

CITY OF LOS ANGELES
DEPARTMENT OF CITY PLANNING
OFFICE OF ZONING ADMINISTRATION

STAFF INVESTIGATOR REPORT

February 10, 2022

Chief Zoning Administrator (A)
Office of Zoning Administration
200 North Spring Street, #763
Los Angeles, CA 90012

BP Properties (O)
2816 Honolulu Avenue, Unit 740
Verdugo City, CA 91046

Anil Mansoor Ali (Op)
3119 Via Dolce, Unit 308
Marina Del Rey, CA 90292

R. Bruce Evans (R)
Solomon, Saltsman & Jamieson
426 Culver Boulevard
Playa Del Rey, CA 90293

7-Eleven, Inc.
6701-6707 Santa Monica Boulevard
Hollywood, CA 90038

CASE NO. DIR-2020-954-RV
IMPOSITION OF CONDITIONS
6701-6707 W. Santa Monica Boulevard
Hollywood Planning Area
Zone : [Q] M1-1VL-SN
D. M. : 144B185
C. D. : 13 – O'Farrell
CEQA: ENV-2020-955-CE
Legal Description: Arb 1, Lot FR 14&15,
Block B, Strong and Dickinson's
Hollywood High School Tract

Request

The purpose of the hearing is to obtain testimony of the property owner and/or business operator, plus affected and/or interested persons regarding the operation of 7-Eleven, location address 6701-6707 West Santa Monica Boulevard. Following the hearing, the Zoning Administrator may require the discontinuance of the use; or modify, delete, or impose additional conditions regarding its use as a convenience store in order to mitigate any land use impacts caused by the use. The public is also invited to submit written comments prior to the hearing.

The Zoning Administrator will consider:

1. An Exemption from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15321 (Enforcement Actions by Regulatory Agencies), and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.
2. Los Angeles Police Department calls for service, arrest reports, and crime analysis documentation of: shoplifting, theft, battery, robbery, petty theft, larceny, assault



ZIMAS Aerial Map, 2017

The property is developed with a one-story, 5,040 square-foot commercial multi-tenant building. The building has three tenants containing the subject convenience store (“7-Eleven”), Magee’s Donuts, and Launderland Coin Laundry. According to the plot plan attachment that was submitted to City of Los Angeles Building and Safety dated May 14, 2012, there are twelve on-site parking spaces.

The convenience store is open daily 24 hours. The doughnut shop is open Monday through Friday, 5:00 a.m. to 5:00 p.m.; Saturday, 6:00 a.m. to 2:00 p.m.; and Sunday 6:00 a.m. to 2:00 p.m. The laundromat is open daily from 6:00 a.m. to 10:00 p.m.

Streets

Santa Monica Boulevard, adjoining the subject property to the south, is designated by the Mobility Plan as a Modified Avenue I, with a 104-foot right-of-way width and improved with curb, gutter and sidewalk.

Las Palmas Avenue, adjoining the subject property to the east, is designated by the Mobility Plan as a Local Street with a 60-foot right-of-way width and improved with curb, gutter and sidewalk.

Surrounding Land Uses

The adjoining property to the north is improved with a one-story commercial building in the [Q] M1-1VL-SN. The adjoining property to the west is improved with a three-story Los Angeles LGBT Center Youth Housing building. The property to the east, across Las Palmas Avenue is developed with a seven-story residential complex. The property to the south, across Santa Monica Boulevard is a two-story commercial building.

Background

The City of Los Angeles Office of Finance LATAX Report shows that 7-Eleven (Account 2627450) started on July 24, 2012 at the subject property.

On March 31, 1978, the Los Angeles Department of Building and Safety (LADBS) issued a temporary Certificate of Occupancy (#1977LA39942) for a one-story commercial building and a temporary Certificate of Occupancy for 6071 Santa Monica Boulevard for the 7-Eleven store. On November 9, 1978, LADBS issued a Certificate of Occupancy (#1978LA61188) for a one-story commercial building, including a food and liquor store (6701 Santa Monica Boulevard), a donut shop (6705 Santa Monica Boulevard), and a sandwich shop (6707 Santa Monica Boulevard). Eleven parking spaces was required and provided.

The subject 7-Eleven store maintains a Type 20 ABC license which permits the off-site sale of beer and wine only. According to the California Department of Alcoholic Beverage Control website, license 20-524628 was originally issued on July 1, 1988 under license number 20-214420. The current California Department of Alcoholic Beverage Control license number 20-524628 expires on June 30, 2022.

