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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

COUNCIL FILE NO. 16-0549

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	7-ELEVEN
Address	6051 W. Hollywoon BIND, UNIT III, L.A. CA 90028
Type of Business	FOOD MARKET
Applicant	SHOUKAT HUSCAIN ALI Name 4051 W. HOILYWOOD BIND, UNIT III, L.A. CA. 90028 Address (562) 434-2835 Phone Number/Fax Number
Property Owner	Name H33 3322 ST. MANHATTAN BEACH CA 90266 Address (562) H34-2835
Representative	Phone Number/Fax Number <u>MicHAEL PAULS</u> (email: michaelpauls@earthlink. net Name <u>LHTS E. PACIFIC COAKT HWY #135</u> , LONK BEACH CA 90803 Address <u>(562) H34-2835</u> Phone Number/Fax Number

A. PROJECT DETAILS

3

BACKGROUND INFORMATION

THE FOLLOWING QUESTIONS ARE TO BE ANSWERED BY ALL APPLICANTS:

- 1. Has the City previously approved a conditional use permit for alcoholic beverage sales at this site? Yes X No ___ If Yes, what is the City case number(s) ZA - 2013 - 3951 - CuB
- 2. Have you recently filed for a new conditional use permit? Yes _____ No. _____. If Yes, provide the City case number(s) ______

A

Тур	e of Alcohol Sales Requested (on- or off-site, beer and wine, full alcohol, etc.): OFF ちにた BEEM ANLUNE
Size	e of Business 2,732.5.6.
% с	f floor space devoted to alcoholic beverages LESS than 500
Ηοι	irs of Operation:
a.	What are the proposed hours of operation and which days of the week will the establishment be open?
b.	What are the proposed hours of alcohol sales? 80.m- 120.m Mow-Sur
Parl	king:
a.	Is parking available on the site? (If so, how many spaces?) 45 3PACES for C
b.	If spaces are not available on the site, have arrangements been made for off-site parkir by lease or covenant?
C.	Where?
d.	How many off-site spaces?
in th	erages on the subject property or fined by the Alcoholic Beverage Control Department (ABC e last 365 days and if so, for what reasons? Provide ABC case number and a copy of final AB
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in the action Will if so, Will How Will alcol Wha a.	erages on the subject property or fined by the Alcoholic Beverage Control Department (ABC e last 365 days and if so, for what reasons? Provide ABC case number and a copy of final ABC on. No video game machines or pool or billiard tables be available for use on the subject property an how many?

Will there be minimum age requirements for patrons? If so, how will this be enforced? 15. YES, AN AGE VERIERAMON SYSTEM WILL BE IN PLACE PATHONS WHO WILL TO PURCHASE BEEN AND WINE FOR 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. THERE ARE NO OFF SIVE ALCOHOL SALE WITHIN 600' Are there any schools (public or private and including nursery schools) churches or parks within 17. 1,000 feet of your proposed business? Where? (Give Address) 1. HONYWOOD PRESBY HERIAN CHURCH, 1760 N. BOWER ST. 2. JALVATION ADDAY, 5941 HOLLYWOOD BING. 3. SAINT STEPHEN'S CASLOPAL CHURCH, LIZE, CARLOC ANS .. Will the exterior of the site be fenced and locked when not in use? 18. No. this is a 24 hr. Busined Will the exterior of the site be illuminated with security lighting bright enough to see patrons from 19. the street? Kei THE FOLLOWING QUESTIONS ARE TO BE ANSWERED WHERE ONLY THE OFF-SITE SALE OF B. 🧠 ALCOHOLIC BEVERAGES IS SOUGHT: Will the gross sale of alcohol exceed the gross sale of food items on a quarterly basis? 1. Will cups, glasses or other similar containers be sold which might be used for the consumption of 2. liquor on the premises? NO Will beer and wine coolers be sold in single cans or will wine be sold in containers less than 1 liter 3. (750 ml)? NO SINCLE CANS FOR BEARD WINE BOTTLES WIN BELOY AT TEOMI Will "fortified" wine (greater than 16% alcohol) be sold? $\mathcal{N}_{\mathcal{D}}$ 4. THE FOLLOWING QUESTIONS ARE TO BE ANSWERED WHERE ONLY THE ON-SITE SALE OF ALCOHOLIC BEVERAGES IS SOUGHT: NIA. What is the occupancy load as determined by the Fire Department (number of patrons)? 1. 2. What is the proposed seating in all areas? Is there to be entertainment such as a plano bar, juke box, dancing, live entertainment, movies, 3. etc.? (Specify?) If a cocktail lounge is to be maintained incidental to a restaurant, the required floor plans must show 4. details of the cocktail lounge and the separation between the dining and lounge facilities.

C.

- Food Service
 - 1.

NO

- a. Will alcohol be sold without a food order? _____
- b. Will there be a kitchen on the site as defined in the Los Angeles Municipal Code?
- 6. Will discount alcoholic drinks or a "Happy Hour" be offered at any time?

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

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 <u>will deny</u> your "public convenience or necessity" application if one of the above listed conditions apply to your site. (It is <u>strongly</u> 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.
- 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)

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Possible Detrimental Impacts

3

- 1

2.

Is the immediate area in which the license is sought subject to: (Check with your local Police Department area "Senior Lead Officer")

- a. Excessive calls to the Police Department
- b. Police resources being already strained
- c. High rates of alcoholism, homelessness, etc.
- d. Large "youth" (under 21) population
- 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.)
 - b. Would the business duplicate a nearby business already in existence?
 - 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.

The City Council will evaluate these factors and make a decision on the overall merits of your request. Therefore, you should answer below as to why you believe any of these above listed beneficial or detrimental conditions apply to your project and provide any documented proof to support your belief.**

SRE ATTACHMON'Y

APPLICANT'S AFFIDAVIT

F.

Date

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

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Signature of property owner if tenant or lessee is filling application

State of County Before me personally appeared ame(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.

VINAY GANDHI Commission # 2027270 Notary Public - California Los Angeles County Comm. Expires Jun 29, 2017

* 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.

** You may add additional pages to your response if needed. Please utilize numbering system of this form to assist in the review of the responses.

CP-7612 (10/22/01)

Planning Approval / LAPD Support

The Conditional Use to permit the sale and dispensing of beer and wine for off-site consumption, in conjunction with an existing 7-Eleven at 6051 W Hollywood, Unit 111 was approved by the City of Los Angeles Zoning Administrator on February 12, 2015 under ZA 2013-3957 (CUB).

The subject Conditional Use also received unanimous support from the Hollywood United Neighborhood Council and a letter of support was also issued by the Los Angeles Police Department Hollywood Division on December 18, 2014.

Benefits

The convenience market, which is the subject of this application is a branded 7-Eleven neighborhood market, which has been serving the surrounding community since 1985.

There are currently no markets or any off-site alcohol sales within 1000 feet of the subject site. The sale of limited beer and wine at this location will provide a convenience to surrounding residents, allowing for increased pedestrian orientation and a reduction in vehicle trips in this already parking impacted - congested area.

The subject 7-Eleven store is the major long-term anchor tenant within the subject shopping center. The subject 7-Eleven brings with it the largest customer base within the center thereby providing economic vitality to the Gower Plaza. Small businesses in the Gower Center rely on the 7-Eleven to enhance their own customer base which allows their businesses to succeed.

The 7-Eleven is conveniently located within walking distance from the surrounding residential neighborhood. The 7-Eleven offers fresh fruit and healthy sandwiches and other products typically found in a market.

The subject convenience market at the shopping center provides a benefit to the community in reducing unnecessary vehicle trips. This is a neighborhood-oriented use, which emphasizes pedestrian travel thereby providing an enhancement to the surrounding community.

The area surrounding the subject site will add approximately 1,250 new residential units with an overall population gain of over 2,000 new residents (1,700 new residents within 350' of the subject site) within the coming year.

There will be a need to provide additional pedestrian oriented services, inclusive of beer and wine sales in support of new and existing residents. The proposed use will add to the economic vitality and pedestrian orientation in the neighborhood.

The establishment of alcohol sales in close proximity to new residential development will reduce vehicle trips on Hollywood Boulevard / Gower Street and increase pedestrian circulation consistent with the Hollywood Community Plan and the objectives of the Hollywood United Neighborhood Council.

The subject business will also enhance the local economy by hiring local residents thus creating new jobs and new services to the community.

Operation of Business

The business owner will operate the business in a clean and responsible manner and will provide measures to ensure the security of customers and patrons alike.

The sale of limited beer and wine in association with the 7-Eleven market will be ancillary to the convenience market and an economic benefit to the market and the surrounding Gower Center businesses.

The applicant will also implement security measures such as the installation of a comprehensive imaging system, which will view, and record the entirety of the premise and will provide an identification card reader to determine the authenticity of identification and proof of age.

The applicant will also require that all store managers obtain training from the State of California Department of Alcoholic Beverage Control License Education on Alcohol and Drugs (LEAD) Program. This training shall be on going and all new managers shall be required to attend training.

Verifiable documentation of completion of such training must be maintained and be available on the premise at all times. This training will enable managers to recognize and address any potential crime released issues on the subject premise.

The proposed hours of beer and wine sale are from 8:00 a.m. to 12:00 a.m. Monday thru Sunday.

