



Planning Commission Report

Meeting Date: October 27, 2011

Subject: **401 S. Robertson Boulevard**
7-Eleven Convenience Store
Study Session – Introduction and Commission direction for proposed 24-hour Convenience Store.

Recommendation: Receive this report and provide direction to staff as appropriate.

REPORT SUMMARY

This report introduces a proposed new convenience store and seeks Commission direction on the project. Specifically, this report:

- Provides details regarding the proposed project and the City's newly adopted urgency ordinance which regulates these uses;
- Presents an overview of the entitlement and environmental review process; and
- Seeks Commission direction regarding the level of environmental analysis required as it relates to traffic and noise.

BACKGROUND

Interim Urgency Ordinance NO. 11-O-2609 ("Ordinance") was adopted on May 24, 2011 and prohibits high impact convenience stores in commercial zones unless approved through a Conditional Use Permit. The Ordinance defines a convenience store as any retail store with the following characteristics: (1) more than half the square footage is dedicated to the sale of general food and drink products not intended for home preparation and consumption, tobacco, magazines, and toiletries, (2) the store is open to customers before 7:00 a.m. or after 9:00 p.m., Monday through Friday or before 9:00 am or after 9:00 pm on Saturday or Sunday, and (3) meets one of the following – is served by on site surface parking or located within three hundred feet of a residential zone."

Attachment(s):

A. Applicant Presentation

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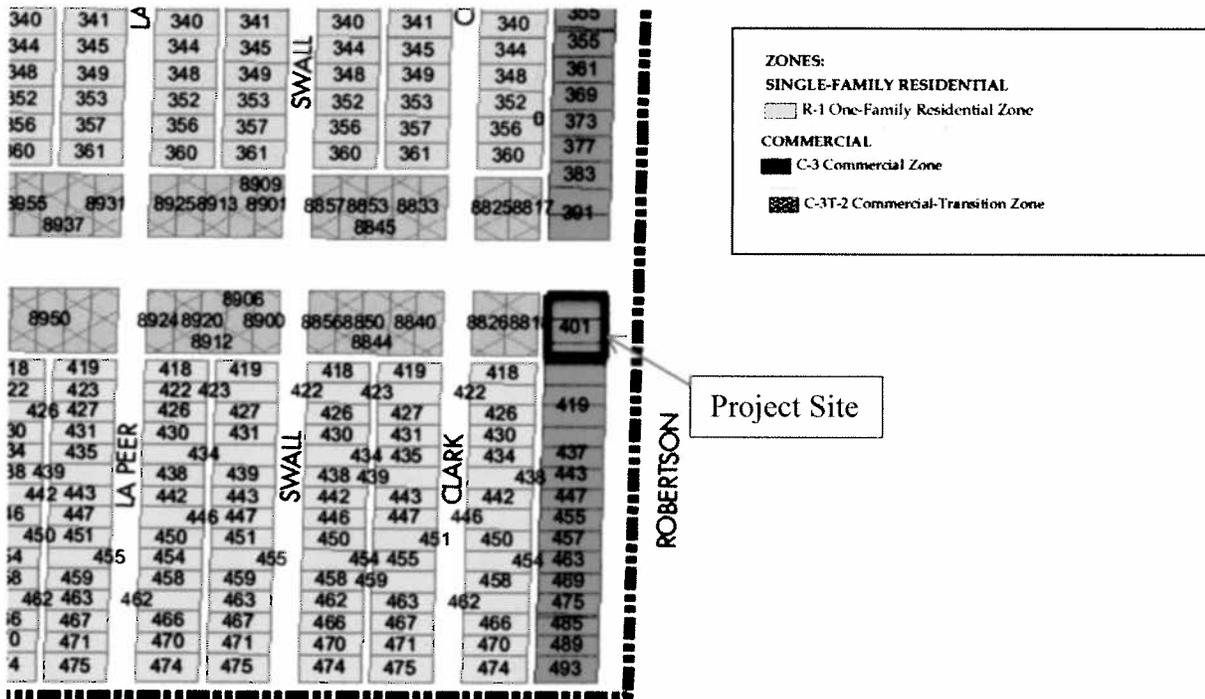
PROJECT DESCRIPTION AND SITE AREA

Project Site and Vicinity: The project site is located in a commercial (C-3) zone on the southwest corner of Robertson Boulevard and Olympic Boulevard at the border of the City of Beverly Hills and City of Los Angeles. The 14,302 square foot site is currently vacant, but was previously used as a fuel station since 1930. The fuel station ceased its operation in 2004. A demolition permit was issued to remove the most of the existing improvements including the underground tanks, except for a small building in 2005.



