

SUPPLEMENTAL
REPORT TO THE HEARING OFFICER

DATE ISSUED: September 15, 2025
HEARING DATE: September 16, 2025 AGENDA ITEM: 7
PROJECT NUMBER: PRJ2023-003701-(1)
PERMIT NUMBER(S): Nonconforming Review (“NCR”) RPPL2023005436
SUPERVISORIAL DISTRICT: 1
PROJECT LOCATION: 801 N. Marianna Avenue, East Los Angeles
OWNER: Maria D. Barranco
APPLICANT: Jenaro Espana
CASE PLANNER: Melissa Reyes, Principal Planner
MReyes2@planning.lacounty.gov

RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

LA County Planning staff (“Staff”) recommends **APPROVAL** of Project Number PRJ2023-003701-(1) NCR Number RPPL2023005436, based on the Findings (Exhibit C – Findings) contained within this report and subject to the Draft Conditions of Approval (Exhibit D – Conditions of Approval).

Staff recommends the following motions:

CEQA:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

ENTITLEMENT:

I, THE HEARING OFFICER, APPROVE NONCONFORMING REVIEW NUMBER RPPL2023005436 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

PROJECT DESCRIPTION

Item No. 7 is an NCR to authorize the continued operation and maintenance of an existing nonconforming neighborhood market (“Project”) in the R-2 (Two-Family Residence) Zone pursuant to County Code Section 22.172.060 (Nonconforming Uses, Buildings and Structures).

PUBLIC COMMENT

Staff received an opposition email from a community resident on Thursday, September 11, 2025. The resident requested clarification on whether the NCR authorizes new improvements for the continuation of daily operations, or if it involves steps towards discontinuing the business. The Project is only the continued operation and maintenance of the existing nonconforming neighborhood market, with no new improvements, although existing unpermitted signage will be authorized and a trailer and vending machines will be removed.

The community resident expressed opposition to the continued operation of the existing nonconforming neighborhood market and raised the following concerns:

- **Traffic and Parking.** Increased congestion, frequent blocking of private driveways by customers, and street parking hazards that may impede emergency vehicle access.
- **Alcoholic Beverage Sales.** Concerns related to deemed-approved alcoholic beverage sales in close proximity to nearby elementary and high schools.
- **Loitering.** Reports of unhoused individuals loitering on private property for extended periods, sometimes requiring law enforcement intervention.
- **Public Safety.** Reference to documented incidents of gang-related activity associated with the market.

The community resident’s email stated that the market poses risks to public safety, youth, and the quality of life for nearby residents, and requested that these issues be given consideration as part of the Project review. The community resident’s email and the response from the property owner are enclosed.

Report Reviewed By: *Elsa M. Rodriguez*
Elsa M. Rodriguez, Acting Supervising Regional Planner

Report Approved By: *M. Glaser*
Mitch Glaser, Assistant Deputy Director

- Attachments:
- 1) Public comment dated September 11, 2025
 - 2) Response from property owner

From: [REDACTED]

Sent: Thursday, September 11, 2025 9:09 PM

To: Melissa Reyes <MReyes2@planning.lacounty.gov>

Subject: Inquiry Regarding PRJ2023-003701 – 801 N Marianna Avenue

Dear Ms. Reyes,

I am writing to request additional information regarding Project PRJ2023-003701, located at 801 N. Marianna Avenue, Los Angeles, California 90063. The project description indicates the continuation of operations and maintenance of an existing nonconforming neighborhood market known as Diane's Market.

Could you please clarify whether this project is intended to authorize improvements that would allow the market to continue its daily operations, or if it involves steps toward discontinuing the business?

As a community resident, I must respectfully state my opposition to the continued operation of this market. Diane's Market has contributed to several public safety and quality-of-life concerns, including:

- Increased traffic congestion and frequent instances of customers blocking private driveways.
- Street parking used by patrons, often creating hazards for residents and limiting emergency vehicle access.
- The sale of alcohol in close proximity to nearby elementary and high schools, which raises significant concerns for youth safety and access.
- Loitering by unhoused individuals, some of whom remain on private property for extended periods until law enforcement is called.
- Documented incidents of gang-related activity and shootings in connection with the market's presence.

In my view, the market poses a danger to this community, to the children attending nearby schools, and to the safety of residents. I respectfully request that these concerns be taken into serious consideration as part of the project review.

Thank you for your time and attention to this matter. I look forward to your clarification regarding the scope and intent of PRJ2023-003701.

Sincerely,

[REDACTED]

[REDACTED]

On Monday, September 15, 2025 at 11:50:24 AM PDT, Jenaro Leon <jenaro65@aol.com> wrote:

Hi Melissa,

Thank you for your email and for sharing the opposition letter ahead of tomorrow's hearing. We want to confirm that my father, Jenaro Leon Espana, my mother, Maria Barranco, and I (Jorge Leon) will all be present at the hearing.

Regarding the email received from the opposition, I would like to share some notes about the concerns raised.

Traffic and Parking

We respectfully acknowledge the community's concerns regarding traffic and parking. However, based on our long-standing operation in the neighborhood and our understanding of local conditions, we believe these issues are not directly attributable to our store's presence.