LINN K. WYATT CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS R. NICOLAS BROWN SUE CHANG LOURDES GREEN CHARLES J. RAUSCH, JR. JIM TOKUNAGA FERNANDO TOVAR DAVID S. WEINTRAUB MAYA E. ZAITZEVSKY

February 12. 2015

Duke Dulgarian (A)(O) DDD Hollywood Gower Co. LLC 433 33rd Street Manhattan Beach, CA 90266

Michael Pauls (R) 6475 East Pacific Coast Highway, #135 Long Beach, CA 90803

CITY OF LOS ANGELES



ERIC GARCETTI

DEPARTMENT OF

MICHAEL J. LOGRANDE DIRECTOR

OFFICE OF ZONING ADMINISTRATION 200 N. SPRING STREET, 7[™] FLOOR LOS ANGELES, CA 90012 (213) 978-1318 FAX: (213) 978-1334 www.planning.lacity.org

CASE NO. ZA 2013-3957(CUB) CONDITIONAL USE 6051 West Hollywood Boulevard, Unit 111 Hollywood Planning Area Zone : C4-1-SN D. M. : 148-5A189 C. D. : 13 CEQA : ENV 2013-3958-MND Legal Description: Arb 2, Lots A & B, PM 1850 Tract

Pursuant to Los Angeles Municipal Code Section 12.24-W, 1, I hereby APPROVE:

a Conditional Use to permit the sale and dispensing of beer and wine only in lieu of a full line of alcoholic beverages as requested by the applicant for off-site consumption only, in conjunction with an existing convenience market,

upon the following additional terms and conditions:

- 1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
- 2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
- 3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
- 4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
- 5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be

printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.

- 6. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceedings against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
- 7. Approved herein the sale of beer and wine only for consumption off-site (Type 20) in a convenience store having 2,732 square feet of floor area with 24-hour operation with hours of alcoholic beverage sale to be regulated by the State of California ABC, all located on the ground floor of an existing two-story mini-shopping center within the C4-1-SN Zone.
- 8. Parking shall be provided as required by the Los Angeles Municipal Code and to the satisfaction of the Department of Building and Safety.
- 9. No jukebox, no disc jockey, karaoke, or other form of entertainment is permitted.
- 10. Any indoor background music shall not be audible beyond the perimeter of the convenience store's building footprint.
- 11. These conditions of approval shall be retained on the property at all times along with copies of the business permit, insurance information, and a valid emergency contact phone number for the security company service(s) and the property owner, and shall be produced immediately upon the request of the Zoning Administrator, Police Department, or Department of Building and Safety.
- 12. The applicant, owner, and on-site manager(s) shall comply with applicable laws and conditions and shall properly manage the facility to discourage illegal and criminal activity on the subject premises and any accessory parking areas over which they exercise control, including insuring that no activities associated with narcotics sales, use or possession, gambling, or prostitution occur.
- 13. The authorization granted herein for the sale of alcohol on the subject premises is for a period of **five (5) years** from the effective date of this grant. Thereafter, a new entitlement shall be required to continue the sale of alcoholic beverages.
- 14. A security plan shall be prepared to the satisfaction of the LAPD who shall approve said plan in writing. The plan shall consider the number and type of security officers and their patrol routes and hours of attendance. This plan shall be in place and operational prior to applicant's utilization of any zoning entitlement granted herein.

- 15. All signage shall fully comply with the requirements of the Hollywood Signage Supplemental Use District to the satisfaction of the Director of Planning or his designee (Community Planning).
- 16. Within six months of the date of this determination and within six months of hire, all personnel acting in the capacity of a manager of the premise and all personnel who sell alcoholic beverages shall attend Standardized Training for Alcohol Retailers (STAR) session sponsored by the Los Angeles Police Department. All employees who sell alcoholic beverages shall attend follow-up STAR classes every 24 months. Upon completion of the training, the applicant shall provide evidence to the Zoning Administrator that such training was provided.
- 17. An electronic age verification device shall be retained on the premises available for use during operational hours. This device shall be maintained in operational condition and all employees shall be instructed in its use.
- 18. The subject premises may operate **24 hours** each day.
- 19. Only the front door shall be used for patron access. All other doors shall be equipped on the inside with an automatic locking device and shall be kept closed at all times other than to permit temporary access for delivery of supplies and trash removal. These doors shall not consist solely of a screen or ventilated security door but shall be solid.
- 20. The exterior windows and glass doors of the store shall be maintained substantially free of signs and other materials from the ground to at least 6 feet in height above the ground so as to permit surveillance into the store by Police and private security.
- 21. All exterior portions of the site, shall be adequately illuminated in the evening so as to make discernible the faces and clothing of persons utilizing the space. Lighting shall be directed onto the site and no floodlighting shall be located as to be seen directly by persons on adjacent properties.
- 22. There shall be no pool tables or billiards table, electronic games, coin-operated games, dart games, or other video machines maintained upon the premises at any time.
- 23. Live entertainment is not allowed, and amplified music above an ambient level is not allowed.
- 24. There shall be no Adult Entertainment of any type pursuant to LAMC Section 12.70.
- 25. Any future operator or owner for this site must file a new Plan Approval Application or an equivalent to allow the City of Los Angeles to review the "mode and character" of the usage, and attached appropriate conditions of use.
- 26. The owner/operator shall at all times maintain the abutting sidewalk and parking lot free from obstruction.

- 27. Petitioner(s) shall install and maintain security cameras and a three-month video library that covers all common areas of the business, high-risk areas, sidewalk areas, and entrances or exits. The videotapes shall be made available to police upon request.
- 28. The Petitioner(s) shall be responsible for maintaining free of litter, the area and adjacent to the premises over which they have control.
- 29. A copy of these conditions shall be maintained on-site in the office. Additionally, a copy shall be provided to all employees who shall sign an acknowledgement form stating that they have read and understood all of the ABC and conditional use permit conditions. Said form shall be maintained at the location by the owner and/or manager who shall present it to Police personnel, ABC investigators or any other City agency upon request. All licenses, permits and conditions shall be posted in a conspicuous location at the subject establishment.
- 30. The applicant shall provide the Zoning Administrator a copy of each license, suspension thereof, or citation issued by the State of California Department of Alcoholic Beverage Control or the Los Angeles Police Department upon such instance.
- 31. At any time during the period of validity of this grant, should documented evidence be submitted showing continued violation of any condition of this grant and/or ABC license of the location, resulting in an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator (Upon his/her initiative, or upon written request by LAPD or Department of ABC) reserves the right to call for a public hearing requiring the applicant to file for a plan approval application together with associated fees pursuant to LAMC Section 19-01-1 (Miscellaneous Plan Approval), the purpose of which will be to review the applicant's compliance with and the effectiveness of these conditions. The applicant shall prepare a radius map and cause notification to be mailed to all owners and occupants of properties within a 500-foot radius of the property, the Council Office and the Los Angeles Police Department's corresponding division. The applicant shall also submit a summary and any supporting documentation of how compliance with each condition of this grant has been attained. Upon this review the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.
- 32. There shall be no cups, glasses, or similar receptacles commonly used for the drinking of beverages, sold, furnished, or given away at the petitioner's premises in quantities of less than twenty-four in their original multi-container package.
- 33. Ice shall be sold only in 3-pound bags or larger.
- 34. Deliveries, trash pick-ups and parking lot cleaning are allowed only between 7 a.m. and 7 p.m. daily.

35. The petitioner(s) shall post and maintain a professional quality sign facing the premises parking lot(s) that reads as follows:

NO LOITERING, NO DRINKING OF ALCOHOLIC BEVERAGES VIOLATORS ARE SUBJECT TO ARREST

- 36. The mitigation measures identified in Environmental Clearance Case No. ENV-2013-3958-MND, as listed below, have been adopted as conditions of this action and shall be fully complied with:
 - a. Aesthetics (Vandalism
 - 1). Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code "Section 91.8104.
 - 2. The exterior of all buildings and fences, shall be free from graffiti when such graffiti is visible from a street or alley, pursuant to Municipal Code Section 91.8104.15.
 - b. Utilities (Solid Waste Recycling)
 - 1) (**Operational**) Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.
 - 2) (Construction/Demolition) Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.
 - 3) (Construction/Demolition) To facilitate on-site separation and recycling of demolition-an construction-related wastes, the contractor(s) shall provide temporary waste separation bines on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.
- 37. Within 30 days of the effective date of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions

attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled <u>before</u> the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

"A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after FEBRUARY 27, 2015, unless an appeal therefrom is filed with the <u>City</u> <u>Planning Department</u>. It is strongly advised that appeals be filed <u>early</u> during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by

the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning <u>on or before</u> the above date or the appeal will not be accepted. Forms are available on-line at <u>http://planning.lacity.org</u>. Public offices are located at:

Figueroa Plaza 201 North Figueroa Street, 4th Floor Los Angeles, CA 90012 (213) 482-7077 Marvin Braude San Fernando Valley Constituent Service Center 6262 Van Nuys Boulevard, Room 251 Van Nuys, CA 91401 (818) 374-5050

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

NOTICE

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the Zoning Administrator who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **<u>BY APPOINTMENT ONLY</u>**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the statements made at the public hearing on December 11, 2014, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for authorizing a conditional use permit under the provisions of Section 12.24-W have been established by the following facts:

BACKGROUND

The subject property is a level, irregularly shaped, corner parcel of land, consisting of two lots totaling approximately 28,185 square-feet, having a frontage of approximately 147.5 feet on the north side of Hollywood Boulevard (Major Highway Class II), a frontage of 134.98 feet on the east side of Gower Street (Secondary Highway), and a vary depth of 134.98 to 205 feet. The property is currently developed with a 22,926 square-foot, two-story mini-shopping center with 45 surface parking spaces. The subject tenant space is 2,732 square feet and is located on the northwestern corner of the property on the first floor.