Per Ordinance 159,698 (Off-site Sale of Alcoholic Beverages) and ZA Memorandum No. 61, a conditional use permit for off-site sale of alcoholic beverages should be filed for applications with the California Department of Alcoholic Beverage Control on and after April 7, 1985. According to Certificate of Occupancy #1978LA61188 issued in 1978, it appears that the subject business has deemed-to-be approve status and does not have to file for a conditional use permit for off-site sale of alcoholic beverages with the City.

Nuisance Investigation

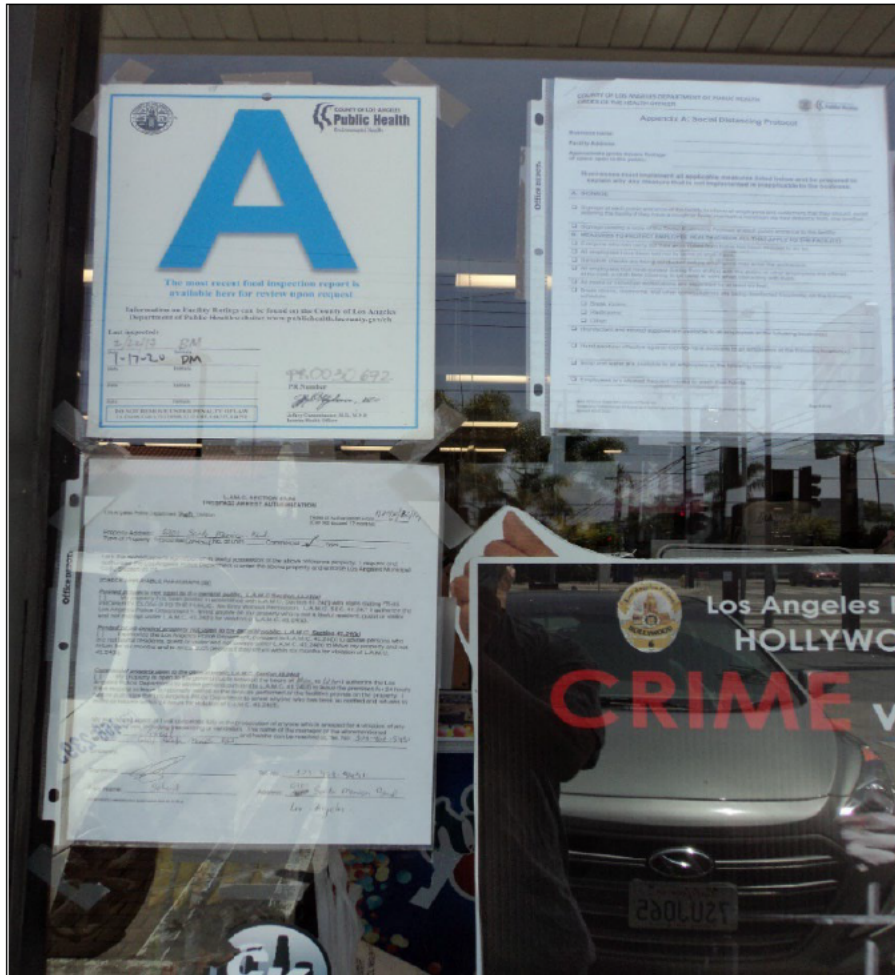
The convenience store operations, in conjunction with the off-site sale of beer and wine, have generated consistent police enforcement, as evidenced by documentation submitted by the Los Angeles Police Department. As documented, the operation may currently jeopardize and adversely affect the public health, peace, and safety of persons residing or working on the premises and in the surrounding area. As a result, the City has responded with a public hearing for possible imposition of Conditions to abate nuisance or to revoke said use.

Planning staff conducted a field analysis as part of the nuisance investigation on February 28, 2020 from 11:00 p.m. to 1:45 a.m. and May 28, 2020 from 11:00 a.m. to 11:45 a.m. All photographs in the staff report were taken on said date and time unless otherwise noted. During the site visit in May staff met with the store manager.

