

>> WE'RE GOING TO START THIS MORNING WITH THE PLEDGE OF ALLEGIANCE SO IF YOU COULD PLEASE JOIN ME BY STANDING.I PLEDGE ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA, AND TO THE REPUBLIC FOR WHICH IT STANDS; ONE NATION UNDER GOD, INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL.

>> GOOD MORNING.IF YOU HAVEN'T RECEIVED AN AGENDA ALREADY, THEY ARE AVAILABLE NEAR THE REAR EXIT DOOR.

>> TECHNICAL DIFFICULTIES; PLEASE STAND BY

>> ALLOW THE PERMIT TO BE UTILIZED FOR A ONE YEAR EXTENSION FROM DECEMBER 20, 2013 THROUGH DECEMBER 20, 2014.

>> OKAY.I DON'T HAVE ANY QUESTIONS ON THIS REQUEST AND I'LL GO AHEAD AND CONCUR WITH YOUR RECOMMENDATIONS AND APPROVE THE TIME EXTENSION FOR R-2011-01053 AND CONDITIONAL USE PERMIT NUMBER 201100102.IS THERE AN APPEAL ON THIS THING?

>> NO, BUT WE DID HAVE ONE PERSON SIGNED UP FOR THIS ITEM, ROB [SPEAKER NOT UNDERSTOOD].DO YOU WANT TO SPEAK?

>> OKAY.THANK YOU.

>> THANK YOU.

>> AND NOW WE'RE ONTO PUBLIC HEARING ITEMS.THIS IS -- WE'RE GOING TO ITEM NUMBER 3.THIS IS PUBLIC COMMENTS. MEMBERS OF THE PUBLIC MAY ADDRESS THE COMMISSION ON MATTERS THAT ARE WITHIN THE COMMISSION'S JURISDICTION AND ARE NOT ON TODAY'S AGENDA.GOOD MORNING.

>> GOOD MORNING, HEARING OFFICER.MY NAME IS MICHELLE BUSH.I'M IN THE E SECTION OF DEPARTMENT OF REGIONAL PLANNING.ITEM NUMBER 3 IS R-2011, [SPEAKER NOT UNDERSTOOD], CONDITIONAL USE PERMIT NUMBER 201100137.THE PROJECT REQUEST IS TO AUTHORIZE THE CONVERSION OF OF PORTION OF THE EXISTING SINGLE-FAMILY RESIDENCE INTO A 645 SQUARE FOOT MEETING HALL AND CLASSROOM AND 400 SQUARE FOOT OFFICE FOR CHURCH USE.THE CONVERSION ALSO INCLUDES A 708 SQUARE FOOT DISPLAY AND STORAGE ROOM FOR A TOTAL OF 1753 SQUARE FEET OF CONVERTED SPACE.THE EXISTING SINGLE-FAMILY RESIDENCE WILL REMAIN.TYPICAL OPERATIONS OF THE FACILITY INCLUDE MEETINGS OF APPROXIMATELY 20 ATTENDANTS, SUNDAYS 9:00 A.M. TO 11:00 A.M., AND 2 O'CLOCK P.M. TO 5 O'CLOCK P.M. MONTHLY LECTURES OF APPROXIMATELY 30 ATTENDANTS, DAILY OPERATIONS OF THE ADMINISTRATIVE OFFICE UP TO TWO STAFF MEMBERS MONDAY THROUGH FRIDAY 9:00 A.M. TO 5:00 P.M.THE PROPERTY IS LOCATED AT 13624 TEMPLE AVENUE IN THE UNINCORPORATED COMMUNITY OF LA PUENTE WITHIN LA PUENTE ZONE DISTRICT.THE SITE PLAN DEPICTS THE EXISTING APPROXIMATELY 7,000 SQUARE FOOT TWO STORY SINGLE-FAMILY RESIDENCE WITH THREE CAR GARAGE.THE SITE PLAN ALSO DEPICTS AN EXISTING STORAGE AREA LOCATED AT THE REAR OF THE GARAGE.AN EXISTING PREFABRICATED 204 SQUARE FOOT STORAGE SHED, EXISTING WORKSHOP ALONG THE WEST SIDE OF THE RESIDENCE AND EXISTING SWIMMING POOL LOCATED AT THE REAR PORTION OF THE PROPERTY.THE SITE PLAN DEPICTS 10 PROPOSED PARKING SPACES, ONE HANDICAP ACCESSIBLE SPACE, AND EXISTING LANDSCAPING.THE PROPERTY IS ACCESSED VIA TWO DRIVEWAYS ALONG TEMPLE AVENUE.AT THE TIME OF THIS REPORT THERE WERE

NO ADDITIONAL ZONING VIOLATIONS ON THIS PROPERTY. STAFF DETERMINED THIS TO BE CATEGORICALLY EXEMPT

>> TECHNICAL DIFFICULTIES; PLEASE STAND BY

>>> WHAT WE ALSO SOUGHT TO DO WAS TO MINIMIZE THE VISUAL IMPACT ALONG AMR BY PLACING OUR EQUIPMENT IN A VAULT. THAT VAULT ACTUALLY PROVIDES THE CAPABILITY TO EXPAND IN THE FUTURE WITHOUT ANY ADDITIONAL IMPACT ABOVE SURFACE. THE PLACEMENT OF THE METER PEDESTAL AND THE BED STACKS IS IN COMPLIANCE WITH A-D-A REGULATIONS. THAT KIND OF CONCLUDES MY DESCRIPTION OF THE PROJECT, BUT I DO HAVE CONCERN, AT LEAST COMMENTS ON THREE OF THE CONDITIONS, IF I MIGHT. CONDITION NUMBER 22 AND CONDITION NUMBER 31 INCLUDE LANGUAGE THAT REFER TO A LEASEHOLD OR A LEASEHOLDER REFERENCE. WE ARE A CALIFORNIA LICENSE FRANCHISE AND, THEREFORE, WE ARE OPERATING WITHIN THE RIGHT-OF-WAY AND WE ARE NOT A LEASEHOLDER. SO, I DON'T KNOW HOW YOU WANT TO REVISE THE LANGUAGE TO DELETE THAT REFERENCE TO LEASEHOLD. ALL THE OTHER ELEMENTS OF THOSE TWO CONDITIONS ARE SATISFACTORY. THE LAST CONDITION IS CONDITION NUMBER 34, AND THIS IS JUST FOR A CLARIFICATION. IF I MIGHT READ IT, IT SAYS ALL APPURTENANT WIRELESS FACILITY EQUIPMENT THAT IS NOT STRUCTURE MOUNTED SHALL BE PLACED UNDERGROUND UNLESS THE APPLICANT PROVIDES DOCUMENTATION TO THE DIRECTOR THAT UNDERGROUNDING IS INFEASIBLE. JUST FOR THE RECORD, I WANT TO STATE THAT WE CANNOT PLACE THE VENTILATION STACKS WHICH CREATE BOTH AIR EXCHANGE OPPORTUNITY FOR VENTILATION OF THE VAULT. THAT VENTILATION IS ONE FOR HEAT EXCHANGE SO THAT THE HEAT WITHIN THE VAULT DOES NOT EXCEED A CERTAIN LEVEL. THAT'S DONE TO LENGTHEN THE LIFE OF THE EQUIPMENT AND IT ALSO HELPS TO RELEASE ANY TYPE OF STATIC GASES THAT MAY BUILDUP IN AN ENCLOSURE AND THAT'S AN OSHA REQUIREMENT TO EMPTY LATE THOSE SINCE HUMANS WILL ACCESS THAT BELOW GROUND STRUCTURE. SECONDLY, THE METER PEDESTAL CANNOT BE PLACED UNDERGROUND. SOUTHERN CALIFORNIA EDISON HAS A REQUIREMENT THAT THAT BE ACCESSIBLE ABOVE GROUND AND THAT'S THE REQUIREMENT FOR THE METER PEDESTAL. WITH THAT'S CORRECT I'LL CONCLUDE MY PRESENTATION AND I ACCEPT ALL THE CONDITIONS AS OTHERWISE PRESENTED.