The northern adjoining property is zoned R4-2 and is developed with an apartment complex.

The eastern adjoining property is zoned C4-1-SN and is developed with a 8,306 square-foot office building that houses the Saban Free Clinic.

The southern adjoining properties (across Hollywood Boulevard) are zoned C4-1-SN and are developed with a mini-shopping center and a Toyota dealership.

The westerly adjoining property (across Gower Street) is zoned C4-2D-SN and is developed with a 12,500 square-foot retail store (Pep Boys) and an associated surface parking lot fronting Gower Street.

<u>Hollywood Boulevard</u>, adjoining the subject property to the south, is a designated Major Highway Class II, dedicated to a varying width of between 90 feet and 100 feet, and improved with asphalt roadway, concrete curb, gutter, and sidewalk.

<u>Gower Street</u>, adjoining the subject property to the to the west, is a designated Secondary Highway, dedicated to a varying width of between 70 feet and 90 feet and improved with asphalt roadway, concrete curb, gutter, and sidewalk.

Previous zoning related actions on the site/in the area include:

Subject Property

<u>Case No. ZA 91-0340(CUB)</u> - On September 13, 1991, the Zoning Administrator denied a conditional use to permit the sale of beer and wine only for off-site consumption, in conjunction with a 7-Eleven food store, within the C4-1 Zone at 6051 Hollywood Boulevard.

Surrounding Properties

<u>Case No. ZA 2014-1146(CUB)</u> - On September 11, 2014, the Zoning Administrator approved a conditional use to permit the sale of a full line of alcoholic beverages for on-site consumption, in conjunction with a 7,950 square-foot restaurant with live entertainment within the [Q]C4-2-SN Zone at 1600 North Vine Street, Suite 103. (5 year term grant)

<u>Case No. ZA 2014-1778(MPA)</u> - On August 29, 2014, the Zoning Administrator approved plans authorizing the sale of a full line of alcoholic beverages for on-site consumption in a 4,105 square-foot restaurant (Greenleaf Chop Shop) within the [T][Q]C4-2D-SN Zone at 6201 Hollywood Boulevard, Unit 120. (10 year term grant)

<u>Case No. ZA 2013-4027(MCUP)</u> - On July 31, 2014, the Zoning Administrator approved a Master Conditional Use to permit the sale of a full line of alcoholic beverages for on-site consumption in five proposed restaurants; the sale of beer and wine for on-site consumption in two proposed restaurants; and the off-site sale of a full line of alcoholic beverages at a market or drug store, within the [T][Q]C4-2D-SN and [Q]R3-1XL Zones at 6201 Hollywood Boulevard.

<u>Case No. ZA 2013-1717(CUB)(ZV)</u> - On August 13, 2014, the Zoning Administrator approved a conditional use to allow the sale of a full line of alcoholic beverages for

on-site consumption, in conjunction with a restaurant ("Good Time at Davey Wayne's"); approved a variance from LAMC Section 12.21-A,4 to allow zero on-site parking spaces in lieu of three spaces, within the C4-2D Zone at 1611 North El Centro Avenue. (5 year term grant)

<u>Case No. ZA 2009-1194(CUB)</u> - On February 21, 2012, the Zoning Administrator denied a conditional use request to allow the off-site sale with delivery service of a full line of alcoholic beverages, in conjunction with a proposed 1,550 square-foot market; approved a conditional use to permit the sale of beer and wine only for on-site consumption in a proposed café having indoor and outdoor seating, within the C4-1 Zone at 6060 West Carlton Way. (3 Year Grant)

<u>Case No. ZA 2010-2600(CUB)</u> - On April 22, 2011, the Zoning Administrator approved a conditional use to permit the sale of a full line of alcoholic beverages for on-site consumption, in conjunction with an existing restaurant with live entertainment, within the C4-1-SN Zone at 5900 Hollywood Boulevard, Suite B. (7 year grant)

<u>Case No. ZA 2010-0242(CUB)(CUX)(ZV)</u> - On June 22, 2010, the Zoning Administrator approved a conditional use to permit the sale of a full line of alcoholic beverages for on-site consumption with dancing and live entertainment, in conjunction with an existing restaurant/theater and event center (Henry Fonda Theater); approved a variance from Sections 12.21-A,4 and 12.26-E,5 to permit required on-site parking to be provided off-site by lease in lieu of the required covenant and agreement, within the C4-2D Zone at 6126 West Hollywood Boulevard. (7 Year Grant)

<u>Case No. ZA 2005-7227(CUB)(CUX)</u> - On May 19, 2006, the Zoning Administrator approved a conditional use to permit the continued sale of a full line of alcoholic beverages for on-site consumption, in conjunction with an existing nightclub/restaurant with dancing and live entertainment along with an expansion into an outdoor patio with modifications to conditions imposed under Case No. ZA 2004-0067(CUB)(CUZ), within the C4-1 and R4-2 Zones at 6021 Hollywood Boulevard. (7 year grant)

<u>Case No. ZA 2004-0067(CUB)(CUX)</u> - On April 8, 2004, the Zoning Administrator approved a conditional use to permit the sale of a full line of alcoholic beverages for on-site consumption, in conjunction with a proposed restaurant and existing dance hall with live entertainment and patron dancing, within the C4-1 and R4-2 Zones at 6021 Hollywood Boulevard. (3 year grant)

<u>Case No. ZA 2002-7296(CUB)(CU)(CUX)</u> - On July 28, 2003, the Central Area Planning Commission denied Appeals A1 and A3, granted Appeal A2, and sustained the approval of the Zoning Administrator for a conditional use to permit the sale of a full line of alcoholic beverages for on-site consumption and approved a conditional use for a public dance hall; modified conditions within the C4-2D Zone at 6126 Hollywood Boulevard. (7 year grant)

LETTERS, PETITIONS, AND OTHER COMMUNICATIONS TO THE FILE PRIOR TO THE PUBLIC HEARING

Council District 13, Marie Rumsey, Planning Director - Opposed - November 19, 2014

Council District 13 is opposed to this CUP request which would allow an existing 7-Eleven to sale a full line of alcoholic beverages and operate 24 hours daily. There are a number of schools in the area including Grant ES and Cheremoya ES and there is no need for an additional convenience market to dispense alcohol.

Hollywood United Neighborhood Council, Board Meeting Minutes - September 15, 2014

PLUM Motion to approve a Conditional Use Permit allowing general alcohol sales for off-site consumption for a 7-Eleven food store located at 6051 West Hollywood Boulevard with the following conditions:

- A. There will not be any beer sold in single 12 oz or 16 oz containers
- B. The proposed hours of sale: 6 a.m. to 2 a.m., daily.
- C. Requirement that store managers obtain training from the City of Los Angeles Police Department and the State of California Department of Alcoholic Beverage Control License Education
- D. Provision for an age verification card reader and installation of a comprehensive imaging system

City of Glendale, Frank Quintero, Councilmember - Support - March 4, 2012 (ZA Excerpt)

This letter is in support of Shoukat Hussain.

27 Letters of Support - ZA Selected Excerpts

- Help 7-Eleven sell alcohol. It would ... make it extremely convenient for me (and) convenient for all the people within Hollywood.
- I support the proposed sale of wine, beer, and spirits
- Help 7-Eleven sell alcohol . . .
- I would like the City to allow this . . .
- I love going there every day, I don't see no reason for 7-Eleven be prevented from not selling alcohol . . .
- this letter to serve as my full support for 7-Eleven
- . . . my full support for 7-Eleven . . .
- it would be helpful if they could (sell alcoholic beverages)
- 7-Eleven is a great little market . . .
- We would love to see them granted permission to sell alcohol.

Neighborhood Petition signed by 24 residents - Opposed - Received March 20, 2014

I am a resident of Hollywood and <u>I am OPPOSING the liquor license issuance</u> to 7-Eleven store in Gower Plaza. Enough is Enough, the quality of life is currently under imminent danger because of traffic, crime, and homelessness who wonder the streets DRUNK.

This Gower Plaza where 7-Eleven wants to get a FULL LIQUOR license is VERY bad because youth homeless and mentally ill homeless hang around their all day and night panhandling, loitering, and causing various problems. There are 2 Church's located next to the 7-Eleven, First Presbyterian Church of Hollywood and St. Stephen's Episcopal Church. Homeless youth shelter My Friends Place located at 5850 Hollywood Boulevard. Foster Home located at 1550 North Gower Street. There is a Saban Free Health Clinic located immediately next door. Children's Montessori Shir-Shirim is located a walk away. Police officers are understaffed and constantly are dispatched for crimes that related to Drunkness and Homeless.

Hollywood is saturated with alcoholic serving and selling establishments. There is no need for such liquor establishments. Importantly, our quality of life has been deteriorating and as always Hollywood Crimes are directly linked to alcoholic nuisance that is caused by homeless people and panhandlers camping in front of such liquor store establishments.

Moiz Saiyed - Opposed - Received December 24, 2014 (ZA Excerpt)

Regarding security guard we do not have 24-hours but only 5-hours a day.

Before 1992, there was a 7-Eleven store and they applied for alcoholic beverages and did not (get?) approved by your department.