Signage, Rules, and Regulations

Six signs posted on the southern facing wall adjacent to the entrance along Santa Monica Boulevard informs customers of the following: 7-Eleven customer parking, no loitering, and possession of open alcoholic beverage containers. In the window, facing the exterior, adjacent to the pedestrian door, a Los Angeles Police Department Trespass Arrest

Authorization dated January 20, 2020, County of Los Angeles Public Health facility rating, and County of Los Angeles Public Health Social Distancing Protocol checklist.



During the evening site visit, staff observed multiple cars parked in the handicap vehicle stall. No handicap placards were observed in the parked vehicles.

Convenience Store Security System

The subject convenience store has a security video system. During the site visit, staff observed two cameras directed towards the entrance of the store. A monitor in the storage area shows that there are cameras throughout the interior of the store as well as two cameras directed towards the side of the building.



Liquor Store Exterior Lighting

There are two lights above the wall sign. There are two light poles located on the eastern and southern portions of the property.



Security Personnel

During the site visit, staff did not observe security personnel on-site.

Trash, Debris, Graffiti, Loitering

There was a trash dumpster located outside the northeast corner at the parking lot of the liquor store. During the site visit, there was some trash. However, the area was generally clean.

In regard to loitering, staff observed people loitering throughout the site. Two people in their cars were parked in front of the subject convenience store for 45 minutes. A group of people loitering underneath the Coin Laundry and Magee's Donuts pole sign for an hour. One person in the parked car increased the volume of the music. Also, two people loitering underneath the coin laundry.



There were no public telephones observed on the site.

Comments from Other Departments and/or the General Public**Council District 4**

On November 15, 2019, an email correspondence was received from Emma Howard, Director of Planning for Council District Four, indicating the Council Office has reviewed the information from LAPD and concurred with the LAPD analysis, and requested for the Department of City Planning to initiate revocation proceedings for the subject property.

The Los Angeles Police department submitted the following reports:

On-Site:

Arrest and Investigative Reports: There were 26 investigative reports or arrest reports submitted for the subject property (6701 Santa Monica Boulevard) between January 10, 2017 and July 14, 2019.

1. January 10, 2017, 10:20 a.m. Investigative Report – Battery – Suspect approached victim inside the store. The suspect became angry and victim told him to leave the area. The suspect grabbed the victim's shirt and pushed him in the cooler.
2. March 28, 2017, 7:15 a.m. Investigative Report – Petty Theft – Suspect entered the store and opened and drank from the beverage. The suspect left without paying.
3. May 30, 2017, 1:10 a.m. Investigative Report – Battery – Victim was walking to his vehicle when the suspect punched him in the face causing injury.
4. October 1, 2017, 5:15 a.m. Arrest Report – Misdemeanor Battery – Suspect became angry and threw a display at the victim.
5. January 8, 2018, 2:25 a.m. Arrest Report – Robbery – Suspect entered the location and grabbed products. The suspect attempted to hit the victim with items and attempted to pepper spray the victim. The suspect left with the items.
6. January 19, 2018, 2:20 p.m. – Investigative Report – Theft – Suspect entered location and stole two cans of beer. The manager confronted the suspect and warned the suspect that he would call the police if he did not return the items. The suspect left the store and headed north bound on Las Palmas.
7. February 24, 2018, 12:30 a.m. Investigative Report – Assault with a Deadly Weapon – Suspect approached victim asking for money. Suspect punched and tackled the victim and pushed the victim against a car.
8. March 20, 2018, 1:10 a.m. – Arrest Report – Vandalism – Suspect entered the business, opened the cooler, broke multiple beer bottles, and the suspect refused to leave.
9. May 4, 2018, 11:30 p.m. Investigative Report – Assault with a Deadly Weapon – Suspect entered the business and argued with the victim. The suspect drew a knife and slashed the victim in the face.
10. July 16, 2018, 10:50 a.m. – Arrest Report - Shoplifting – Suspect entered location and stole two frozen beverages and left.
11. August 3, 2018, 3:00 a.m. – Arrest Report – Misdemeanor Warrant

