

CITY OF LOS ANGELES
CALIFORNIA



DEPARTMENT OF CITY PLANNING

**NOTICE OF PUBLIC HEARING
REVIEW OF CONDITIONS AND POSSIBLE REVOCATION OF USE**

To Owners: ☐ Within a 100-Foot Radius
☒ Within a 500-Foot Radius
☐ Abutting a Proposed Development Site

And Occupants: ☐ Within a 100-Foot Radius
☒ Within a 500-Foot Radius
And: ☐ Others

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 the 7-Eleven convenience store, use location address: 4051 South Leimert Boulevard, (property location addresses of: 4051, 4055, and 4059 South Leimert 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.

Hearing: Office of Zoning Administration

Date: Thursday, March 10, 2016

Time: 10:00 a.m.

Place: Los Angeles City Hall
200 North Spring Street, Room 1020
(Enter from Main Street)
Los Angeles, CA 90012

Case No.: DIR 2007-5815(RV)(PA3)

CEQA No.: ENV 2015-2992(CE)

Council Dist.: 10

Plan Area: West Adams - Baldwin Hills -Leimert
Planning Area

Zone: C2-1

Applicant: Mohiuddin Chowdury

Staff Contact: Tim Fargo
Phone No.: (213) 978-1458
Tim.Fargo@lacity.org

PROJECT LOCATION: 4051 South Leimert Boulevard
The property is legally described as Fractional Lot 597 and Lot 598, Tract 10023.

REQUESTED ACTION: The Zoning Administrator will consider:

1. A Plan Approval, pursuant to Los Angeles Municipal Code Section 12.27.1 and Condition No. 21 of the Zoning Administrator's determination in Case No. DIR 2007-5815(RV)(PA2), effective June 9, 2012, for the purpose of reviewing compliance with the conditions and the effectiveness of the conditions in eliminating public nuisance problems.
2. Pursuant to Los Angeles Municipal Code Section 12.27.1.E, a modification of Condition No. 5 to allow the hours of operation to be 24 hours a day, 7 days a week in lieu of "Hours of operation of the store shall not exceed from 5 a.m. to 12 midnight daily" of the Zoning Administrator's determination in Case No. DIR 2007-5815(RV)(PA2). The applicant offers voluntary restriction of alcohol sales not to exceed from 6 a.m. to 12 a.m.
3. Pursuant to Section 21084 of the California Public Resources Code, the above referenced project has been determined not to have a significant effect on the environment and which shall therefore be exempt from the provisions of CEQA.

The environmental document will be among the matters considered at the hearing. The decision maker will consider all the testimony presented at the hearing, written communication received prior to or at the hearing, and the merits of the project as it relates to existing environmental and land use regulations.

On April 10, 2008, the Zoning Administrator (DIR 2007-5815(RV)) determined that the operation of the 7 Kings Liquor store constituted a public nuisance and imposed corrective conditions pursuant to LAMC Section 12.27.1 in order to mitigate adverse impacts caused by the operation of the liquor store. The Zoning Administrator's action was appealed to the City Council (C.F. 08-0985). The City Council granted in part and denied in part the appeal filed by the owner. The Council adopted the findings of the Zoning Administrator and approved modified corrective conditions. Upon the first review of compliance with conditions (DIR 2007-5815(RV)(PA1)), the Zoning Administrator found the operation of the 7 Kings Liquor store had operated in general compliance with the terms and conditions, and retained, modified, and added conditions, effective December 10, 2009. In the second review of compliance with conditions (DIR 2007-5815(RV)(PA2)), the Zoning Administrator found that the business, now a 7-Eleven convenience store, had operated in substantial compliance with the terms and conditions of the previous determination, and retained and modified conditions, effective June 9, 2012. The action was appealed to the City Council (C.F. 12-0902) but was withdrawn.

Condition No. 21 of the determination effective June 9, 2012 states in relevant part:

[MODIFIED] No earlier than ~~48~~ 12 months and no later than ~~24~~ 36 months from the date of effectiveness of this action, the property owner or business owner shall file for a plan approval application together with associated fees pursuant to LAMC Section 19.01-P, the purpose of which will be to hold a public hearing to review the applicant's compliance with and the effectiveness of these conditions. The applicant shall prepare a radius map and cause a notification to be mailed to all owners and occupants of properties within a 500-foot radius of the property, the Council Office, the applicable Neighborhood Council and the Los Angeles Police Department. Upon this review the Zoning Administrator may modify, add or delete conditions as deemed necessary to mitigate any identified negative impact associated with the use. The Zoning Administrator further reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

The Plan Approval application was due by June 9, 2015. The applicant filed the application on August 13, 2015 in partial compliance with the above condition. This is the third review for compliance with conditions.

Authority: The Director of Planning, through the Office of Zoning Administration, has the authority to modify, discontinue or revoke the use; or to modify, delete or impose additional corrective conditions on the operation of the existing business as a convenience store selling alcoholic beverages under Section 12.27.1 (land use impacts caused by any use) of the Los Angeles Municipal Code.

Exhaustion Of Administrative Remedies: If you challenge a City action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence on these matters delivered to the Department before the action on this matter will become a part of the administrative record. Note: This may not be the last hearing on this matter.

Advice To Public: The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the Los Angeles City Planning Department, Office of Zoning Administration, 200 N. Spring Street, Room 763, Los Angeles, CA 90012 (attention: Tim Fargo).

Review Of File: The file, including the application and the environmental assessment, are available for public inspection at this location between the hours of 8:00 a.m. to 4:00 p.m., Monday through Friday. Please call (213) 978-1914 several days in advance to assure that the files will be available. The files are not available for review the day of the hearing.

Accommodations: As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability. The hearing facility and its parking are wheelchair accessible. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. Other services, such as translation between English and other languages, may also be provided upon request.

To ensure availability of services, please make your request no later than three working days (72 hours) prior to the hearing by calling the staff person referenced in this notice.

Como entidad cubierta bajo el Título II del Acto de los Americanos con Desabilidades, la Ciudad de Los Angeles no discrimina. La facilidad donde la junta se llevará a cabo y su estacionamiento son accesibles para sillas de ruedas. Traductores de Lengua de Muestra, dispositivos de oído, u otras ayudas auxiliares se pueden hacer disponibles si usted las pide en avance. Otros servicios, como traducción de Inglés a otros idiomas, también pueden hacerse disponibles si usted los pide en avance.

Para asegurar la disponibilidad de éstos servicios, por favor haga su petición al mínimo de tres días (72 horas) antes de la reunión, llamando a la persona del personal mencionada en este aviso.