As of this location we have lot of problems for homeless people, drugs, gangs and prostitute. They always stand close to this store or around in parking lot at 6051 Hollywood - Gower Plaza. Also this location have back alley or small parking area where 8-cars parking spaces. Electric room. Gangsters and homeless people used this area to smoke weed. Bathroom. We have to clean everyday with lots of water to clean.

____.

Form Letter in Opposition - 3 Copies - December 5, 2014 (ZA Excerpt)

We have been dealing a lot with homeless people and weed smokers though all those years. We would like to politely ask you to prevent the 7-Eleven Store located at the same plaza (Gower Plaza) mentioned above to receive the liquor license. It will help not only the plaza tenants and customers, but the nearby community as well to keep it safe and clean.

PUBLIC HEARING

A Notice of Public Hearing was sent to nearby property owners and/or occupants residing near the subject site for which an application, as described below, had been filed with the Department of City Planning. All interested persons are invited to attend the public hearing at which they could listen, ask questions, or present testimony regarding the project. The hearing was held by an Associate Zoning Administrator from the Office of Zoning Administration under Case No. ZA 2013-3957(CUB) and CEQA No. ENV 2013-3958-MND on Tuesday, December 11, 2014, at approximately 9:30 a.m. in Los Angeles City Hall, 200 North Spring Street, Room 1020, Los Angeles, CA 90012.

The project location was identified as being 6051 West Hollywood Boulevard, Unit 111. The location was within Council District No. 13 and the Hollywood Plan Area. The property is zoned C4-1-SN.

The applicant is DDD Hollywood/Gower Co., LLC, and they are represented by Michael Pauls.

The issues before the Zoning Administrator were requests made:

- 1. Pursuant to the provisions of Section 12.24-W,1 of the Los Angeles Municipal Code, a Conditional Use to permit the sale of a full line of alcoholic beverages for off-site consumption in conjunction with an existing 2,732 square-foot convenience market (7-Eleven) operating 24 hours, daily, within an existing mini-shopping center.
- 2. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, adopt the Mitigated Negative Declaration (MND) for the above referenced project.

The purpose of the hearing was to obtain testimony from affected and/or interested persons regarding this project. The environmental document was among the matters considered at the hearing. Prior to opening the proceedings to public testimony the Zoning Administrator burst the file and reviewed the contents therein paying particular attention to maps, plans and photographs involving the subject site. With the completion of this review, the hearing was opened to public testimony and the following points were considered.

- It was noted that there was a prior request for the sale of beer and wine at this location under Case No. ZA 91-0340(CUB), property location 6051 Hollywood Boulevard September 13, 1991. That action was denied.
- It was also noted that there were a substantial number of photographs in the file depicting what appeared to be homeless people more or less camping out on the subject property.
- The applicant argued that they were a 24-hour operation, but did not have any demonstrable evidence for such claim other than a prior city staff report in which the phrase "having 24-hours of operation" was stated, but it was unclear if that was what was existed or what was being requested.
- In the current instance it is again not clear if the applicant has deemed to be approval for 24-hour operation, or is again requesting it anew.
- It became clear that the camping out, hanging out of persons was the primary issue.
- There were both letters of support and opposition to the file. Comment was made supporting the letters from both sides of the request.

With this the Zoning Administrator acted to close the public hearing but to hold the record open for a brief period in order to for the applicant and others to submit additional materials to the file.

LETTERS AND OTHER COMMUNICATIONS TO THE FILE SUBSEQUENT TO THE PUBLIC HEARING

Los Angeles Police Department, Peter A. Zarcone, Captain, Commanding Officer, Hollywood Area - December 18, 2014

The Los Angeles Police Department (LAPD) Hollywood Area, received written correspondence from the Department of City Planning that APPLICANT, 7-11, at 6051 Hollywood Boulevard, Los Angeles has petitioned for a new Conditional Use Permit; ZA-2013-3957(CUB).

The LAPD has reviewed the Master Land Use Permit and Application for an Alcohol Beverage License, and has met with the applicant. Most of our concerns, as well as those of the citizens, were allayed during the meetings and we were able to come to consensus regarding the operating conditions for the location. The LAPD is opposed to the full line of alcohol generally associated with a type 21 license. The LAPD would not be opposed to a beer and wine type 20 licenses. As such, the LAPD does not have an opposition to the granting of a CUP for the location, provided the attached conditions (which have been agreed upon by the applicant) be attached to the CUP. (emphasis added)

Thank you for your cooperation in this matter if you have any questions, please contact Officer Randall Kutscher 36601@lapd.org or Officer Jeffry Poole 36827@lapd.lacity.org, Hollywood Vice Unit, ABC Section at (213) 972-2996.

LAPD Recommended Conditions

- Within six months of the date of this determination and within six months of hire, all personnel acting in the capacity of a manager of the premise and all personnel who serve alcoholic beverages shall attend Standardized Training for Alcohol Retailers (STAR) session sponsored by the Los Angeles Police Department. All employees who serve alcoholic beverages shall attend follow-up STAR classes every 24 months. Upon completion of the training, the applicant shall provide evidence to the Zoning Administrator that such training was provided.
- 2. Electronic age verification device(s) which can be used to determine the age any individual attempting to purchase alcoholic beverages or tobacco products shall be installed on the premises at each point-of-sale location. This devise(s) shall be maintained in an operational condition and all employees shall be instructed in their use prior to sale of any alcoholic beverage or tobacco product.
- 3. The location is available for **24 hours of operation**. All alcohol sales are limited to beer and wine and from 8 a.m. to midnight daily.

4.

- This grant shall have a life of **five (5) years** after which time the grant shall lapse and the applicant shall need to file and win approval of a new conditional use permit
- 5. Only the front door shall be used for patron access. All other doors shall be equipped on the inside with an automatic locking device and shall be kept closed at all times other than to permit temporary access for delivery of supplies and trash removal. These doors shall not consist solely of a screen or ventilated security door but shall be solid.

in order to continue the use of the land as authorized.

- 6. The exterior windows and glass doors of the store shall be maintained substantially free of signs and other materials from the ground to at least 6 feet in height above the ground so as to permit surveillance into the store by Police and private security.
- 7. All exterior portions of the site, shall be adequately illuminated in the evening so as to make discernible the faces and clothing of persons utilizing the space. Lighting shall be directed onto the site and no floodlighting shall be located as to be seen directly by persons on adjacent properties.
- 8. There shall be no pool tables or billiards table, electronic games, coin-operated games, dart games, or other video machines maintained upon the premises at any time.
- 9. Live entertainment is NOT allowed, and amplified music above an ambient level is NOT allowed.
- 10. There shall be NO Adult Entertainment of any type pursuant to L.A.M.C. Section 12.70.
- 11. Any future operator or owner for this site must file a new Plan Approval Application or an equivalent to allow the City of Los Angeles to review the "mode and character" of the usage, and attached appropriate conditions of use.
- 12. The owner/operator shall at all times maintain the abutting sidewalk and parking lot free from obstruction.
- 13. Petitioner(s) shall install and maintain security cameras and a three-month video library that covers all common areas of the business, high-risk areas, sidewalk areas, and entrances or exits. The videotapes shall be made available to police upon request.
- 14. The Petitioner(s) shall be responsible for maintaining free of litter, the area and adjacent to the premises over which they have control. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the Petitioner(s) shall be removed or painted over within 24 hours of being applied.
- 15. A copy of these conditions shall be maintained on site in the office. Additional a copy shall be provided to all employees who shall sign an acknowledgement form stating that they have read and understood all of the ABC and conditional use

permit conditions. Said form shall be maintained at the location by the owner and/or manager who shall present it to Police personnel, ABC investigators or any other City agency upon request. All licenses, permits and conditions shall be posted in a conspicuous location at the subject establishment.

- 16. Petitioner(s) shall maintain on he premises and present upon request to any law enforcement officer, a copy of the Business Permit, Insurance information and a valid emergency contact phone number for the Security Company service(s) and the property, owner.
- 17. The applicant shall provide the Zoning Administrator a copy of each license, suspension thereof, or citation issued by the State of California Department of Alcoholic Beverage Control or the Los Angeles Police Department upon such instance.
- 18. There shall be no service sale or possession of an alcoholic beverage on any sidewalk area or adjacent parking lot or alley way. There shall not be on-site consumption of Alcohol beverages.
- 19. At any time during the period of validity of this grant, should documented evidence be submitted showing continued violation of any condition of this grant and/or ABC license of the location, resulting in an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator (Upon his/her initiative, or upon written request by LAPD or Department of ABC) reserves the right to call for a public hearing requiring the applicant to file for a plan approval application together with associated fees pursuant to LAMC Section 19-01-1 (Miscellaneous Plan Approval), the purpose of which will be to review the applicant's compliance with and the effectiveness of these conditions. The applicant shall prepare a radius map and cause notification to be mailed to all owners and occupants of properties within a 500-foot radius of the property, the Council Office and the Los Angeles Police Department's corresponding division. The applicant shall also submit a summary and any supporting documentation of how compliance with each condition of this grant has been attained. Upon this review the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.
- 20. There shall be no cups, glasses, or similar receptacles commonly used for the drinking of beverages, sold, furnished, or given away at the petitioner's premises in quantities of less than twenty-four in their original multi-container package.
- 21. Ice shall be sold only in 3-pound bags or larger.
- 22. No single cans or bottles sales of alcohol with the exception of premium beer with a price point of more than ten dollars (\$10). Wine sales are limited to a minimum of 750 milliliter bottles with a price point of more than eight dollars (\$8). Fortified wine is prohibited.