Olympic Boulevard and Robertson Boulevard have various institutional, retail, restaurant and office uses on both sides of the street for several blocks east and west of Olympic Boulevard and north and south Robertson Boulevard. Abutting the project site to the south is a two-story private school (Page School). Across Olympic Boulevard to the north (within the city) is an existing gas station and small retail stores. To the west are series of one-story retail offices. To the east across the Robertson Boulevard is newly renovated gas station within the City of Los Angeles. The property kitty-corner to the subject property is located in City of Los Angeles, and is occupied by a multistory commercial center. A north-south alley west of the site connects to an east-west alley with access to Clark Drive to the west. A residential neighborhood on Clark Drive, adjacent to the subject property is located at the southwest of the property and across an alley.

The following illustrates the zoning of the subject property:



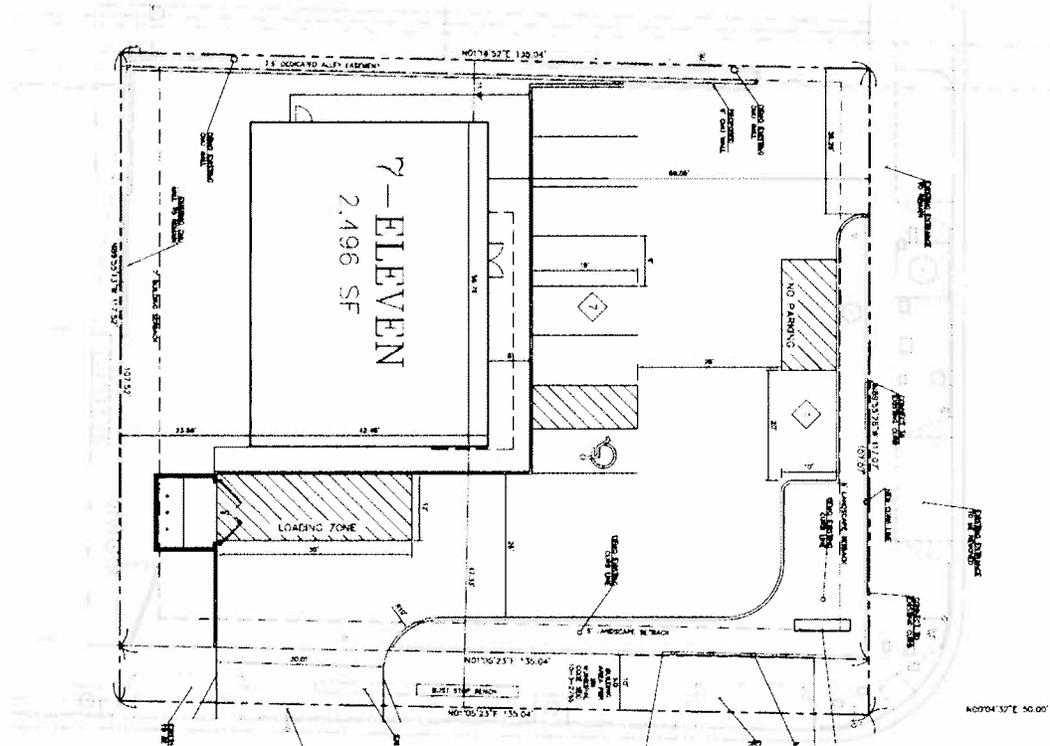
Project Description: 7-Eleven is a retailer that offers baked goods, prepared sandwiches, on the go meals, beverages and snacks. 7-Eleven operates all stores through a franchise model and this store will be operated through the same franchise system.

The project as proposed is a new 7-Eleven store 2,496 square feet, one story, 24-hour convenience store with eight surface parking spaces. The table below identifies the project components:

<u>PROJECT COMPONENT</u>	<u>PROPOSED</u>	<u>CODE REQUIREMENT</u>
HEIGHT	One-story/ 20'	3-stories/45-feet.
SQUARE FOOTAGE/F.A.R.	2,496 sq.ft.	28,604 square feet/2:0 FAR.
PARKING SPACES	8 spaces	2,496 @ 1/350 = 8 spaces
LOADING	One 12' x 35'	Commission Discretion

The project site would be served by one right-in access point on Olympic Boulevard, one right-in/right-out left-in access on Robertson Boulevard, and one across point at the alley on the west side of the site.

The project will eliminate one existing driveway on Olympic Boulevard and one driveway on Robertson Boulevard.