12. August 7, 2018, 4:20 a.m. – Investigative Report - Felony Battery – Victim and suspect engaged in a verbal dispute. Suspect punched the victim in the face, causing loss of consciousness.
13. September 8, 2018, 11:15 p.m. – Arrest Report – Vandalism – Suspect attempted to steal merchandise and the employee confronted the victim. The suspect became upset and damaged the property.
14. September 13, 2018, 12:15 a.m. – Investigative Report – Theft – Suspect took victim’s wallet inside the 7-11. Suspect used the victim’s credit cards.
15. October 27, 2018, 12:00 a.m. – Investigative Report - Theft from Motor Vehicle – Unknown suspect stole property from the victim while he was asleep in his car.
16. October 29, 2018, 1:45 a.m. Property Report – Forgery Suspect – Suspect attempted to use stolen credit card to pay for food items.
17. November 1, 2018, 3:30 a.m., Investigative Report – Battery – Unknown suspect approached a victim and accused him of taking her cell phone. The unknown suspect attempted to hit the victim with a bottle.
18. November 1, 2018, 4:50 a.m. – Arrest Report – Public Intoxication – LAPD approached suspect that was under the influence. The suspect picked up a street sign that was on the ground and threw it on the ground.
19. December 1, 2018, 2:15 a.m. – Investigative Report – Battery – Suspect entered the business and was in a verbal dispute with the victim. The suspect threw the merchandise at the victim and he hit the suspect with a stick.
20. February 23, 2019, 5:00 a.m. – Investigative Report – Lost Property – Victim had left his property at the location and came back and it was gone.
21. March 22, 2019, 3:30 a.m. – Investigative Report – Theft – Suspect entered the location, took two wine bottles and left the location.
22. March 23, 2019, 7:00 p.m. – Investigative Report – Lost Property – Victim lost his property while buying cigarettes.
23. May 9, 2019, 1:50 a.m. – Investigative Report – Battery – Suspect and victim engaged in a dispute. Suspect became belligerent and shouted obscenities to the victim. The suspect struck the victim on the head with a shoe causing an injury. The victim fled the location.
24. June 2, 2019, 2:00 a.m. – Investigative Report – Battery – Two suspects approached the victim and punched him multiple times in the parking lot.
25. July 7, 2019, 2:45 p.m. Investigative Report – Lost Property – Victim went to the gas station (1051 North Highland) and bought items. Victim went to the 7-11 (6701 Santa Monica Boulevard) and realized her wallet was missing.
26. July 14, 2019, 12:04 p.m. – Investigative Report – Theft – Suspect attempted to pay for items with counterfeit money. When the store manager explained that he would not accept the money, the suspect fled the store with the items.

Crime Analysis Mapping System Arrest Summary Report: There were 12 arrest charges submitted for the property location 6701 Santa Monica Boulevard between March 17, 2017 and November 1, 2018:

No.	Date	Time	Description
1.	3/17/2017	0450	RECEIVE STOLEN PROPERTY
2.	5/30/2017	0140	NARCOTIC DRUG LAWS
3.	8/20/2017	1620	DRIVING UNDER THE INFLUENCE
4.	10/1/2017	0515	OTHER ASSAULT
5.	11/13/2017	1330	WEAPON (CARRY/POSS)
6.	12/13/2017	0350	VEHICLE THEFT
7.	1/8/2018	0225	ROBBERY
8.	3/20/2018	0110	MISC OTHER VIOLS 594(A)(3)PC (VANDALISM)
9.	7/16/2018	1050	LARCENY
10.	8/3/2018	0300	DRIVING UNDER THE INFLUENCE
11.	9/8/2018	2315	MISC OTHER VIOLS 594(A)(3)PC (VANDALISM)
12.	11/1/2018	0450	DRUNKENNESS

Crime Analysis Mapping System Crime Summary Report: There were 36 crimes submitted for the property location 6701 Santa Monica Boulevard between July 17, 2018 and September 8, 2018 that include: verbal dispute, assault, assault with a deadly weapon, brandishing, stabbing, theft, threatening to kill, vandalism, and robbery.

Crime Analysis Mapping System Calls for Service Summary Report: There were 402 Calls for Service submitted for the property location 6701 Santa Monica Boulevard between January 1, 2017 and July 30, 2019.