- 23. The cold case coolers for alcohol are restricted to a maximum of three cooler doors. Three cooler doors shall be locked between the hours of midnight and 8 a.m. daily. The cooler doors may be locked by electronic device or lock and key and a cooler door cover as to block the display of alcohol. Any alcohol on the floor for sales outside the cooler must be removed to an area without public access between the hours of midnight and 8 a.m. daily.
- 24. Deliveries, trash pick-ups and parking lot cleaning are allowed only between 7 a.m. and 7 p.m. daily.
- 25. The petitioner(s) shall post and maintain a professional quality sign facing the premises parking lot(s) that reads as follows:

NO LOITERING, NO DRINKING OF ALCOHOLIC BEVERAGES VIOLATORS ARE SUBJECT TO ARREST

26. The sale of beer or malt beverages in quantities of 12oz, 16oz, 22oz, 32oz, 40oz, or similar size containers are prohibited. No beer or malt beverages shall be sold in quantities of less than six per sale in a manufacturers packaging. (With the exceptions note in condition #22 above)

Michael Pauls - December 30, 2014

Pursuant to the recommendation of LAPD, we would be in agreement in going forward with beer and wine sales only.

CONDITIONS IDENTIFIED FOR CONSIDERATION BY THE STATE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL RELATIVE TO THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES

In approving the instant grant, the Zoning Administrator has not imposed Conditions specific to the sale or distribution of alcoholic beverages, even if such Conditions have been volunteered or negotiated by the applicant, in that the Office of Zoning Administration has no direct authority to regulate or enforce Conditions assigned to alcohol sales or distribution.

The Zoning Administrator has identified a set of Conditions related to alcohol sales and distribution for further consideration by the State of California Department of Alcoholic Beverage Control (ABC). In identifying these conditions, the Office of Zoning Administration acknowledges the ABC as the responsible agency for establishing and enforcing Conditions specific to alcohol sales and distribution. The Conditions identified below are based on testimony and/or other evidence established in the administrative record, and provide the ABC an opportunity to address the specific conduct of alcohol sales and distribution in association with the Conditional Use granted herein by the Zoning Administrator.

• No "Happy Hour" type of reduced-price alcoholic beverage or "2 for 1" promotion shall be allowed at any time. Discounted food promotions are encouraged.

- No alcohol shall be allowed to be consumed on any adjacent property under the control of the applicant.
- There shall be no exterior advertising of any kind or type, including advertising directly to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.
- Fortified wine (greater than 16% alcohol) shall not be sold.
- No signs are permitted on the outside of the building or directed from the inside to the outside which display or advertise the availability of alcoholic beverages.
- No sale of alcohol shall be permitted at any self-service, automated check-out station (checkout conducted primarily by the customer, with assistance by a store monitor) if such are available on the site. All sales of alcohol shall be conducted at a full-service checkout station directly attended by a cashier/checkout clerk specifically assigned solely to that station.
- The alcoholic beverage license shall not be exchanged for a public premises type license nor operated as a public premises.
- All alcohol sales are limited to beer and wine and from 8 a.m. to midnight daily.
- There shall be no service sale or possession of an alcoholic beverage on any sidewalk area or adjacent parking lot or alley way. There shall not be on-site consumption of Alcohol beverages.
- No single cans or bottles sales of alcohol with the exception of premium beer with a price point of more than ten dollars (\$10). Wine sales are limited to a minimum of 750 milliliter bottles with a price point of more than eight dollars (\$8). Fortified wine is prohibited.
- The cold case coolers for alcohol are restricted to a maximum of three cooler doors. Thee cooler doors shall be locked between the hours of midnight and 8 a.m. daily. The cooler doors may be locked by electronic device or lock and key and a cooler door cover as to block the display of alcohol. Any alcohol on the floor for sales outside the cooler must be removed to an area without public access between the hours of midnight and 8 a.m. daily. parking lot(s) that reads as follows:

NO LOITERING, NO DRINKING OF ALCOHOLIC BEVERAGES VIOLATORS ARE SUBJECT TO ARREST

• The sale of beer or malt beverages in quantities of 12oz, 16oz, 22oz, 32oz, 40oz, or similar size containers are prohibited. No beer or malt beverages shall be sold in quantities of less than six per sale in a manufacturers packaging.

BASIS FOR CONDITIONAL USE PERMITS

A particular type of development is subject to the conditional use process because it has been determined that such use of property should not be permitted by right in a particular zone. All uses requiring a conditional use permit from the Zoning Administrator are located within Section 12.24-W of the Los Angeles Municipal Code. In order for the sale of beer and wine for off-site consumption to be authorized, certain designated findings have to be made. In these cases, there are additional findings in lieu of the standard findings for most other conditional use categories.

FINDINGS

Following (highlighted) is a delineation of the findings and the application of the relevant facts to same:

1. The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.

Applicant

The applicant is requesting the sale and dispensing of a full line of alcoholic beverages for off-site consumption in conjunction with the continued operation of an existing 24 hour daily convenience market (7-Eleven) located within an existing commercial shopping center in the (Q)C4-2D-SN zone.

The subject site is adequate in size and shape to accommodate the subject use. The subject unit measures 2,732 sf. and is part of a shopping center known as Gower Plaza, a two-story commercial development at the north east corner of Hollywood Boulevard and Gower Street. The site measures approximately 28,185 sf. and has approximately 150 linear feet of frontage along Hollywood Blvd and 135 feet of frontage along Gower Street.

The subject shopping center meets all of the development requirements set forth for development in the (Q)C4-2D-SN. The shopping center will be served by 45 parking spaces.

The location and use will serve the public convenience by providing a much needed service to the surrounding community. In that all amenities will be available to the public. The sale of a full line of alcoholic beverages for off-site consumption will provide an amenity customarily found in other convenient markets elsewhere in the community.

The subject 7-Eleven store is the major long-term anchor tenant within the subject shopping center. The subject 7-Eleven brings with it the largest customer base within the center thereby providing economic vitality to the Gower Plaza. Small businesses in the Center rely on the 7-Eleven customers for their own business success.

Placing the 7-Eleven in a position where it can no longer compete with newer convenience type markets which sell alcohol will have a negative economic impact on the other small business owners in the Center harming these "Mom and Pop" businesses and potentially leading to their closure.

It is essential for the 7-Eleven to stay competitive with other businesses in the area and at the same time maintain its customer base in light of other businesses being granted Conditional Use approvals to establish new off-site alcohol uses in the surrounding area. The most recent Case No. ZA 2013-4027 (MCUP).

The proposed project will enhance the built environment in the surrounding neighborhood and will perform a service that is essential and beneficial to the community.

The proposed use is consistent with the surrounding land uses which include retail and service oriented uses to the south, east and west, consistent with the C4 zone.

Zoning Administrator

The applicant initially requested a conditional use permit to allow the sale of a full line of alcoholic beverages for off-site consumption at an existing convenience market (7-Eleven). That grant has not been approved, but a lesser grant for beer and wine sales only for off-site consumption has. According to the applicant, a convenience market has operated at the current location for at least 15 years. The Zoning Administrator has determined that the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region because the operation has been at this location for a considerable period of time and the social dynamics in the area, while disturbing, have not appeared to change in any substantial fashion from that previously observed in 1991. The Zoning Administrator determines that alcohol sales are not a contributing factor to the social conditions portrayed in photographs to the file. In this current application, the Council office has opposed the request, but the Police Department has conditionally supported it so long as alcohol sales are limited to just beer and wine and the grant is limited to 5 years. The Police have approved the 24-hour operation.

In reaching the approval granted herein, the Zoning Administrator has had to weigh the potential business opportunity against the homeless problem and he has looked for arguments that were persuasive as to how the limited sale of beer and wine would add to any real or perceived social problems in the area. None were found or forthcoming. In acting to partially approve the applicant's request the Zoning Administrator has relied on the "in the field" experience of the Police and their conditional approval of a portion of the applicant's request. The Police have not raised issues addressing any observed linkages between beer and wine sales, and the human situations depicted in the photos to the file.

Lastly while there are voices in opposition to the requested use, there are also a substantial number of voices supporting the applicant's request. The grant as made herein is limited, well-conditioned, and short term. The applicant has been given an

opportunity to demonstrate what has been stated here as their ability to run a trouble free business and not be a contributing factor to social problems. Should the maintenance of a trouble-free operation not be forthcoming, the grant has been so condition that the applicant can be made to come before the Zoning Administrator for another hearing in which compliance and effectiveness of conditions can be evaluated. Ultimately at the end of 5 years, this instant grant will expire by operation of law and a bad track record on the part of the applicant could result in future denial.

2. The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

Applicant

The request is for the sale and dispensing of a full line of alcoholic beverages for off-site consumption in conjunction with the continued operation of an existing 24 hour daily convenience market (7-Eleven) located within an existing commercial shopping center in the (Q)C-4-2D-SN zone.

The granting of this Conditional Use permit will not adversely affect the adjacent uses, nor will it be detrimental to the public health, safety or welfare. The proposed use is compatible with the uses surrounding the subject site. The location is proper in relation to adjacent uses at is located on a site zoned for commercial uses and surrounded by a varied assortment of commercial and service type uses.

