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PLANNING AND DEVELOPMENT DEPT.
CURRENT PLANNING DIVISION

9770 CULVER BOULEVARD, CULVER CITY, CALIFORNIA 90232-0507

August 22, 2024

Dayna Epley
7-Eleven, Inc.
P.O. Box 139044
Dallas, TX 75313

SUBJECT: ADMINISTRATIVE USE PERMIT, P2024-0142-AUP, REQUEST FOR ANCILLARY ALCHOLIC BEVERAGE SALES TO EXISTING CONVENIENCE STORE
4436 Sepulveda Boulevard in the Commercial General (CG) zone

Dear Dayna Epley,

The Current Planning Division has **denied** your Administrative Use Permit, P2024-0142-AUP, to allow for alcohol sales of beer and wine ancillary to an existing convenience store at 4436 Sepulveda Boulevard in the Commercial General (CG) Zone. The denial is based on the analysis outlined in Attachment No. 1.

This administrative decision may be appealed in accordance with Title 17, Section 17.640.030 Appeals, by any interested person within 15 calendar days of approval, by 5:30 PM. If no appeal is filed, the decision shall become final.

For any inquiries, please contact Narek Mkrtoumian, Planning Technician, at (310) 253-5714 or narek.mkrtoumian@culvercity.org.

Sincerely,

Mark E. Muenzer
Planning and Development Director

Enclosures:

1. Attachment No. 1 – Analysis
2. Floor Plan

Copy: Timothy Koutsouros, Building Official
Emily Stadnicki, Current Planning Manager
Dave Montgomery, Fire Prevention Specialist
Sammy Romo, Senior Civil Engineer
Marian Aspnes, Enforcement Services Manager
Troy Dunlap, Police Department
Case File – No. P2024-0412-AUP

**Attachment No. 1 - Criteria and Analysis for
Administrative Use Permit and Conditions of Approval
4436 Sepulveda Boulevard – 7-Eleven
AUP for Outdoor Dining and Alcoholic Beverage Sales, P2024-0142-AUP**

Background

On June 21, 2024, an Administrative Use Permit (AUP) application was submitted to allow off-sale beer and wine sales at the existing 7-Eleven convenience store located at 4436 Sepulveda Boulevard.

Requirements

Pursuant to Culver City Municipal Code (CCMC) Section 17.400.015 – alcoholic beverage sales require the review and approval of an Administrative Use Permit (AUP) to sell alcoholic beverages ancillary to a retail use when the subject property is within 300 feet of residentially zoned property. Residentially zoned properties on Barman Avenue, Braddock Drive, Commonwealth Avenue, Tuller Avenue, Garfield Avenue, Globe Avenue, Franklin Avenue, and Lindblade Street fall within 300 feet of the subject property.

Analysis

Alcoholic Beverage Sales

To determine whether to approve an Administrative Use Permit or Conditional Use Permit, as outlined in Culver City Municipal Code (CCMC) Section 17.400.015 – Alcoholic Beverage Sales, the following factors must be considered:

- Whether the proposed use will create an excessive concentration of establishments selling alcoholic beverages in the area.
- Whether the proposed use will negatively impact nearby residential areas, religious institutions, schools, libraries, parks, playgrounds, or similar facilities.

In accordance with California Business and Professions Code, Section 23958.4, the California Department of Alcoholic Beverage Control (ABC) requires a finding of public convenience or necessity to approve an application for a liquor license where there is an “undue concentration” of licenses in the census tract. There is an “undue concentration” of liquor licenses when the ratio of the number of licenses to the population within a given census tract exceeds the ratio of the number of licenses to the population within the County. The standard formula to establish whether an “undue concentration” of liquor licenses exists within a census tract is used as a guideline to determine whether further analysis is required as it relates to the appropriateness of new liquor.

The subject business is located within Census Tract 7027. ABC has calculated that more than four on-sale retail licenses, and more than two off-sale retail licenses, respectively, constitutes an “undue concentration” of licenses in Census Tract 7027. Currently, there are nine on-sale licenses, and two off-sale licenses, which exceed the concentration thresholds. The issuance of an additional off-sale license would further exacerbate this overconcentration.

On August 1, 2024, notification of the pending administrative decision and an invitation to provide comment was sent to property owners and occupants within 500 feet of the Project Site. The public comment period closed on August 16, 2024. The City received 48 comments from the public regarding the subject project, with 47 residents opposing the sale of alcohol on the premises; one comment expressed support.

As part of its analysis, staff reviews the number of Culver City Police Department service calls to a project site. The Police Department provided a history of 171 service calls since 2020, significantly higher than other adjacent commercial properties. Coupled with the presence of schools, a YMCA, and sober living homes in close proximity, this underscores the potential negative impacts of approving an additional off-sale liquor license.

Findings

As outlined in CCMC 17.530.020, Administrative Use Permits can only be approved if and when the following findings are affirmed:

- A. The proposed use is allowed within the subject zoning district with the approval of an Administrative Use Permit or Conditional Use Permit and complies with all other applicable provisions of this Title and the CCMC.
- B. The proposed use is consistent with the General Plan and any applicable Specific Plan.
- C. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity of the subject site.
- D. The subject site is physically suitable for the type and intensity of use being proposed, including access, compatibility with adjoining land uses, shape, size, provision of utilities, and the absence of physical constraints.
- E. The establishment, maintenance or operation of the proposed use will not be detrimental to the public interest, health, safety, or general welfare, or injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located.

While an AUP might permit alcohol sales in this zoning district, the proposed use fails to meet the broader criteria for approval. The proposed off-sale beer and wine license for the 7-Eleven at 4436 Sepulveda Boulevard is incompatible with Finding E of CCMC 17.530.020, which requires that the proposed use not be detrimental to the public interest, health, safety, or general welfare.

The over concentration of alcohol-providing establishments in the area, as evidenced by the existing nine on-sale licenses and two off-sale licenses, is one indicator of potential negative impacts on the community. Additionally, the proposed use's proximity to residential areas, schools, a YMCA, and sober living facilities increases the likelihood of adverse effects on public safety, health, and welfare. These factors collectively indicate that the proposed use is not compatible with the surrounding community and would likely create a detrimental environment to the public interest.