>> OKAY, THANK YOU. LET ME ASK STAFF WITH REGARDS TO FIRST CONDITION 34. ARE YOU AWARE OF WHAT KIND OF DOCUMENTATION HAS BEEN PROVIDED IN THE PAST WHEN -- I'M ASSUMING THERE MIGHT BE -- THERE MAY BE OTHERS WHO WERE NOT ABLE TO PLACE THINGS UNDERGROUND.

>> I'M NOT SURE WHAT TYPE OF DOCUMENTATION, BUT I WOULD THINK THAT JUST SOMETHING STATING WHAT YOU SAID, IT WAS NOT FEASIBLE TO DO THAT FOR WHATEVER THE REASONS ARE WOULD BE ACCEPTABLE.

>> OKAY. SO, YOU MAY BE ASKED AGAIN IN THE FUTURE BY THE PERMIT INSPECTORS TO PROVIDE SOME SORT OF STATEMENT TO THAT EFFECT.

>> I CAN DO THAT. WE CAN PROVIDE, I THINK IT'S A SOUTHERN CALIFORNIA EDISON METER REQUIREMENT THAT SPECIFICALLY STATES THAT LIMITATION TO PLACE METERS ABOVE GROUND FOR ACCESS. SO, I CAN PROVIDE THAT VERBIAGE.

>> I THINK THAT WOULD BE FINE. AND IF YOU WANT TO EVEN PROVIDE IT AFTER THIS HEARING AND JUST -- WE'LL HAVE IT IN FILE AND THE PERMIT INSPECTOR CAN JUST SEE THE DOCUMENTATIONS THERE. AND THEN THE OTHER ONE WAS CONDITION 22, AND WHAT WAS THE OTHER CONDITION RELATED TO CONDITION 22?

>>> CONDITION 22 AND 31.

>> 31.OH, I SEE.IT LOOKS LIKE 31 JUST NEEDS TO BE REVISED A LITTLE BIT.THE IDEA -- SO SINCE YOU ARE IN A PUBLIC RIGHT-OF-WAY, WOULD YOU NEED TO PULL AN ENCROACHMENT PERMIT FROM PUBLIC WORKS?

>>> THAT IS CORRECT.

>> AND THOSE ARE RENEWED -- WOULD IT BE AN ANNUAL RENEWAL OR WOULD YOU JUST FOR THE LIFE OF THE CONDITIONAL USE PERMIT AND IT WILL BE WRITTEN THAT WAY?

>>> THAT IS CORRECT.

>> OKAY.

>>> AND AS THE UTILITY COMPANY AND BEING PLACED IN THE RIGHT-OF-WAY, IT'S NOT REAL PROPERTY SO THEREFORE WE CAN'T BE A LEASEHOLDER WITHIN THE RIGHT-OF-WAY UNLESS WE HAVE A MUNICIPAL OR COUNTY FRANCHISE.

>> OKAY.SO, I THINK MAYBE STAFF CAN WORK WITH YOU TO CHANGE THE LANGUAGE WITH REGARDS TO THAT JUST TO MAKE SURE THE FACTS ARE CORRECT.OKAY.DID YOU HAVE ANY OTHER COMMENTS OR THOUGHTS ON THIS?

>> NO.

>> OKAY.AND ARE THERE ANY OTHER SPEAKERS ON THIS ITEM?

>> NO, THERE IS NOT.

>> OKAY.THEN I DON'T HAVE ANY OTHER COMMENTS OR QUESTIONS.LET ME FIND MY LITTLE STATEMENT HERE.OKAY.I'M GOING TO GO AHEAD AND CLOSE THE PUBLIC HEARING FOR THIS ITEM AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO THE STATE AND LOCAL CEQA GUIDELINES AND APPROVE CONDITIONAL USE PERMIT NUMBER 2012 001 64 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.THANK YOU.

>> THANK YOU.

>> AND THE LAST DAY TO APPEAL THIS IS OCTOBER 1ST, 2013.

>>> THANK YOU.

>> YOU'RE WELCOME.OKAY, NOW WE ARE ONTO AGENDA ITEM NUMBER 5.THIS IS PROJECT NO. R2013-01586-(2), CONDITIONAL USE PERMIT NO. 201300080.

>> GOOD MORNING, MY NAME IS JARED.THERE HAS BEEN ONE CHANGE TO THE FINDINGS.GRANT TERM SHOULD BE NOTED AS 15 YEARS, NOT 10 YEARS AS CURRENTLY INDICATED.AGENDA NUMBER 5 IS CONDITIONAL USE PERMIT NUMBER 201300080, A REQUEST TO CONTINUE OPERATION OF AN EXISTING WIRELESS TELECOMMUNICATIONS FACILITY LOCATED AT 10199 ALAMEDA STREET, LOCATED IN FLORENCE FIRE STONE.THE EXISTING WIRELESS TELECOMMUNICATIONS FACILITY WAS PREVIOUSLY APPROVED ON SEPTEMBER 7, 2000, BY CONDITIONAL USE PERMIT NO.

0014. THE SUBJECT PROPERTY IS LOCATED IN AN URBAN AREA. IT IS A 3.24 RECTANGULAR SHAPED PARCEL WITH LEVEL TOPOGRAPHY AND WAS DEVELOPED WITH SCRAP METAL RECYCLING FACILITY AND WIRELESS TELECOMMUNICATION FACILITY. THE CURRENT ZONING IS N-2 AND LAND USE DESIGNATION IS MAJOR INDUSTRIAL. THE SURROUNDING PROPERTIES ARE ZONED N-2 TO THE NORTH AND SOUTH, N-2 IN THE CITY OF LOS ANGELES IN THE WEST M2 IN THE CITY OF SOUTHGATE TO THE EAST. SURROUNDING LAND USES WITHIN 500 FEET INCLUDE INDUSTRIAL LAND USES, RECYCLING CENTER TO THE NORTH, JORDAN HIGH SCHOOL AND INDUSTRIAL USES TO THE SOUTH. MULTI-FAMILY RESIDENCES, SOUTHEAST MIDDLE SCHOOL AND INDUSTRIAL DEVELOPMENT TO THE EAST, AND JORDAN HIGH SCHOOL AND INDUSTRIAL DEVELOPMENT TO THE WEST. THE SUBMITTED SITE PLAN DEPICTS TWO BUILDINGS USED FOR THE RECYCLING BUSINESS AND EXISTING LEASE AREA WHICH INCLUDES AN 11 FOOT 6 INCH SHELTER STRUCTURE AND 55-FOOT 9-INCH MONOCLE. IT HAS THREE SECTORS LOCATED AT THE TOP OF THE POLE. EACH HAS FOUR TENANTS AND RADIAL MOUNTING UNITS TO IT. [SPEAKER NOT UNDERSTOOD] AND SHELTER STRUCTURE. THESE PHOTOS IN THE MIDDLE SCREEN ARE SIMULATIONS OF WHAT IS THERE. ONE EGRESS AND INGRESS ACCESS THE PROPERTY FROM ALAMEDA STREET WHICH IS DESIGNATED A SECONDARY HIGHWAY. THE PROJECT HAS BEEN DETERMINED TO QUALIFY OR CLASS 1 EXEMPTION UNDER THE ENVIRONMENTAL REPORTING PROCEDURES AND GUIDELINES OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. THE DETERMINATION WAS MADE BASED ON THE FACT THAT THE CELL TOWER IS AN EXISTING FACILITY. THE PROJECT, NO CORRESPONDENCE HAS BEEN RECEIVED FROM THE PUBLIC REGARDING THIS PROPOSAL. STAFF IS OF THE OPINION THAT THE CONDITIONAL USE PERMIT APPROVED FOR REQUIREMENTS FOR THE PROJECT HAVE BEEN MET, THAT IT IS IN COMPLIANCE WITH THE ZONING REQUIREMENTS AND GOALS AND POLICIES OF THE GENERAL PLAN. THEREFORE, STAFF IS RECOMMENDING THE APPROVAL CONDITIONAL USE PERMIT 2013-00080, PROJECT NO. R-2013-01586 SUBJECT TO THE 09:33:45 ATTACHED CONDITIONS. THIS CONCLUDES MY PRESENTATION.