The surrounding uses include: a commercial shopping center to the south across Hollywood Boulevard which is zoned (Q)C4-2D-SN; property to the east are zoned (Q)C4-2D-SN and improved with a clinic, property to the west across Gower Street are zoned (Q)C4-2D-SN and improved with a Pep Boys automobile service center and multi-family residential to the north of the subject site which is zoned R-4.

The shopping center is conveniently located within walking distance from the business community and residential neighborhood.

The subject convenience market at the shopping center provides a benefit to the community. This is a neighborhood oriented use which emphasizes pedestrian travel thereby providing an enhancement to the surrounding community.

Zoning Administrator

The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety because the project site is a level, rectangular-shaped parcel of land consisting of two lots in the C4-1-SN Zone. The property is developed with an L-shaped mini-shopping center. The subject convenience market is located in a ground floor tenant space located in Building No. 2. There are a total of 45 on-site vehicle parking spaces with access on

Gower Street and Hollywood Boulevard. The northern adjoining property is zoned R4-2 and is developed with an apartment complex. The eastern adjoining property is zoned [Q]C4-2D-SN and is developed with a 8,306 square-foot office building that houses the Saban Free Clinic. The southern adjoining properties (across Hollywood Boulevard) are zoned [Q]C4-2D-SN and are developed with a mini-shopping center and a Toyota dealership. The westerly adjoining property (across Gower Street) is zoned [Q]C4-2D-SN and is developed with a 12,500 square-foot retail store (Pep Boys) and an associated surface parking lot fronting Gower Street.

The 7-Eleven use is existing and has been so for some time. The area is one of people hanging out. No connection has been made between that phenomenon and the operation of the subject store. This situation appears unchanged since the earlier case in 1991. The Police have reported on this current matter and did not raise issue regarding the "hanging out" shown in photographs in the file and the sale of beer and wine. The Police submitted numerous conditions of operation that were developed with the applicant and members of the public. At the end of that exercise the Police reported that they believed the business could be a trouble-free operation if it adhered to the conditions as imposed.

The Zoning Administrator has reviewed the Police conditions and they are listed in their complete form elsewhere in this Letter of Determination. The Zoning Administrator has imposed those conditions as conditions of this grant where he had the authority to do so. In some instances the Police sought conditions to be imposed that directly related to alcohol beverage sales. The Zoning Administrator has no authority in such areas, but has made the effort to suggest such conditions to the State ABC for their consideration and possible adoption.

3. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.

Applicant

The proposed use is consistent with similar uses permitted in the (Q)C4-2D-SN.

The applicant will adhere to all requirements as deemed appropriate by the City of Los Angeles and will operate in full compliance in accordance with City of Los Angeles guidelines.

The proposed use will operate in conjunction with an existing 24 hour convenience market consisting of approximately 2,732 square feet.

The subject site is not in conflict with the General Plan. The zoning for the subject property is (Q)C4-2D-SN. The location of the convenience market is in an area designated for commercial uses consistent with the goals of the Hollywood Community Plan. The existing presence of this retail food store has been an enhancement in servicing the needs of the community. The proposed sale of general alcohol will be a further enhancement of services provided by the convenience market. Therefore, the proposed use is in harmony with the goals and objectives of the General Plan.

Zoning Administrator

The Hollywood Community Plan Map designates the property for Highway Oriented Commercial land uses with the corresponding zones of C1, C2, P, RAS3, RAS4, and Height District No. 2D.

The proposed location continues to be in harmony with the various elements and objectives of the General Plan because the property is located within the Los Angeles Central City Plan, a component of the Land Use Element of the City's General Plan.

The Hollywood Community Plan includes the following policies for commercial land use:

The Hollywood Community Plan has been designed to accommodate the anticipated growth in population and employment of the Community ... The Plan does not seek to promote nor hinder growth; rather it accepts the likelihood that growth will take place and must be provided for.

The focal point of the Community is the Hollywood Center, located generally on both sides of Hollywood and Sunset Boulevards between La Brea and Gower Street. The Hollywood Center is included in the Hollywood Redevelopment Project area as adopted in May 1986. This center area shall function 1) as the commercial center for Hollywood and surrounding communities and 2) as an entertainment center for the entire region. Future development should be compatible with existing commercial development surrounding residential neighborhoods, and the transportation and circulation system. Developments combining residential and commercial uses are especially encouraged in this Center area.

The convenience store is located on the northeastern corner of the intersection of Hollywood Boulevard and Gower Street, on the periphery of the Hollywood Center identified in the Community Plan. The offering of a variety of consumer goods, including beer and wine, is in keeping with the commercial orientation of the area.

The issue of alcoholic beverage sales is not specifically addressed in the Plan Text. In such cases, the Zoning Administrator must interpret the intent of the Plan. Given the content of the Conditions and limitations established herein, including the term grant and STAR training for employees, surrounding land uses should be protected from predictable impacts of the proposed use. Therefore, the request is in harmony with the General Plan.

4. The proposed use will not adversely affect the welfare of the pertinent community.

Applicant

The granting of this Conditional Use permit will not adversely affect the adjacent uses nor will it be detrimental to the public health, safety or welfare. The existing convenience market currently operates 24 hours daily. The 24-hour operation of the market has been established since 1985 and has been operating continuously since open.

There are no off- sale alcohol licenses within 1000' feet from the subject site. The proposed use will add to the economic vitality and pedestrian orientation in the neighborhood.

The subject 7-Eleven store is the major long-term anchor tenant within the subject shopping center. The subject 7-Eleven brings with it the largest customer base within the center thereby providing economic vitality to the Gower Plaza. Small businesses in the Center rely on the 7-Eleven customers for their own business success.

Placing the 7-Eleven in a position where it can no longer compete with newer convenience type markets which sell alcohol will have a negative economic impact on the other small business owners in the Center harming these "Mom and Pop" businesses and potentially leading to their closure.

It is essential for the 7-Eleven to stay competitive with other businesses in the area and at the same time maintain its customer base in light of other businesses being granted Conditional Use approvals to establish new off-site alcohol uses in the surrounding area. The most recent Case No. ZA 2013-4027 (MCUP).

The 7-Eleven is conveniently located within walking distance from the surrounding residential neighborhood.

The subject convenience market at the shopping center provides a benefit to the community in reducing unnecessary vehicle trips. This is a neighborhood-oriented use, which emphasizes pedestrian travel thereby providing an enhancement to the surrounding community.

The business owner will operate the business in a clean and responsible manner and will provide measures to ensure the security of customers and patrons alike.

Therefore, the sale and dispensing of a full line of alcoholic beverages for off-site consumption will not create any additional impacts beyond those already created by the surrounding existing commercial uses. The surrounding uses include:

A commercial shopping center to the south across Hollywood Boulevard which is zoned (Q)C4-1; property to the east are zoned (Q)C-4-2D-SN and improved with a clinic, property to the west across Gower Street are zoned (Q)C4-2D-SN and improved with a Pep Boys automobile service center and multi-family residential to the north of the subject site which is zoned R-4-2.

Zoning Administrator

The operation has been conditioned to address the potential adverse impacts. If at any time there is documented evidence of detrimental impacts from the sale of a full line of alcoholic beverages at an existing convenience market, additional conditions can be imposed through a plan approval. No significant impacts were identified in the environmental analysis for the project.

5. The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.

Applicant

This request is for the sale and dispensing of a full line of alcoholic beverages for off-site consumption in conjunction with the continued operation of an existing 24 hour convenience market located within an existing commercial shopping center in the (Q)C4-2D-SN zone.

This request will not contribute to an undue concentration of off-site alcohol licenses in the community.

The State of California has suggested that the underlying census tract is over-concentrated (2 recommended, 4 existing) based upon the number of inhabitants living within the census tract, however, there are mitigating circumstances which were not considered by the State in making their recommendation.

There are currently no markets or off-site alcohol sales within 1000 feet of the subject site. Therefore, the Project will not adversely affect community welfare because the sale of general alcohol for off-site consumption is a desirable use in this area.

The convenience market, which is the subject of this application is a branded 7-Eleven neighborhood market which has been in operation 24 hours / day since 1985 serving the surrounding community.

The area surrounding the subject site (census tract 1910.00) will add approximately 1,250 new residential units with an overall population gain of over 2,000 new residents (1,700 new residents within 350' of the subject site) within the coming year.

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There will be a need to provide additional pedestrian oriented services, inclusive of alcohol sales, in support of new and existing residents. The proposed use will add to the economic vitality and pedestrian orientation in the neighborhood.

The establishment of alcohol sales in close proximity to new residential development will reduce vehicle trips on Hollywood Boulevard / Gower Street and increase pedestrian circulation benefitting local restaurants and other service oriented businesses in the Center.

This application is consistent with the Hollywood Community Plan, "Objective 4a: To promote economic well being and public convenience through allocating and distributing commercial lands for retail, service, and office space in quantities and patterns based on accepted planning principles and standards. The applicant will also implement security measures such as the installation of a comprehensive imaging system, which will view, and record the entirety of the premise and will provide an identification card reader to determine the authenticity of identification and proof of age.

The applicant will also require that all store managers obtain training from the State of California Department of Alcoholic Beverage Control License Education on Alcohol and Drugs (LEAD) Program. This training shall be on going and all new managers shall be required to attend training. Verifiable documentation of completion of such training must be maintained and be available on the premise at all times. This training will enable managers to recognize and address any potential crime released issues on the subject premise.