- General Increase in Vehicles, Not Store Activity
 - Over the past several years, the surrounding area has experienced a noticeable increase in overall vehicle density. This is particularly evident after typical work hours, as early as 4 p.m., when street parking becomes scarce for all residents and visitors. By evening, many residents report needing to park a block or more away from their homes. This broader neighborhood trend suggests that the congestion stems from increased occupancy and vehicle ownership in residential units rather than activity from our store.
- Predominantly Walk-In Clientele
 - Our market serves as a true community store, and the majority of our customers are local residents who arrive on foot rather than by car. Many choose to walk precisely to avoid the challenge of losing their street parking space if they were to drive. For this reason, attributing traffic congestion or blocked driveways directly to our business may not reflect the actual dynamics of customer behavior.
- Neighborhood Demographics and Parking Demand

- It has become increasingly common for multiple adults in a single household to own vehicles and remain at home during non-working hours, further contributing to the saturation of available parking. This demographic shift and lifestyle pattern are far more significant contributors to parking shortages than the flow of customers visiting our store.
- Commitment to Community Harmony
 - While we believe the concerns raised reflect broader parking and traffic challenges in the area, we remain committed to working cooperatively with neighbors and the City to minimize any unintended impacts from our operations.

Alcohol Sales Near Schools We understand the concern raised about alcohol sales in proximity to schools; however, we respectfully submit that our store has maintained a responsible record of alcohol sales for over 40 years, with the last 20 years under our ownership.

- Long History of Compliance
 - The market has been licensed to sell alcohol for decades, predating the construction of the nearby high school, which was built within the last 15 years. Throughout this time, our store has operated in full compliance with all regulations without issue.
- Commitment to Preventing Sales to Minors
 - Our staff undergoes regular, documented training on responsible alcohol sales practices. We have consistently passed all random inspections conducted by the Department of Alcoholic Beverage Control (ABC). In fact, we have received letters of acknowledgment from the ABC commending our role in keeping alcohol out of the hands of minors. This track record reflects our deep commitment to youth safety and regulatory compliance.
- Proactive Measures to Ensure Safety
 - Beyond regulatory requirements, we maintain store policies designed to safeguard the community. For example, staff are instructed to be vigilant about loitering or inappropriate behavior near the premises and to report issues promptly. Our approach is preventative and rooted in community responsibility.

- Alignment with Community Needs
 - As a neighborhood convenience store, alcohol sales represent a small but traditional component of our offerings, similar to other longstanding community markets in Los Angeles. The responsible continuation of this service ensures that residents have local access without needing to travel farther distances.

While we respect the concern raised, the evidence demonstrates that our store has never contributed to underage access to alcohol and, on the contrary, has been an active partner with regulators in protecting youth.

Loitering, Homelessness, and Safety We recognize the community's concern regarding loitering, unhoused individuals, and public safety. However, we respectfully submit that these issues are not directly caused by our store, but rather reflect broader challenges facing the City of Los Angeles.

- Vacant Property Across the Street
 - A major factor contributing to periodic encampments in the immediate area is the vacant property at 810 N. Marianna Avenue, located directly across from our store. This property has been unoccupied and deteriorating since before we took ownership of the market. With boarded-up windows, no lighting, and no upkeep, it has unfortunately become a more likely gathering point for unhoused individuals.
- Broader Homelessness Issue
 - As is widely acknowledged, Los Angeles continues to face significant citywide homelessness challenges. The presence of unhoused individuals in the area is more reflective of this systemic issue than any one business. Our store, in fact, mitigates the impact by maintaining consistent customer activity and visibility, which discourages long-term encampments from forming nearby.
- The Store as a Deterrent to Crime and Encampments The Store as a Deterrent to Crime and Encampments
 - We believe the market serves as a stabilizing presence in the neighborhood. While occasional short-term encampments may appear, they do not persist because of the continuous flow of customers and staff. The regular activity

around the store creates an environment less conducive to loitering compared to nearby vacant or poorly maintained spaces.

- Decrease in Gang-Related Incidents
 - Over the years, our observation has been a general decline in gang-related activity in the neighborhood. While no community is entirely immune to occasional incidents, our store has not been a source of such problems and instead provides a safer, more visible environment for residents.
- Proactive Safety Measures
 - Our store is equipped with 24/7 video surveillance around the premises. These cameras serve as both a deterrent to potential misconduct and a valuable resource for local law enforcement. On several occasions, our footage has been accessed by investigators to support public safety efforts. This cooperation underscores our role as a partner in keeping the community safe.

While loitering and public safety concerns are serious and valid, the evidence suggests these issues stem primarily from the vacant property across the street and broader citywide conditions, not our store's operation. On the contrary, our presence, surveillance measures, and cooperation with law enforcement contribute to making the immediate area safer.

The concerns raised in the opposition letter, while understandable, appear to stem from broader neighborhood trends — increased vehicle density, a citywide homelessness crisis, and long-standing vacant properties — rather than from the operation of our market. For over 40 years, and particularly during the past 20 years under our ownership, our store has operated responsibly, in compliance with all regulations, and as a partner to both the community and local authorities.

We remain committed to continuing this tradition of service and responsibility. We thank you for your time and consideration, and we look forward to addressing these matters further at tomorrow's hearing. My father has been advise that you would like to discuss this matter further. He has committed to giving you a call later today. I will remind him, and again thank you for your help.

Respectfully,

Jorge Leon

On behalf of

Jenaro Leon Espana & Maria Barranco

