn,

I want to write to extend my support for Mr. Marks' suggestion to postpone this hearing until full participation is available. In addition to his concern about the elderly -- the demographic of my building is largely working class poor and many of them lack technology to participate.

I also want to note that I was unaware of any of this proposal until I received notice of this week's hearing and subsequently of Mr. Marks' appeal. If I had been informed throughout the process, I would have considered filing my own appeal.

Sincerely,
Alan Bernstein

Many thanks,
Esther

--

**Esther Ahn**

City Planner

Los Angeles City Planning

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To: South Los Angeles Planning Commission
RE: CUP Application, 3311 S. Main, L.A., CA 90007
Date: July 21, 2020
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Issue 2: Zanzibar LA is not simply a club, it is a full service restaurant as well. See Zanzibar Business Plan attached as Exhibit B to April 1st letter. Owner and Applicant Richard Ali has successfully created and run a full service restaurant, Level 13, in Oakland, CA since 2016, demonstrating his ability to achieve the desired result. See Level 13 summary, attached as Exhibit C to April 1st letter. Zanzibar LA's dining menu has been created by Chef Claudia Sander whose bio is also attached (see Exhibit D to April 1st letter). Menu options will include African and Caribbean cuisine including a selection of appetizers, entrees and traditional Indian flatbread options (see menu attached as Exhibit E to April 1st letter). A copy of the dining floor plan is also included (attached as Exhibit F to April 1st letter). Based upon the forging, it is undeniable that the purpose of the venue exceeds well beyond a club and seeks to offer a unique dining experience in downtown Los Angeles.

Issue 3: Prior to the last CUP hearing, Mr. Ali had addressed parking for his venue and entered into a parking lease, however, the parties disagreed as to final terms. The same party to the failed parking lease is the same individual appealing Mr. Ali's application. Not surprising. Currently Mr. Ali has a proposed lease with Lighting Parts, Inc. through David Okun for parking space with a proposed quote for valet service. The parking structure is located at 191 E Jefferson Blvd., Los Angeles, CA 90011. David Okun can be reached at (310) 238-0387. Upon completion of CUP approval, both agreements related to parking will be executed. See parking lease quotes attached as Exhibit G to April 1st letter.

Security Concerns

While no written letter of opposition has been seen from the LAPD, the existence of opposition was verbally implied. Mr. Ali has thoroughly addressed the security and safety of the public when working with his security team to comprise the Security Manual for Zanzibar, attached as Exhibit H to April 1st letter. Public safety and compliance is Mr. Ali's priority while providing a dining and entertaining experience for it's patrons. For further insight on all aspects of Zanzibar's goals and objectives, please see Zanzibar's Mission Statement attached as Exhibit I to April 1st letter.

Conclusion

We ask that the Zoning Administrator utilize the above information and attached Exhibits when entertaining Mr. Mark's appeal and grant the conditional use permits necessary for Mr. Ali to conduct his business.

Sincerely,



Breyon J. Davis, Esq.