On January 12, 2022, the representative for the 7-Eleven business provided a set of proposed conditions that the operator has worked out with LAPD and stated that 7-Eleven will agree to make the conditions permanent, and request that the Hearing Officer do so in an effort to respond to the homeless related problems at the site and address the concerns of the LAPD. The set of conditions are listed below:

1. The operator/owner shall hire a state licensed uniformed security guard who shall be stationed at the exterior of the premises from 10 p.m. until 6 a.m., daily. Security guards shall not permit, and shall actively discourage, loitering of any kind on the premises.
2. "No Loitering or Public Drinking" signs shall be posted outside of the subject facility.
3. Signs indicating the premises are monitored by security cameras shall be posted on the front and east sides of the premises.
4. The owner/operator shall be responsible for maintaining the premises and adjoining area free of debris or litter.
5. Consistent with the above requirements, a daily log shall be maintained which requires the owner/operator to document and adhere to following requirements. Corrective steps taken should be noted on this daily log.

- a. The owner/operator shall monitor the store exterior and parking lot in front of the premises which shall be checked and monitored by store personnel between 8 a.m. to 10 p.m., at a minimum intervals of 60 minutes, or as needed, to address any nuisance activity, loitering, or maintenance issues and to keep the site free of litter and trash. (Licensed security is present from 10 p.m. to 6 a.m.)
6. A digital camera surveillance system shall be installed to monitor the interior, entrance, exits and exterior areas, in front of and the east side of the premises. Recordings shall be maintained for a minimum period of 30 days and shared with law enforcement upon request.
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 without being disruptive to persons on adjacent properties.

General Public

Hollywood Media District Business Improvement District Security 7-Eleven Call Log 2019: There were 73 Calls for Service submitted for the property location 6701 Santa Monica Boulevard (7-Eleven) between January 21, 2019 and November 3, 2019.

On June 17, 2020, a representative from the Los Angeles LGBT Center submitted an e-mail and stated that staff, visitors, and clients of the Center have been victims of verbal and physical abuse from other customers who seem to be attracted to the store or hang out in its associated parking lot.

On June 18, 2020, a representative from the Board of Directors for the Hollywood Media District Business Improvement District submitted an e-mail and inquired on the public hearing for the subject entitlement. The same individual followed up with numerous emails related to the operation of the subject business. The emails are included in the case file.

On June 23, 2020, the Los Angeles LGBT Center submitted an e-mail explaining that a 7-Eleven representative accused the Center of being responsible for the subject disturbances.

On July 23, 2020, the Hollywood Media District Business Improvement District provided a comment letter and requested that the Zoning Administrator impose corrective conditions to abate the nuisance activities or revoke the use for the 7-Eleven store. The letter stated that the business consistently attracts criminal activity, violence, vandalism, transients, gang members, drug dealing, trash, graffiti, and prostitution. The two proposed corrective conditions pertain to (1) on-site security personnel to lessen the burden on LAPD and on BID security service; and (2) prohibit the sale of alcoholic beverages for off-site consumption.

On August 6, 2020, an e-mail was submitted showing correspondences between the Los Angeles LGBT Center and 7-Eleven with pictures of people loitering in the 7-Eleven parking lot.

On August 20, 2020, an e-mail was submitted by the General Manager of AVA Hollywood and inquired on the status of the public hearing.

On-Site Cases, Affidavits, Permits, and Orders

Certificate of Occupancy No. 1977LA47996 – On November 9, 1978, LADBS issued a Certificate of Occupancy for a one-story commercial building, including a food and liquor store (6701 Santa Monica Boulevard), a donut shop (6705 Santa Monica Boulevard), and a sandwich shop (6707 Santa Monica Boulevard). Eleven parking spaces was required and provided.

Certificate of Occupancy No. 1977LA39942 – On March 31, 1978, LADBS issued a temporary Certificate of Occupancy for a one-story commercial building and temporary Certificate of Occupancy for a 7-Eleven store located at 6701 Santa Monica Boulevard. The temporary Certificate of Occupancy expired on September 30, 1978.

Surrounding Cases, Affidavits, Permits, and Order

Case No. DIR-2000-1553-RV-PA4 – On December 26, 2014, the Zoning Administrator determined that the operation of the Kohn Gallery, formerly known as the Harman Press operated in substantial compliance, located at 1221 North Highland Avenue.

Case No. ZA-1995-800-RV – On January 16, 1996, the Zoning Administrator determined that the operation at The City Recycling Center was a public nuisance and imposed operational conditions on the property located at 6170 Santa Monice Boulevard.

Case No. ZA-1993-990-RV – On December 17, 1993, the Zoning Administrator determined that insufficient evidence was available for a revocation action regarding the operation of the Arena Nightclub, located at 6648 West Lexington Avenue.



MATTHEW LUM
Staff Investigator