>> THANK YOU. I DO HAVE ONE QUESTION FOR STAFF. I WAS LOOKING AT THE PREVIOUS CASES ON THIS PROPERTY. AND AT THE VERY BOTTOM, THE LAST ONE, THERE WAS A CONDITIONAL USE PERMIT APPROVED FOR ANOTHER WIRELESS FACILITY.

>> YES.

>> AND YOU HAD INDICATED THAT IT WAS NOT USED. SO, DOES THAT MEAN IT WAS NEVER BUILT OR WHAT HAPPENED WITH THAT?

>> CORRECT.

>> OKAY. THAT WAS MY ONLY QUESTION. SO, THERE'S, THERE'S REALLY -- THERE'S ONLY ONE ON THE PROPERTY.

>> CORRECT, THERE'S ONLY THIS WIRELESS TELECOMMUNICATIONS FACILITY. THE OTHER ONE WAS NEVER CONSTRUCTED OR NEVER USED.

>> OKAY. OKAY. I DON'T HAVE ANY OTHER QUESTIONS FOR STAFF RIGHT NOW. AND ARE THERE ANY SPEAKERS ON THIS ITEM?

>> YES, THE APPLICANT, YUMI KIM.

>>> GOOD MORNING.MY NAME IS YUMI KIM FROM CORE SERVICES OUT OF BREA, CALIFORNIA, REPRESENTING SPRINT THIS MORNING.JUST LIKE TO REQUEST THE APPROVAL FOR THE RENEWAL AND MODIFICATION TO THE FACILITY AT 10019 ALAMEDA STREET.I'D LIKE TO THANK STAFFER FOR THE REPORT AND I'M HERE TO ANSWER ANY QUESTIONS IF YOU MAY HAVE THEM.

>> I DO HAVE A QUESTION.IS THERE ANY POSSIBLE WAY TO CAMOUFLAGE THIS FACILITY AT THIS LOCATION?

>>> IN TERMS OF WHAT TYPE OF DESIGN DID YOU HAVE IN MIND?

>> WELL, WHAT TYPE OF DESIGN IS POSSIBLE IN THIS LOCATION?

>>> WELL, STAFF HAS NOT MADE COMMENTS REGARDING A NEW DESIGN FOR THIS FACILITY AS IT IS EXISTING.I THINK THAT WOULD BE UP TO YOU AS THE HEARING OFFICER.

>> RIGHT.I THINK -- I KNOW THAT STAFF HASN'T -- I THINK IN GENERAL THE DEPARTMENT HAS NOT PUSHED FOR WHEN THERE IS AN EXISTING WIRELESS FOR NEW DESIGN, BUT I'M JUST CURIOUS IF YOU WERE AWARE OF OTHER FACILITIES IN THE AREA THAT HAS SOME SORT OF CAMOUFLAGE JUST TO MAKE IT LOOK MORE -- WELL, LESS INDUSTRIAL.I KNOW IT'S -- AND I KNOW THE EXISTING USE ON THE PROPERTY,BUT I KNOW THERE IS A DESIRE TO A DEGREE FROM THE COMMUNITY THAT THERE'S MORE GREENERY IN THE AREA AND JUST MAKING THOSE TYPE OF USES MORE -- WELL, LESS OBTRUSIVE ESTHETICALLY.

>>> I THINK THAT'S SOMETHING WE CAN EXPLORE.HOWEVER, THIS IS A PRIMARILY INDUSTRIAL AREA AND I DO FEEL THAT THE EXISTING DESIGN IS APPROPRIATE.I'M NOT SURE IF PERHAPS THERE COULD BE A PHOTO TREE TYPE OF DESIGN.THAT'S SOMETHING I WOULD HAVE TO TAKE BACK TO SPRINT.

>> OKAY.I WOULD LIKE YOU TO ASK SPRINT IF -- I MEAN, I'M NOT GOING TO REQUIRE IT RIGHT NOW.I THINK IT'S JUST A REQUEST FOR YOU TO CONSIDER AND TALK WITH SPRINT ABOUT.AND IF THEY CAN DO IT, THAT'S A REQUEST FROM ME.AND THEN MAYBE THEY CAN BRING A REVISED EXHIBIT A TO BE STAMPED IF THAT'S SOMETHING THAT'S DOABLE.I KNOW THAT EVEN THOUGH IT'S A RECYCLING FACILITY, THERE IS AN INCREASE DESIRE FROM THE COMMUNITY FOR LANDSCAPING, YOU KNOW, THINGS OF THAT NATURE.EVEN ON PROPERTIES WITH RECYCLABLE MATERIALS OR AUTO DISMANTLING YARDS OR SUCH USES.SO, I WOULD APPRECIATE IT IF YOU COULD EXPLORE THAT WITH YOUR CLIENT.

>>> SURE, WE CAN DO THAT.

>> OKAY.AND ARE THERE ANY OTHER -- THERE'S NO OTHER SPEAKER ON THIS ITEM, RIGHT? OKAY, THEN I DON'T HAVE ANY OTHER QUESTIONS OR COMMENTS.SO, I WILL GO AHEAD AND CLOSE THE PUBLIC HEARING.FIND THAT THIS PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO THE STATE AND LOCAL CEQA GUIDELINES AND APPROVE CONDITIONAL USE PERMIT NO. 2013-00080 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.THANK YOU.

>> AND ONCE AGAIN, THE LAST DAY TO APPEAL THIS ACTION IS OCTOBER 1ST, 2013.

>> OKAY, ALL RIGHT.SO, WE ARE ON AGENDA ITEM NUMBER 6.THIS IS PROJECT NO. R2011-01598-(5), CONDITIONAL USE PERMIT NO. 201100154.

>> GOOD MORNING, HEARING OFFICER.

>> GOOD MORNING.

>> MY NAME IS JAY LEE FROM THE ZONING PERMITS NORTH SECTION.THE APPLICANT AT&T MOBILITY IS REQUESTING A CONDITIONAL USE PERMIT TO AUTHORIZE THE CONSTRUCTION, OPERATION AND MAINTENANCE OF AN UNMANNED WIRELESS TELECOMMUNICATIONS FACILITY LOCATED IN THE NEWHALL ZONE DISTRICT.THE WIRELESS FACILITY WILL BE LOCATED ON THE PROPERTY OF MAGIC MOUNTAIN LLC AT 26101 MAGIC MOUNTAIN PARKWAY IN THE UNINCORPORATED COMMUNITY OF VALENCIA.THE SUBJECT PROPERTY IS DESIGNATED COMMERCIAL RECREATIONAL AND HAS A DESIGNATION OF MAJOR COMMERCIAL UNDER THE SANTA CLARITA VALLEY PLAN.IT IS CONSISTENT WITH THESE DID HE NATIONS.THE PROPOSED WIRELESS FACILITY DESIGN IS APPROPRIATE FOR THE SITE AND AREA.THE PROJECT WILL BE LOCATED NEAR A PARKING LOT DESIGNATED FOR EMPLOYEES AND AT THE WESTERN EDGE OF THE PROPERTY.THE PROJECT WILL NOT BE VISIBLE TO MOST PARK VISITORS AND THE PROPERTY TO THE WEST ARE CURRENTLY VACANT PROPERTIESAS SHOWN IN THE PHOTO SIMULATIONS.STAFF HAS DETERMINED THAT THE MONO POLE DESIGN IS THE MOST APPROPRIATE DESIGN FOR THE PROJECT BECAUSE IT IS LOCATED NEAR A PARKING LOT WITH SIMILAR STRUCTURES.FURTHERMORE, THE ANTENNAS WILL BE SCREENED BY PANELS MADE OF RADIO FREQUENCY MATERIALS.THE PROJECT CONFORMS TO THE DEPARTMENT'S DEVELOPMENT STANDARDS FOR WIRELESS FACILITIES AND STAFF IS OF THE OPINION THAT THE PROJECT IS NOT A DETRIMENT TO THE SURROUNDING COMMUNITY.THE WIRELESS FACILITY PROVIDES VALUABLE SERVICES TO THE COMMUNITY AND IS CONSISTENT WITH THE ESTABLISHED USE AND ZONING REQUIREMENTS FOR THE SUBJECT PROPERTY.A CATEGORICAL EXEMPTION CLASS 3 NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES IS THE APPROPRIATE ENVIRONMENTAL DETERMINATION -- DOCUMENTATION UNDER CALIFORNIA ENVIRONMENTAL QUALITY ACT REPORTING REQUIREMENTS.STAFF IS OF THE OPINION THAT THE BURDEN OF PROOF REQUIREMENTS HAVE BEEN MET.NO LETTERS OF PROTEST HAVE BEEN RECEIVED ON THIS CASE.STAFF RECOMMENDS APPROVAL OF CONDITIONAL USE PERMIT NUMBER 20111054 WITH ATTACHED CONDITIONS.THIS CONCLUDES STAFF'S PRESENTATION.