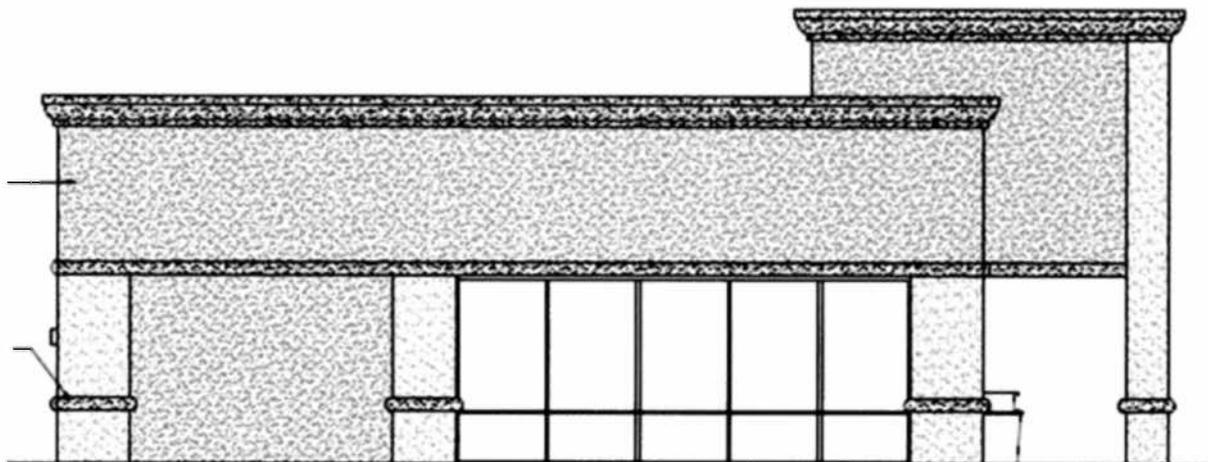


Project site Plan

The following are elevations of the project as viewed from Olympic Boulevard and Robertson Boulevard:



Olympic Boulevard Elevation



Robertson Boulevard Elevation

APPLICATION PROCESSING

Entitlement Process

The establishment of the 7-Eleven requires approval of the following discretionary applications:

- Conditional Use Permit subject to the following findings:
 - (A) Whether the use is detrimental to adjacent properties and public welfare;
 - (B) Whether the use is compatible with the surrounding neighborhoods and uses;
 - (C) Whether the use have adequate buffering between the use and residential areas;
 - (D) Whether the use is able to show that the project will not result in any parking or traffic related impacts;
 - (E) Whether the proposed use will create excessive noise, unpleasant odors, noxious fumes, excessive lighting or substantial interference with neighboring properties or uses; and
 - (F) Whether the proposed use will create an overconcentration of convenience stores in the area.
- Extended Hours Permit to allow the business at the site to receive patrons between the hours of 10:00 p.m. to 7:00 a.m. seven days a week. Extended Hours Permit is subject to the following findings:
 1. The accumulation of garbage, litter, or other waste, both on and off of the subject site;
 2. Noise created by the extended hours operation or by employees or visitors entering or exiting the extended hours operation;

3. Light and glare;
4. Odors and noxious fumes;
5. Pedestrian queuing;
6. Crime or peril to personal safety and security;
7. Use of residential streets for parking which is likely to cause activity associated with the subject extended hours operation to intrude substantially into a residential area;
8. Effects on traffic volumes and congestion on local residential streets; and
9. Cumulative impacts relating to the existing concentration of extended hours operations in the vicinity of the proposed extended hours operation.

ENVIRONMENTAL ASSESSMENT AND PROJECT ANALYSIS

As part of the required review of the project, staff will prepare the proper environmental document to ensure compliance with the California Environmental Quality Act. During its review of the project, staff has identified additional analysis that may be required in order to complete its review: 1) empirical traffic data and analysis of potential impacts along residential streets; and 2) a noise study to evaluate potential noise impacts associated with the project operation. Each of these issues is amplified below and staff seeks Commission direction on both.

Traffic

A traffic study has been prepared for the project by the applicant that concludes that the project will not result in a significant adverse impact to the related intersections or roadways based on Beverly Hills thresholds. The study indicates that the development is projected to generate approximately 1,845 trip-ends per day with 168 total vehicles per hour during the AM peak hour and 131 total vehicles total vehicles per hour during the PM peak hour on weekdays. On weekends, the project would generate approximately 2,158 trip ends per day with 192 total vehicles per hour during the midday peak hour. The traffic study does not assume any pass-by trip credits as recommended by various technical publications regarding convenience stores, such as the Institute of Transportation Engineers. In this regard, the study is conservative.

Notwithstanding the study's conclusions, staff recommends empirical data of other 7-Eleven stores be included in the report to verify the trip generation for the proposed project. In addition, the study does not include an evaluation of the residential street segment of Clark Drive between Olympic Boulevard and Whitworth Drive which staff recommends to be studied.

Staff seeks Commission direction to clarify whether or not the Commission would need the empirical analysis and residential street segment in order to take a final action on the project.

Noise

Staff believes that a noise study should be prepared for both environmental analysis purposes and to make the findings required for the Conditional Use Permit and Extended Hours Permit applications. Although the project is rather small in size, its proximity to a school and single family area warrant study.

Applicant Objectives

Staff seeks Commission direction to clarify whether or not the Commission would need the noise study in order to take a final action on the project.

Processing Efficiencies

In addition to highlighting details of the proposed project and environmental approach to the project, staff seeks Planning Commission direction on environmental or project related areas that may require greater focus or study.

NEXT STEPS

It is recommended that the Planning Commission receive the staff report and provide direction to staff as appropriate. Following preparation of the necessary environmental documentation, staff will return to the Commission.

Report Reviewed By:

David Reyes, Principal Planner