600 ft. Alcohol Beverage List Provided by the Applicant

Florentine Gardens Type 47 Sushi Ike Type 41		5951 Hollywood Boulevard On-Sale General Eating Place 6051 West Hollywood Boulevard On-Sale Beer/Wine Eating Place
Fonda Theater : Type 47 Vanguard Type 48	1	6124-6126 Hollywood Boulevard On-Sale General Eating Place 6021 Hollywood Boulevard On-sale general public premises

600 ft. to 1000 ft. Alcohol Beverage List Provided by the Applicant

Pacific Theaters Type 48 Good Times At Davey Wayne's Type 47 Palm Thai Type 47 W Hollywood Type 47 6233 Hollywood Boulevard On-Sale General Public Premises 1611 North El Centro Avenue On-Sale General Eating Place 5900 Hollywood Boulevard B On-Sale General Eating Place 6250 Hollywood Boulevard On-Sale General Eating Place

Solo Tapas	6250 Hollywood Boulevard, #100
Туре 47	On-sale general eating place
Drais	6250 Hollywood Boulevard
Type 47	On-sale general eating place

Zoning Administrator

According to the State of California Department of Alcoholic Beverage Control (ABC) licensing criteria, 3 on-sale and 2 off-sale licenses are allocated to Census Tract No. 1910. There are currently 26 on-site and 2 off-site licenses in this Census Tract.

The number of licenses for on-site sales is above the allocated threshold. This grant is approved for a limited term of 5 years which allows for a review of the grant in its entirety at the end of such term and of an evaluation of any impacts associated with any future potential increase in licenses within this census tract.

As reported by ABC from statistics provided by the Los Angeles Police Department, within Crime Reporting District No. 637, which has jurisdiction over the subject property, a total of 445 crimes were reported in 2013, compared to the citywide average of 180 crimes and the high crime reporting district average of 216 crimes for the same period.

The crime rate numbers are higher than those rates identified for the citywide average and the district average. A number of conditions to help safeguard the community and to provide for a reasonable operation have been imposed as a part of this action, including the requirement for an age verification device. The requirement for the term grant will additionally insure that oversight is maintained if the applicant wants to obtain an approval to continue such sales upon the expiration of the term grant.

6. The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.

Applicant

The subject neighborhood market, which is requesting to sell alcoholic beverages, has been operating at this location since 1985 in harmony with the surrounding community.

The existing business and proposed use are consistent with similar uses permitted in the C4 zone. There is an existing commercial development pattern along Hollywood Boulevard. The area surrounding the business is primarily commercial with a mixture of retail and service uses. A multi-family residential development is located directly to the north of the project site. The surrounding neighborhood has been and continues to be a primarily commercial in nature.

The shopping center in which the subject neighborhood market is located is convenient to residential zones and uses in the surrounding area. The addition of alcohol sales will prove to enhance the selection of goods for sale to the surrounding community and benefit pedestrian circulation in the area.

The applicant will adhere to all requirements as deemed appropriate by the City of Los Angeles and will operate in full compliance with City of Los Angeles ordinances and guidelines.

The store consists of 2,732 sf. is a self-contained use that will not interfere with sensitive uses in the area.

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Zoning Administrator

According to information submitted by the applicant, the following sensitive uses are located with a 1,000-foot radius of the project site:

Saban Community Clinic	
Salvation Army	
Saint Stephens Episcopal Church	
Hollywood Presbyterian Church	
Hollywood Presbyterian Pre-School	

6043 Hollywood Boulevard 5941 Hollywood Boulevard 6125 Carlos Avenue 1760 North Gower Street 1760 North Gower Street

This grant has placed numerous conditions upon the request and not authorized uses of the property, which might create potential nuisances for the surrounding area. Such imposition of conditions, as well as the imposition of a term grant, will make the use a more compatible and accountable neighbor to the surrounding uses than would otherwise be the case.

ADDITIONAL MANDATORY FINDINGS

- 7. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.
- 8. On February 19, 2014, a Mitigated Negative Declaration (ENV 2014-3958-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that with imposition of the mitigation measures described in the MND (and identified in this determination), there is no substantial evidence that the proposed project will have a significant effect on the environment. I hereby adopt that action. This Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis.

As a part of that analysis, a mitigation measure was recommended to minimize the project's impact on Police Department services. The measure generally recommended construction and design options to minimize opportunities for criminal behavior. Inasmuch as the project facility exists and no new construction is proposed, a number of substitute conditions have been adopted (Condition Nos. 15, 22, 23, and 29) which are of equal or greater efficacy in reducing the potential for adverse impact on police services. Many of these conditions, along with others, were adopted as part of a recommendation from the Police Department.

The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street.

Inquiries regarding this matter shall be directed to JoJo Pewsawang, Planning Staff for the Office of Zoning Administration at (213) 978-1214.

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ALBERT LANDINI Associate Zoning Administrator

AL:JP:Imc

cc: Councilmember Mitch O'Farrell Thirteenth District Adjoining Property Owners


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(818) 787-1663

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LOS ANGELES POLICE DEPARTMENT

CHARLIE BECK Chief of Police



P. O. Box 30158 Los Angeles, Calif. 90030 Telephone: (213) 972-2996 TDD: (877) 275-5273 Ref #: 6.1

ERIC GARCETTI Mayor

December 18, 2014

Ms. Linn Wyatt, Chief Zoning Administrator Office of Zoning Administration 200 North Spring Street 7th Floor Los Angeles, California 90012

File Number: ZA-2013-3957(CUB)

Dear Ms. Wyatt:

The Los Angeles Police Department (LAPD), Hollywood Area, received written correspondence from the Department of City Planning that APPLICANT, 7-11, at 6051 Hollywood Boulevard, Los Angeles, has petitioned for a new Conditional Use Permit; ZA-2013-3957(CUB).

The LAPD has reviewed the Master Land Use Permit and Application for an Alcoholic Beverage License, and has met with the applicant. Most of our concerns, as well as those of the citizens, were allayed during the meetings and we were able to come to consensus regarding the operating conditions for the location. The LAPD is opposed to the full line of alcohol generally associated with a type 21 license. The LAPD would not be opposed to a beer and wine type 20 license. As such, the LAPD does not have an opposition to the granting of a CUP for the location, provided the attached conditions (which have been agreed upon by the applicant) be attached to the CUP.

Thank you for your cooperation in this matter. If you have any questions, please contact Officer Randall Kutscher <u>36601@lapd.lacity.org</u> or Officer Jeffry Poole <u>36827@lapd.lacity.org</u>, Hollywood Vice Unit, ABC Section at (213) 972-2996.

Very truly yours,

CHARLIE BECK Chief of Police

PETER A. ZARCONE, Captain Commanding Officer Hollywood Area

> AN EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER <u>www.LAPDonline.org</u> <u>www.joinLAPD.com</u>

LOS ANGELES POLICE DEPARTMENT

CHARLIE BECK Chief of Police



P. O. Box 30158 Los Angeles, Calif. 90030 Telephone: (213) 972-2996 TDD: (877) 275-5273 Ref #: 6.1

ERIC GARCETTI Mayor

December 18, 2014

Mr. Will Salao District Administrator 888 S. Figueroa Street, Suite 320 Los Angeles, California 90017

File Number: 21-537573

Dear Mr. Salao:

The Los Angeles Police Department is in **opposition** to the issuance of a Type 21 license for APPLICANT: 7-Eleven, doing business at 6051 Hollywood Boulevard, Unit 111, Los Angeles.

The LAPD has concerns regarding the issuance of the license allowing a Full Line of Alcohol for Off-Sale purposes at the location and must be in opposition at this time. The reasons for our protest are based upon the existing oversaturation of alcohol licensed locations in the Hollywood area, as well as the fact that 7-11 has branded itself as a "convenience store" and the vast majority of the locations within California (Over 95%) are Type 20 Alcohol Beverage Control (ABC) licenses. We feel that a Type 21 License (Full-Line Alcohol sought after at this location) is indicative of a "liquor store" or "full-service grocery," not a convenience store. In addition, we have received over 25 letters of protest from concerned citizens who live in the area and do not want an additional ABC license at the location. We have also conferred with the Councilmember's office and the neighborhood council that govern that location and have come to a consensus that the 24 hour operation combined with full-line alcohol sales would have a negative impact in regards to public resources and public safety. Furthermore, as there are 7 other 7-11 locations, 8 Walgreens, and over 15 CVS Pharmacy locations within a five mile radius that provide alcohol sales, we feel very strongly that although the location may meet the convenience aspect, it does not meet the public necessity threshold in regards to full-line alcohol sales.

We have no opposition to a Type 20 beer and wine ABC license with the attached operating restrictions imposed. Although these conditions will not eliminate our concerns, the conditions requested are designed to mitigate many of the issues that would likely arise should you decide to allow either type of license.

Mr. Will Salao Page 2 6.1

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Pease contact Officer Randall Kutscher <u>36601@lapd.lacity.org</u> or Officer Jeffry Poole <u>36827@lapd.lacity.org</u>, Hollywood Vice-ABC Section at (213) 972-2996.