>> THANK YOU.I DON'T HAVE ANY QUESTIONS FOR STAFF.ARE THERE ANY SPEAKERS ON THIS ITEM?

>> YES, WE HAVE THE APPLICANT, LANCE POMEROY.

>>> I WASN'T READY FOR THE OATH.

>> I THINK HE NEEDS TO BE SWORN.

>> PLEASE RAISE YOUR RIGHT HAND.DO YOU SWEAR AND AFFIRM UNDER PENALTY OF PERJURY THE TESTIMONY YOU MAKE IN THIS MATTER PENDING BEFORE THE HEARING OFFICER WILL BE THE TRUTH, THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

>>> I DO.

>> THANK YOU.

>>> GOOD MORNING, VANCE POMEROY, [SPEAKER NOT UNDERSTOOD], JUNIPER HILLS REPRESENTING AT&T MOBILITY TODAY.WE'VE HAD AN OPPORTUNITY TO REVIEW THE CONDITIONS OF APPROVAL THAT ARE PROVIDED AND RECOMMENDED BY STAFF AND WE SEE NO ISSUES THERE.

>> OKAY, GREAT.I DON'T HAVE ANY QUESTIONS FOR YOU EITHER SO I'M GOING TO AT THIS POINT CLOSE THE PUBLIC HEARING, FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES AND APPROVE CONDITIONAL USE PERMIT NUMBER 201100154 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.THANK YOU.

>> ONCE AGAIN, THE LAST DAY TO APPEAL THIS ACTION IS OCTOBER 1ST, 2013.

>>> THANK YOU.

>> YOU'RE WELCOME.AGENDA ITEM NUMBER 7 IS R2013-01000-(4) CONDITIONAL USE PERMIT NO. 201300106, TON TEN KOSUSHI, 18438 COLIMA ROAD, #107,PUENTE 2006.

>> [SPEAKER NOT UNDERSTOOD].I DO BELIEVE -- THAT'S THE CORRECT MAP.AGENDA ITEM NUMBER 7 IS PROJECT NUMBER R-2013-01000.CONDITIONAL USE PERMIT NO. 201300106.THE APPLICANT IS REQUESTING A CONDITIONAL USE PERMIT FOR THE SALE OF BEER AND WINE FOR ON-SITE CONSUMPTION AND FOR THE SALE OF FULL LINE ALCOHOL FOR ON-SITE CONSUMPTION AT AN EXISTING RESTAURANT LOCATED WITHIN AN EXISTING SHOPPING CENTER LOCATED AT 18438 COLIMA ROAD IN THE UNINCORPORATED COMMUNITY OF ROLAND HEIGHTS WITHIN LA PUENTE ZONE DISTRICT AND FOURTH SUPERVISORIAL DISTRICT.THE RESTAURANT CURRENTLY SELLS BEER AND WINE FOR ON-SITE CONSUMPTION.UNDER THEIR CURRENT CUP.IF THE PROPOSED CUP APPLICATION IS APPROVED, THE APPLICANT PLANS ON CONTINUING TO SELL BEER AND WINE FOR ON-SITE CONSUMPTION, BUT WOULD ALSO LIKE THE OPTION OF SELLING FULL LINE ALCOHOL FOR ON-SITE CONSUMPTION IF THE APPLICANT CHOOSES TO DO SO IN THE FUTURE.THE SUBJECT PROPERTY IS ZONED C-3-BE, UNLIMITED COMMERCIAL BILL BOARD EXCLUSION.ALCOHOLIC BEVERAGE SALES IS PERMITTED IN THIS ZONE PURSUANT TO SECTIONS 22.56.085 ONCE THE CUP IS OBTAINED.LAND USES SURROUNDING THE SITE INCLUDE A SHOPPING CENTER TO THE NORTH, MULTI-FAMILY RESIDENCES TO THE SOUTH, SINGLE-FAMILY RESIDENCES, OFFICE, AND RETAIL TO THE EAST, AND MULTI-FAMILY RESIDENCES RETAIL AND OFFICE USES TO THE WEST.SITE PLAN DEPICTS AN EXISTING SHOPPING CENTER LOCATED ON A 10-ACRE LOT LOCATED ALONG COLIMA ROAD.ACCESS TO THE SITE IS VIA COLIMA ROAD [SPEAKER NOT UNDERSTOOD] AVENUE, [SPEAKER NOT UNDERSTOOD].THE 2000 SQUARE FOOT SUBJECT RESTAURANT IS LOCATED WITHIN THE SHOPPING CENTER AND IS ACCESSED FROM INSIDE THE CENTER.THIS PROJECT QUALIFIES FOR A CATEGORICAL EXEMPTION CLASS 1 EXISTING FACILITIES PURSUANT TO CEQA REPORTING REQUIREMENTS.THERE IS NO ALTERATIONS, CHANGES, OR EXPANSION OF USE BEYOND THAT CURRENTLY EXISTING OR PROPOSED.STAFF IS OF THE OPINION THAT THE APPLICANT'S BURDEN OF PROOF HAS BEEN MET.NO PUBLIC COMMENTS HAVE BEEN RECEIVED FROM THE GENERAL PUBLIC COMMENT AT THIS TIME.THE COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT WALNUT STATION AND THE ROLAND HEIGHTS COMMUNITY COORDINATING COUNCIL HAVE BOTH REVIEWED THE APPLICATION AND HAD NO OBJECTIONS TO THE GRANTING OF THE CONDITIONAL USE PERMIT.[SPEAKER NOT UNDERSTOOD] ON THE SUBJECT PROPERTY IS CONSISTENT WITH THE GOALS AND POLICIES SET FORTH IN THE ROLAND HEIGHTS COMMUNITY PLAN, COUNTY WIDE GENERAL PLAN AND CURRENT ZONING DESIGNATION.THEREFORE

STAFF RECOMMENDS APPROVAL OF CONDITIONAL USE PERMIT NUMBER 2013-00053 WITH THE ATTACHED FINDING AND CONDITIONS.THIS CONCLUDES MY PRESENTATION.

>> THANK YOU.I DON'T HAVE ANY QUESTIONS FOR STAFF ON THIS.ARE THERE ANY SPEAKERS ON THIS ITEM?

>> WE HAVE THE APPLICANT, CICI CHANG.

>>> GOOD MORNING.

>> GOOD MORNING.

>>> FOR THIS PROJECT --

>> SORRY, PLEASE STATE YOUR NAME FOR THE RECORD.

>> CHIN CHIN CHANG.THIS PROJECT IS FOR A RESTAURANT THAT HAS BEEN IN BUSINESS AS A JAPANESE RESTAURANT FOR MANY YEARS AND THE -- SOMEHOW IN THE MIDDLE OF CHANGING OWNERSHIP THEY DIDN'T REALIZE THAT THE CUP EXPIRED.SO, RIGHT NOW WE'RE COMING BACK TO GET IT, YEAH.

>> OKAY.I APPRECIATE YOU DOING THAT.

>>> OKAY. AND THEN THE OWNER, WE REVIEW -- WENT OVER THE CONDITION.THEY ARE OKAY WITH ALL THE CONDITIONS.

>> OKAY, GREAT, THANK YOU.I DON'T HAVE ANY OTHER QUESTIONS FOR YOU ON THIS.SO, I'LL GO AHEAD AND CLOSE THIS PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES AND APPROVE CONDITIONAL USE PER KNIT NUMBER 2013 00 053 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.THANK YOU.

>> AND THE LAST DAY TO APPEAL THIS ACTION IS OCTOBER 1ST, 2013.

>> OKAY, GREAT.

>> OKAY, OUR LAST PUBLIC HEARING ITEM IS PROJECT NUMBER 991 87 NONCONFORMING REVIEW, CASE NO. 200900017.

>> GOOD MORNING, HEARING OFFICER.

>> GOOD MORNING.

>> MY NAME IS ANDREW SVITEK.I AM WITH ZONING WEST.THIS ITEM IS A REQUEST TO CONTINUE THE EXISTING NEIGHBORHOOD MARKET IN THE [SPEAKER NOT UNDERSTOOD] WEST ATHENS COMMUNITY STANDARDS DISTRICT.THE MARKET WAS BUILT IN 1925 PRIOR TO THE ADOPTION OF THE ZONING ORDINANCE FOR THIS AREA WHICH WAS IN 1927.AND AT THAT TIME THE ORDINANCE DESIGNATED THIS AREA FOR MULTI-FAMILY RESIDENTIAL.THIS MARKET IS NONCONFORMING DUE TO USE AS CURRENTLY A COMMERCIAL USE IS NOT AUTHORIZED IN A RESIDENTIAL ZONE SUCH AS THE R-2 ZONE.ALSO THE BUILDING, THE BUILDINGS ON THIS SITE ARE NONCONFORMING DUE TO STANDARDS FOR PARKING, SETBACKS AND BUILDING SEPARATION.THE MARKET WAS PREVIOUSLY APPROVED THROUGH TWO NONCONFORMING REVIEW CASES.FIRST IN 1984 FOR 15 YEARS AND AGAIN IN 2000 FOR A 10-YEAR

TERM.THE ALCOHOL BEVERAGE LICENSE WAS TRACED AT THIS LOCATION TO 1984, AND THEREFORE, A CONDITIONAL USE PERMIT IS NOT REQUIRED FOR ALCOHOL BEVERAGE SALES A THE ALCOHOL SALES AT THIS LOCATION PREDATE THE ADOPTION OF THE ALCOHOL ORDINANCE BY THE COUNTY.ONE LETTER WAS RECEIVED FROM THE SOUTHWEST COMMUNITY ASSOCIATION ON THIS APPLICATION.THE LETTER INDICATED CONDITIONAL SUPPORT FOR THE CONTINUATION OF THIS MARKET PROVIDED THAT THE DRAFT CONDITIONS BE MODIFIED.THE LETTER INDICATED THAT THE SAME CONDITIONS BE IMPOSED ON THIS PERMIT AS WERE IMPOSED BY THE 2000 NONCONFORMING REVIEW PERMIT.STAFF HAS SPOKEN WITH THE APPLICANT REGARDING THIS AND THE APPLICANT IS VOLUNTARILY GOING TO COMPLY WITH THIS REQUEST, WHICH MEANS THAT STAFF WILL ADD AN ADDITIONAL NINE CONDITIONS TO THE CONDITIONS IN THE DRAFT CONDITIONS OF APPROVAL.SPECIFICALLY, IT WILL BE CONDITION 16-I, 16-K THROUGH Q, AND 16-S.THE APPLICANT HAS HAD A CHANCE TO REVIEW THESE ADDITIONAL CONDITIONS THAT WERE PART OF THEIR PREVIOUS NCR PERMIT.THE APPLICANT HAS ALSO SUBMITTED A SHELF PLAN INDICATING THAT 25% OF THE MARKET SHELF SPACE IS BEING USED FOR ALCOHOL DISPLAY, AND I CAN HAND UP THE SHELF PLAN.

>> YES, PLEASE, I'D LIKE TO LOOK AT IT.

>> AS THE SALE FOR ALCOHOL IS GRANDFATHERED, THE PERMITTEE SHALL NOT EXCEED THE 25% OF THE SHELF SPACE CURRENTLY BEING USED FOR ALCOHOL BEVERAGE SALE AND THIS EXHIBIT WILL BE MADE PART OF THE EXHIBIT A TO THE NCR PERMIT.THE SITE PLANNING INDICATES A LOCATION OF THE BEER COOLER WHICH IS IN THE NORTHWEST PORTION OF THE BUILDING, AND THIS IS THE ONLY PLACE WHERE THE MARKET SELLS ALCOHOLIC BEVERAGES.THE PROPOSED GRANT TERM IS FOR 15 YEARS.THE HOURS OF OPERATION WILL CONTINUE TO BE RESTRICTED TO BETWEEN 7:00 A.M. AND 8:00 P.M. SEVEN DAYS A WEEK.THE APPLICANT WILL BE REQUIRED TO PAINT OVER THE EXISTING SOUTH FACING WALL SIGN AS ONLY ONE BUILDING SIGN IS PERMITTED.THAT SIGN FACES BUD LONG AVENUE.THE PROPOSED CONDITIONS OF APPROVAL REQUIRE EIGHT INSPECTIONS BIANNUALLY.THE PROJECT IS CATEGORICALLY EXEMPT UNDER CEQA AS A CLASS 1 EXEMPTION FOR EXISTING FACILITIES.STAFF BELIEVES THAT THE APPLICANT HAS MET THE BURDEN OF PROOF AND RECOMMENDS APPROVAL OF THIS PERMIT SUBJECT TO THE DRAFT CONDITIONS OF APPROVAL WITH THE ADDITION OF THE NINE CONDITIONS THAT THE APPLICANT HAS VOLUNTARILY AGREED TO.THIS NOW CONCLUDES MY PRESENTATION AND I'M AVAILABLE FOR QUESTIONS.

>> YES, I HAVE A QUESTION ABOUT HOW SHELF SPACE IS CALCULATEDBY STAFF IN GENERAL, BECAUSE I THINK THE WAY, THE WAY THE CODE IS WRITTEN --

>> I HAVE THE HANDOUT THAT THE DEPARTMENT HAS REGARDING SHELF SPACE.

>> OKAY.SO, THE WAY THE CODE IS WRITTEN, THEY'RE JUST LOOKING AT FLOOR AREA INCREASE, RIGHT, NOT NECESSARILY SHELVING SPACE INCREASE? OR HOW DO YOU LOOK AT INCREASE?

>> WELL, THIS INDICATES THERE IS A TABLE THAT GETS MATCHED TO THE FLOOR AREA AND IT INDICATES CABINET KEY NUMBER, LENGTH, TOTAL NUMBER OF SHELVES, NUMBER OF SHELVES DEVOTED TO ALCOHOLIC BEVERAGES, TOTAL LINEAR INCHES OF SHELVES.IT GOES BY LINEAR INCHES OF SHELVES.

>> OKAY.

>> ACCORDING TO THIS HANDOUT.

>> OKAY.SO, THAT'S BASED ON OUR DEPARTMENT PROCEDURES, CORRECT? THAT HANDOUT IS OUR DEPARTMENT?

>> THAT'S CORRECT.

>> OKAY.

>> IT SAYS CABINETS INCLUDE DRY SHELVES, COOLERS, REFRIGERATORS, FREEZERS THAT ARE EXPOSED TO THE PUBLIC.

>> OKAY.SO, ACCORDING TO THAT, THEN, THIS SHELVING PLAN IS NOT ACCURATE WITH REGARDS TO SHELVING BECAUSE IT IT JUST SHOWS FLOOR AREA AT THIS POINT.SO, I THINK YOU'LL NEED TO WORK WITH THE APPLICANT ON SOMETHING AND I ACTUALLY WOULD LIKE TO SEE IT BEFORE IT'S APPROVED.