Very truly yours,

CHARLIE BECK Chief of Police

PETER A. ZARCONE, Captain Commanding Officer Hollywood Area

6051 Hollywood Blvd/ Bldg #1

Address of Building



CITY OF LOS ANGELES CERTIFICATE OF OCCUPANCY

NOTE: Any change of use or occupancy must be approved by the Department of Building and Safety. This certifies that, so far as ascertained by or made known to the undersigned, the building at the above address complies with the applicable requirements of the Municipal Code, as follows: Ch 1, as to permitted uses, Ch. 9, Arts. 1, 3, 4, and 5; and with applicable requirements of State Housing Law-for following occupancies:

Permit No. and Year LA68791-83 Tissued 4/30/86

> Two story, type-IIIB, 50'x141', Office Building total of 44 parking spaces required and provided. Suite #104 changed to G2 on permit. 94120/84. G1/G2 occupancy.

> > BY.

8 n 2 1

#700

-Owner

---Owner's Address

15233 Ventura Blvd. Sherman Oaks, Ca. 91403 5888788288588888888888

Gower Plaza L.T.D.

2 Lane/bm

Form B-95b

	Address of Building 6051 Hollywood Blvd., Bldg. 2 CITY OF LOS ANGELES CERTIFICATE OF OCCUPANCY
	Note: Any change of use of occupancy must be approved by the Department of Building and Safety.
	This certifies that, so far as ascertained or made known to the undersigned, the vacant land, building or portion of building described below and located at the above address complies with the applicable construction requirements (Chapter 9) and/or the applicable zoning requirements (Chapter 1) of the Los Angeles Municipal Code for the use, or occupancy group in which it is classified.* (Non-Residential Uses)
<u> 20</u>	This certifies that, so far as ascertained by or made known to the undersigned, the building or portion of building described below and located at the above address complies with the applicable requirements of the Municipal Code, as follows: Ch. 1, as to permitted uses, Ch. 9, Arts. 1, 3, 4, and 5; and with applicable requirements of State Housing Law-for following occupancies:" (Residential Uses)
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	Issued Bort Office: LA VN - WLA - SP - C.D. # BLDG- BCS GEN MS- EQ - BMI - COMM
	Owner Gower Plaza Limited Partnership Owner's 18980 Ventura Blvd., #200 Address Tarzana, CA 91356
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MEMORANDUM

Date:	May 4, 2016
То:	Michael Pauls
From:	Alicia Ley
RE:	State of California Department of Alcoholic Beverage Control Statistics for Census Tract No. 1910

According to the State of California Department of Alcoholic Beverage Control licensing criteria, 3 on sale and 2 off sale licenses are allocated to Census Tract no. 1910. There are currently 26 on site and 2 off-site licenses in this Census Tract.

The statistics provided by the Los Angeles Police Department within Crime Reporting District No. 637, which has jurisdiction over the subject property, a total of 445 crimes were reported in 2013, compared to the citywide average of 180 crimes and the high crime reporting district average of 216 crimes for the same period.

Please see letter of support issued by LAPD approving beer and wine Type 20 license for the subject site.

Also, please see attached Letter of Determination dated February 12, 2015 issued by the Zoning Administrator approving Conditional Use for beer and wine Type 20 license.

PENALTY OF PERJURY STATEMENT

I hereby certify that to the best of my knowledge the attached radius map correctly depicts the required data obtained from the records of the City Engineer, City Clerk, and/or the Los Angeles Department of City Planning and, where appropriate, the State Division of Highways.

I further hereby certify that to the best of my knowledge, and under the penalty of perjury, the attached ownership list correctly shows the latest names and addresses on the City Engineer's land records as of the following date: 5 - 3 - 16. In certain circumstances, such as in annexation proceedings, where there may be no City Engineer records, the records of the County Assessor's Office may be accepted by the City Planning Commission.

Signature)

I hereby certify that to the best of my knowledge and under the penalty of perjury, the attached occupants list correctly indicates addresses of the required occupants that fall within the radius as of the following date:

(Signature)

The Department of City Planning will not accept the application maps and ownership list which bear a date of more than 90 days prior to the date the application is accepted for process. Furthermore, the applicant may be required to update the radius map and/or ownership list before the Department will schedule the public hearing for any discretionary application.

1. DDD Hollywood of Gower Co LLC 12121 PARAMOUNT BLVD #C DOWNEY CA 90243

4. FIRST PRESBYTERIAN CHURCH 1760 GOWER ST HOLLYWOOD CA 90028

7. 6104 HOLLYWOOD LLC 18818 TELLER AVE #277 IRVINE CA 92612

DUKE DULGARIAN 433 33rd ST. MANHATTAN BEACH CA 90266 2. LOS ANGELES HSNG DEPT 1200 W 7TH ST #901 LOS ANGELES CA 90017

5. COLONY BANCORP OF MALIBU 6161 SANTA MONICA BL #200 LOS ANGELES CA 90038

8. HOLLYWOOD MOTOR PROPERTIES LLC 6000 HOLLYWOOD BLVD LOS ANGELES CA 90028

MICHAEL PAULS ASSOCIATES 6475 E PACIFIC COAST HWY #135 LONG BEACH CA 90803 3. LOS ANGELES FREE CLINIC 6043 HOLLYWOOD BL LOS ANGELES CA 90028

6. PEP PROPERTIES INC 3111 W ALLEGHENY AVE PHILADELPHIA PA 19132

9. RUTH REICH FAMILY LIMITED 636 26th ST SANTA MONICA CA 90402

SHOUKAT HUSSAIN ALI 6051 W HOLLYWOOD BLVD #111 LOS ANGELES CA 90028



LOS ANGELES 201 N. LOS ANGELES ST., STE. 13A LOS ANGELES, CA 90012 TEL: (213)617-9600, FAX: (213)617-9643

VAN NUYS 14540 SYLVAN ST. VAN NUYS, CA 91411 TEL: (818) 779-8866, FAX: (818) 779-8870

CASE	NU	MB	ER:

BTCID: LA15-239

REFERENCE:		DATE: 3/17/2015	
SITE ADDRESS: 6051 W. HOLLYWOOD, UN	IIT 111		
AUTHORIZED BY: WINSTON			
DESCRIPTION OF SERVICES AND FEES:			
Labels and Mailing Preparation - Number	0	x \$1.77	
Mailing Only – Number	12	x \$1.42	\$17.04
Appeals – Number		x \$1.52	
Posting of Site – Number of signs		x \$75.00 (1 st)	
		x \$60.00 (addtl.)	
Research/Add'l N.C. and Council Notification			\$12.20
All Weather Posting (optional)		\$20.00	
Removal of Signs (optional)	0	\$50.00	

TOTAL DUE:	\$29.24
A COPY OF THIS FORM MUST BE PRESENTED TO THE PLANNING DEPARTMENT AT	
THE TIME OF FILING TO HAVE YOUR APPLICATION DEEMED "COMPLETE"	
Note: If applicant/map maker is retaining labels for addition of case number, labels must be	
returned to BTC within 7 days from the date of this invoice, or BTC will be forced to produce	
labels and charge the applicant/map maker. If bill is not paid, further processing of your	
other cases will stop. For cases requiring immediate mailing, labels must be submitted on	AN A
the day of payment or BTC will produce labels and charge applicant/map maker.	X
The City of LA usually generates a determination letter comprising of one(1) to three(3)	
pages which requires 1st Class postage. If your project requires a determination letter that	Λ V
exceeds three pages, you will be billed for excess postage and material costs that are due	
on receipt of bill. A \$ 50.00 fee will be charged if you want a copy of the BTC file(s).	x ,1~
Refunds and Credits only valid one year from the original filing date. Cancellations and	
changes are subject to a 20% or \$50.00 handling fee, whichever is greater. Returned checks	
subject to a \$200.00 fee. If the check is fraudulant, the City will be notified that the invoice	
is null and void. A fee of 10% will be charged to re-activate all null and void invoices. If	Le la
case goes to appeal, processing & mailing costs of \$1,52/label will be paid.	X · ·
Signature:	1516171879
Telephone: (562) 434-2835	212151617181930
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PENALTY OF PERJURY STATEMENT

Thereby certify that to the best of my knowledge the attached radius map correctly depicts the required data obtained from the records of the City Engineer, Gity Clerk, and/or the Los Angeles Department of City Planning and, where appropriate, the State Division of Highways.

I further hereby certify that to the best of my knowledge, and under the penalty of perjury, the attached ownership list correctly shows the latest names and addresses on the City Engineer's land records as of the following date: following date: proceedings, where there may be no City Engineer records, the records of the County Assessor's Office may be accepted by the City Planning Commission.

(Print or (ype) (Signature)

I hereby certify that to the best of my knowledge and under the penalty of perjury, the attached occupants list correctly indicates addresses of the required occupants that fall within the radius as of the following date:

(Print-or type)

(Signature)

In certain instances I may have been unable to verify all occupants, therefore the following indicates which occupants I was not able to identify. I understand that the Department of City Planning will determine if reasonable altempts were made to secure these addresses from the information provided below

Reason unable to verify Attempts made to verify. Additional Information

(4) Other: Specify

(1):Secured Building (2) Galed Yard (3) Rofusod Access

(1) Returned to building on three separate occasions

(2) Ellorts to contact owner or manager without success

(3) Contact made with owner or manager, who refused to provide the information

(4) Other: Specify

REMINDER TO APPLICANT AND PROJECT TEAM: The Department of City Planning will not accept the application maps and ownership list which bear a date of more than 90 days prior to the date the application is accepted for process. Furthermore, the applicant may be required to update the radius map and/or ownership list before the Department will schedule the public hearing for any discretionary application.

CP-2074 mailing procedures (7/11/2014)

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