>> I CAN DO THAT.I WILL MAKE SURE THE APPLICANT HAS THIS HANDOUT AND HE WILL CREATE A KEY MAP AND A TABLE WHICH WE HAVE IN OUR HANDOUT.

>> OKAY.ARE THERE SPEAKERS SIGNED UP FOR THIS ITEM?

>> WE HAVE THE APPLICANT, FELIPE AVALOS AND [SPEAKER NOT UNDERSTOOD] AVALOS AND ALSO HENRY PORTER OF THE SOUTHWEST COMMUNITY ASSOCIATION.

>> OKAY.GOOD MORNING.PLEASE HAVE A SEAT AND STATE YOUR NAME FOR THE RECORD.

>>> GOOD MORNING, MY NAME IS [SPEAKER NOT UNDERSTOOD] AVALOS.

>>> MY NAME IS FELIPE AVALOS.

>> OKAY, PLEASE PROCEED.

>>> WE WOULD LIKE TO ASK FOR YOUR APPROVAL FOR THE CONTINUAL BUSINESS OF THE MARKET.THE MARKET IS A FAMILY-OWNED BUSINESS.WE'RE THERE TO SERVE THE NEIGHBORHOOD AND ALL THEIR BASIC NEEDS.THE PEOPLE IN THE NEIGHBORHOOD ARE VERY HAPPY WITH US.WE TRY TO HELP THEM IN ANY WAY WE CAN.WE KEEP A NICE, CLEAN ENVIRONMENT.WE DO NOT ALLOW ANY TYPE OF NEGATIVITY TO THE NEIGHBORHOOD.I DON'T KNOW WHAT ELSE TO SAY.

>> OKAY, THAT'S FINE.AND DOES MR. AVALOS HAVE ANYTHING HE WANTS TO SAY OR --

>>> CAN HE SPEAK SPANISH?

>> THAT'S FINE, YOU CAN TRANSLATE FOR HIM.

>>> AS FOR US, SINCE THE BUSINESS HA BEEN IN OUR OWNERSHIP, WE HAVE NEVER HAD ANY PROBLEMS.HE TRIES TO COMPLY WITH ALL THE CONDITIONS AS BEST AS WE CAN.AND THAT HE WOULD LIKE YOU TO APPROVE THE CONTINUE OF THE BUSINESS FOR THE COMMUNITY.

>> HOW LONG HAVE YOU OWNED THE BUSINESS?

>>> LIKE NINE YEARS.

>> I DID RECEIVE A LETTER FROM THE COMMUNITY AND I DID HAVE A CHANCE TO DRIVE BY THE PROPERTY YESTERDAY.AND ACCORDING TO THIS LETTER, THERE IS AN ADDITIONAL SIGN THAT'S ON THE SIDE OF THE STORE.ANY SIGNS THAT'S PLACED ON THE PROPERTY REALLY SHOULD GO THROUGH PLANNING APPROVAL, OKAY.IT SHOULD GO THROUGH OUR DEPARTMENT.SO, THAT SIGN IS ACTUALLY A VIOLATION OF OUR CODE AND THAT NEEDS TO BE PAINTED OVER.

>>> WE WILL DO THAT IMMEDIATELY.

>> OKAY.ANOTHER CONCERN WAS WITH REGARDS TO THE OPERATING HOURS.

>>> YEAH, I DO APOLOGIZE.WE HAVE BEEN OPENING A LITTLE -- STAYING OPEN A LITTLE LONGER THAN WE SHOULD.THE PEOPLE AROUND THERE, THEY REALLY ENFORCE US TO, LIKE, CAN YOU PLEASE OPEN, STAY A LITTLE LONGER? I COME HOMEWORK FROM LATE AND THEY REST AND EAT, AND GO BUY WHAT THEY NEED FOR THEIR NEXT DAY, MILK OR EGG.THAT IS A PROBLEM.I DO APOLOGIZE FOR DOING THAT.WE WILL DEFINITELY START CLOSING AT 8:00.I KNOW THE COMMUNITY, THE NEIGHBORHOOD THERE WILL PROBABLY GET UPSET A LITTLE, BUT THEN THEY'LL KNOW THAT WE HAVE TO CLOSE AT 8:00.SINCE THEY'RE VERY HAPPY WITH US, I KNOW THEY WOULD -- THEY WOULDN'T, YOU KNOW, DO ANYTHING TO US BECAUSE THEY REALLY LIKE US A LOT.

>> OKAY, OKAY.I ALSO NOTICE IN ONE OF THE PICTURES THAT WAS IN THE STAFF REPORT THAT THERE WAS A SIGN ON THE SIDEWALK.YEAH, YOU MAY NOT HAVE SEEN THESE PICTURES, BUT IT THERE'S A SIGN THAT WAS PUT ON THE SIDEWALK AND THAT'S NOT PERMITTED ACCORDING TO COUNTY CODE EITHER.YOU CAN'T HAVE ANY PORTABLE SANDWICH SIGNS.

>>> OH, MAYBE IT WAS LONG TIME AGO ABOUT AN ICE CREAM.

>> I DON'T KNOW, BUT I CAN -- ON THE SIDEWALK, THERE'S A SIGN.

>> THAT MUST BE FAIRLY RECENT BECAUSE I THINK IT WAS TAKEN BY A STAFF MEMBER.

>>> [SPEAKER NOT UNDERSTOOD].

>> IT HAD TO HAVE BEEN WITHIN THE LAST FEW MONTHS OR SO BECAUSE I THINK THE STAFF REPORT IS IN PREPARATION FOR THIS MEETING.

>>> IT DOESN'T HAVE NOTHING ON THE SIDEWALK.

>> OKAY.WELL, THAT WAS THERE AND IT'S EVIDENCE.SO, I THINK, YOU KNOW, IF YOU COULD JUST REMIND MR. AVALOS THAT --

>>> WE WILL DEFINITELY TAKE NOTE OF THAT, THAT WE WILL NOT HAVE ANYTHING ON THE SIDEWALK.

>> RIGHT.I MEAN, SOMETIMES IT'S EVEN A SAFETY HAZARD.

>>> YEAH, I UNDERSTAND.

>> AND THEN I JUST WANTED TO ASK YOU, YOU KNOW, LAST TIME THE CONDITIONAL USE PERMIT WAS ONLY FOR 10 YEARS.

>>> YES.

>> STAFF IS RECOMMENDING 15 YEARS.

>>> UM-HM.

>> I WOULD BE OPEN TO THAT IF YOU WOULD ACCEPT ANNUAL INSPECTIONS FOR THE FIRST FIVE YEARS.

>>> CAN I --

>> YES, PLEASE.

>>> YES.

>> SO, THAT WOULD REQUIRE ADDITIONAL INSPECTION FEES.

>>> HOW MUCH IS THE INSPECTION FEES?

>> I THINK THEY'LL BE ADDING --

>> 200.

>> IT'S 200 PER INSPECTION.4 TO \$600 MONTH.FOR THE INSPECTION FEES.BUT RIGHT NOW I THINK THERE'S THE WAY THE CONDITION IS WRITTEN, THERE'S INSPECTIONS EVERY OTHER YEAR.SO, THE TOTAL AMOUNT OF INSPECTION FEES IS 200 PER INSPECTION.SO IT'S \$1600 RIGHT NOW.SO, WHAT I WOULD BE ASKING IS IF YOU WANT THE 15 YEARS, I WANT MORE INSPECTION DURING THE FIRST FIVE YEARS.SO, THAT WOULD BE --

>> IT WILL PROBABLY GO FROM 200 --

>> AT LEAST TWO MORE, TWO MORE INSPECTIONS.SO, THAT'S ANOTHER \$400.

>> YOU WOULD HAVE THIS PERMIT FOR 15 YEARS.OTHERWISE, I WOULD BE ASKING THAT THIS PERMIT BE ONLY FOR 10 YEARS.

>>> WHEN DO WE HAVE TO PAY THAT BY?

>> IT WOULD HAVE TO BE PAID WITHIN THE NEXT COUPLE MONTHS OR SO.

>>> CAN WE HAVE THAT IN PAYMENTS?

>> NO, WE DON'T ACCEPT PAYMENTS.

>>> WE HAVE TO PAY IT IN FULL?

>> YES.

>>> OKAY.

>> SO, YOU WANT THE 15 YEARS?

>>> YES.

>> OKAY.OKAY.DO YOU HAVE ANY OTHER QUESTIONS FOR ME? OTHERWISE I'M GOING TO MOVE ON TO THE NEXT SPEAKER.

>>> OKAY, THANK YOU.

>> OKAY.SO, I GUESS THERE'S ONE MORE SPEAKER ON THIS ITEM.SO, IF ONE OF YOU CAN ALLOW THE OTHER SPEAKER TO SIT DOWN.THANK YOU.

>>> GOOD MORNING.

>> GOOD MORNING.

>>> HENRY PORTER, MAILING ADDRESS POST OFFICE BOX 47898, LOS ANGELES CALIFORNIA, [SPEAKER NOT UNDERSTOOD].THE LETTER THAT I SENT WAS PRIMARILY TO ALLOW THE BUSINESS TO CONTINUE BUT PROTECT THE INTEGRITY OF THE RESIDENTIAL COMPONENT AROUND IT.BASED ON THE VIOLATIONS THAT EXIST UNDER THE CURRENT APPROVAL IS WHY THE RECOMMENDATION WAS MADE FOR THE ADDITIONAL INSPECTIONS AS WELL AS LIMITING IT TO A 10-YEAR TERM.NOW, I KNOW THAT THE POLICY IS TO DO IT FOR 15 YEARS.I DON'T THINK I WOULD HAVE ANY OBJECTION TO THAT.AND LET ME RUN THIS BY YOU.IF, IN FACT, A 10-YEAR APPROVAL WITH A CONDITION THAT AFTER THE END OF 10 YEARS WE DON'T HAVE ANY MAJOR VIOLATION, THEN MAYBE A DIRECTOR'S REVIEW FOR AN ADDITIONAL 5 YEARS CAN BE GRANTED.THAT WOULD ALLOW THE 15 YEARS WITHOUT INCURRING ADDITIONAL COSTS AND SO FORTH.I THINK WHAT MY CONCERN IS THE VIOLATIONS THAT HAVE EXISTED ON THIS PROPERTY WITHOUT BEING ABATED.AT THE TIME THAT THE PROPERTY WAS PURCHASED, THEY HAD TO KNOW ABOUT THE CONDITIONS BECAUSE IT'S RECORDED.AND IN ORDER TO PURCHASE THE PROPERTY.SO, THAT'S MY CONCERN, IS HOW MUCH VOLUNTARY COMPLIANCE ARE WE GOING TO GET ONCE THIS APPROVAL HAS BEEN GRANTED.OTHER THAN THAT, IN ADDITION TO THIS, IN TERMS OF THE HOURS, THERE ARE TWO STORES WITHIN CLOSE PROXIMITY OF THIS LOCATION.ONE IS AT 106th AND BUD LONG AND ANOTHER ONE AT 92nd AND BUD LONG.THEIR HOURS ARE PRETTY MUCH CONSISTENT WITH WHAT WE HAVE HERE.AND DOESN'T SEEM TO IMPACT THE COMMUNITY AT ALL AT THOSE TWO LOCATIONS.SO, I WOULD LIKE TO SEE THE HOURS OF OPERATION REMAIN THE SAME.AGAIN, THE APPROVAL HERE AS WITH THE PREVIOUS OWNER GOES CONCURRENT WITH THE LAND, NOT THE PERSON.THEIR INTENTIONS MAY BE WELL AND GOOD AND THEY MAY HAVE CONTROL OVER IT, BUT THERE IS NO GUARANTEE THEY'RE GOING TO OWN THIS INDEFINITELY.SO, WHAT WE HAVE TO LOOK AT IS CONDITIONING THE PROPERTY FOR THE BETTERMENT OF THE COMMUNITY, NOT THE INDIVIDUAL THAT'S RUNNING IT AT THIS TIME.SO, THAT'S OUR CONCERN, AND WE DO SAY, YEAH, WE DON'T WANT TO DEPRIVE THE PEOPLE OF THE CONVENIENCE OF GOING INTO THAT LITTLE STORE, BUT PROTECT THE INTEGRITY OF THE COMMUNITY AT THE SAME TIME.

>> THANK YOU FOR YOUR COMMENTS.I THINK WITH REGARDS TO THE HOURS, THEY'VE AGREED TO OPERATE BY THE PREVIOUS RESTRICTIONS.I THINK WITH REGARDS TO THE TERM LIMIT, THAT'S WHY WE'RE ADDING ADDITIONAL INSPECTIONS DURING THE FIRST FIVE YEARS.SO, HOPEFULLY WE'LL GAIN GOOD COOPERATION AND I THINK OUR PERMIT INSPECTION PROGRAMS ARE BETTER NOW THAN THEY WERE BEFORE AND WE'RE A LOT MORE INVOLVED WITH MONITORING PERMITS.

>>> OKAY.

>> SO, AT THIS POINT I THINK I'M GOING TO ACTUALLY STILL GO WITH ALLOWING THEM THE 15 YEARS WITH THE ADDITIONAL INSPECTS.AND, OF COURSE, YOU'RE ALWAYS WELCOME TO CONTACT US ANY TIME YOU SEE A PROBLEM AND WE CAN REQUEST ADDITIONAL INSPECTIONS AT THAT TIME IF THERE ARE VIOLATIONS.

>>> I TRUST YOUR JUDGMENT AND I RESPECT IT.THANK YOU.

>> THANK YOU, MR. PORTER.

>>> OKAY.

>> I DO -- OH, FOR STAFF, I DO WANT -- I'M STILL CONCERNED WITH REGARDS TO JUST THE SHELVING PLAN BECAUSE I KNOW THAT IT'S EASY -- IF WE DON'T HAVE A GOOD SHELF PLAN IT'S HARD TO KNOW WHEN SOMETHING'S EXPANDED JUST FROM PERSONAL EXPERIENCE.SO, AT THIS POINT I'M THINKING ABOUT CONTINUING THE HEARING UNTIL WE HAVE A GOOD SHELF PLAN TO LOOK AT IT SHOULDN'T AFFECT THE APPLICANT ANY WITH REGARDS TO THAT BECAUSE THERE IS STILL AN OPERATION.SO, I DON'T KNOW HOW LONG THEY MIGHT NEED TO COME UP WITH A GOOD SHELVING PLAN.DOES STAFF HAVE ANY RECOMMENDATIONS ON THAT?

>> I THINK THEY CAN HAVE IT DONE WITHIN WEEKS.

>> OKAY.SO, SHOULD HE WE CONTINUE IT BY TWO WEEKS OR 30 DAYS? DO YOU WANT TO COME DOWN AND KIND OF FEED INTO THIS DISCUSSION? MS. AVALOS?

>>> WHAT IS YOUR CONCERN ON THE SHELVING?

>> THE SHELVING PLAN, THIS IS NOT ADEQUATE THE WAY IT'S DRAWN.THERE ACTUALLY -- THIS IS ONLY SHOWING THE FLOOR AREA, BUT YOU ACTUALLY HAVE TO ALSO SHOW THE NUMBER OF SHELVES.

>>> WELL, WHEN WE PUT IN THE APPLICATION, WE GAVE THEM LIKE PLANS.

>> RIGHT, THAT'S NOT ENOUGH.WHAT WE NEED TO DO IS BECAUSE -- I'M TRYING TO THINK HOW I CAN EXPLAIN THE WAY WE HAD ALCOHOL.OUR POLICY -- IN 1992 THE COUNTY PASSED AN ORDINANCE THAT REQUIRES A PUBLIC HEARING FOR ALCOHOL SALES.SO, TODAY WE'RE NOT LOOKING AT THE ALCOHOL SALES PORTION.WE'RE SAYING YOU'VE HAD A LICENSE FROM -- THAT WAS IN OPERATION FROM BEFORE THE COUNTY'S REQUIREMENT, OKAY.BUT ONCE YOU EXPAND THE AMOUNT OF AREA THAT YOU USE TO SELL ALCOHOL, PAST A CERTAIN POINT, THEN THE COUNTY CAN COME BACK AND REQUEST A PUBLIC HEARING LIKE THIS JUST FOCUSED ON ALCOHOL SALES.BUT IN ORDER FOR US TO SEE, TO KNOW WHETHER YOU'VE EXPANDED, WE NEED A GOOD PLAN THAT SHOW WHAT YOU CURRENTLY HAVE SO THAT IF YOU OR ANY OTHER BUSINESS OWNER COMES IN AND EXPAND, WE WILL KNOW BECAUSE WE CAN SAY, OH, WHAT YOU HAVE RIGHT NOW IS NOT CONSISTENT WITH WHAT WAS APPROVED.SO, THAT'S WHY WE NEED A REALLY GOOD DRAWING.

>> I WOULD REQUEST PROBABLY ONE MONTH TO HAVE ENOUGH TIME FOR THEM TO PREPARE.

>> OKAY.AND HE WILL WORK WITH YOU ON SOMETHING LIKE THAT.I'M GOING TO APPROVE THIS PERMIT.DON'T WORRY ABOUT THAT.I JUST WANT TO MAKE SURE WE HAVE A GOOD DRAWING OF THE ALCOHOL SALES, OKAY.

>>> OKAY.

>> AND I REALLY WANT TO SEE IT BEFORE IT GETS APPROVED.SO, AT THIS POINT -- DOES THAT MAKE SENSE? DO YOU HAVE ANY QUESTIONS?

>>> BASICALLY YOU WANT LIKE A DRAWING WHERE THE BEER IS AT?

>> UM-HM, IN COMPARISON TO ALL THE OTHER PRODUCTS THAT YOU SELL.

>>> OKAY.

>> BECAUSE YOU HAVE TO -- THE ALCOHOL SALES NEED TO BE LIMITED TO A CERTAIN AMOUNT.

>>> OKAY.

>> HE'LL EXPLAIN MORE TO YOU, SO -- WE'LL COME BACK IN 30 DAYS HERE AND I WOULD HAVE HAD THE SHELF PLAN, I WOULD HAVE LOOKED AT IT.AND IF I HAVE ANY QUESTIONS, THEN WE'LL TALK ABOUT IT MORE THEN.BUT I REALLY WOULD LIKE TO SEE IT BEFORE APPROVING.

>>> OKAY.

>> BUT ALL THE OTHER ISSUES, YOU KNOW, I'M OKAY WITH WITH OUR DISCUSSION AND WHAT'S RECOMMENDED, OKAY? AND AT THAT TIME I'D ALSO LIKE TO SEE THE FINAL FINDINGS AND CONDITIONS SO WE'LL HAVE A FINAL COPY ON THAT BASED ON THE DISCUSSION TODAY.IS THAT OKAY?

>> YES.

>> OKAY, GREAT.THANK YOU, MR. [SPEAKER NOT UNDERSTOOD].WE WOULD LIKE TO CONTINUE 15 DAYS.

>> IT'S A VERY FULL DAY.IT SHOULD BE QUICK.

>> IT SHOULD BE QUICK.

>> AND THIS IS ALSO 1:00 P.M. HEARING, IT STARTS AT 1:00 P.M. ON OCTOBER 15TH, NOT 9:00 A.M.

>> OKAY, IS THAT OKAY, OCTOBER 15TH AT 1:00?

>>> OKAY, THAT'S FINE.

>> OKAY, GREAT.THANK YOU.

>>> OKAY, THANK YOU.

>> I'LL GO AHEAD AND CONTINUE THIS PUBLIC HEARING ITEM.THIS IS NONCONFORMING REVIEW CASE NO. 200900017 AND WE'LL GO AHEAD AND CONTINUE

IT TO OCTOBER 15TH AT 1 O'CLOCK.OKAY.AND NOW WE'RE ONTO THE DISCUSSION AND POSSIBLE ACTION ITEMS.AND I'M GOING TO HAND THIS HEARING OVER TO MR. MITCH GLAZER TO CONTINUE THIS ITEM.

>> THANK YOU.MY NAME IS MITCH GLAZER, I'M SUPERVISING PLANNER IN THE ADVANCE PLANNING DIVISION.I WILL BE SERVING AS HEARING OFFICER FOR ITEM NUMBER 9.ITEM NUMBER IS AN APPEAL OF A FINAL ZONING ENFORCEMENT ORDER.THIS IS ENFORCEMENT CASE NO. REQUEST FOR SERVICE 12-0029522, ENFORCEMENT FILE 000923.MR. GERINGER, PLEASE PROCEED WITH YOUR PRESENTATION.

>> GOOD MORNING, MR. HEARING OFFICER.FOR THE RECORD, MY NAME IS DAN GERINGER REPRESENTING ZONE ENFORCEMENT NORTH.IT APPEARS THAT THE OWNERS OR THE REPRESENTATION OF THE OWNER IS NOT HERE.SHOULD WE PROCEED WITH THE HEARING OR SHOULD WE JUST GO WITH THE STAFF RECOMMENDATION?

>> MR. GERINGER, IF YOU COULD PLEASE JUST FOR THE RECORD PROVIDE A BRIEF SUMMARY OF THE CHRONOLOGY? I KNOW IT'S IN YOUR STAFF REPORT.AND ALTHOUGH THE APPELLANT DID YOU NOT APPEAR TO BE HERE TODAY, THESE PROCEEDINGS ARE BEING RECORDED.SO, IF YOU COULD JUST GO THROUGH THAT BRIEFLY, I THINK IT WOULD BE HELPFUL.

>> TERRI VOSEN OWNER OF THE PROPERTY KNOWN AS 34750 FLORENCELL AVENUE, [SPEAKER NOT UNDERSTOOD].SEMI COMMERCIAL TRAILER BEING PARKED AND MAINTAINED ON THE PREMISES AND UNPERMITTED STORAGE.ITEMS CLASSIFIED AS JUNK AND SALVAGE.MATERIALS ARE BEING MAINTAINED ON THE PREMISES.ON NOVEMBER 6, 2012, I RECEIVED AN ANONYMOUS COMPLAINT FROM THE PUBLIC REGARDING THE STORAGE OF THE COMMERCIAL VEHICLE ON THE PROPERTY KNOWN AS 34750 FLORENCELL AVENUE IN ACTON, CALIFORNIA.FURTHER RESEARCH DESCRIBED THE PROPERTY OWNER AS GERRY VOSEN AND GERRY H. VOSEN, [SPEAKER NOT UNDERSTOOD].ON DECEMBER 5, 2012, I CONDUCTED AN INITIAL INSPECTION.ALL INSPECTIONS WERE CONDUCTED FROM FLORENCELL AVENUE AND CAROLER STREET.THE PROPERTY IS IN ZONE A-1, LIGHT AGRICULTURAL.THE ZONE DISTRICT IS SOLEDAD AND THERE IS A COMMUNITY STANDARDS DISTRICT, ACTON COMMUNITY STANDARDS DISTRICT.AND HERE ARE SOME AERIAL PHOTOGRAPHS OF THE PROPERTY.AND THIS IS THE ZONING MAP SHOWING THE ZONE AS A-1 AND THE SUBSEQUENT ZONE TO THE WEST WAS A-2.THE ZONING VIOLATION, TRAILER PACKED ON THE PREMISE [SPEAKER NOT UNDERSTOOD].AND UNPERMITTED STORAGE TRAILER ITEMS CLASSIFIED AS JUNK MAINTAINED ON THE PREMISES [SPEAKER NOT UNDERSTOOD].LIKE I SAID EARLIER, MY INITIAL INSPECTION WAS CONDUCTED DECEMBER 5, 2012, AND I OBSERVED ONE COMMERCIAL VEHICLE TRAILER, SEMI TRAILER AND MISCELLANEOUS STORAGE ITEMS BEING STORED ON THE PROPERTY.THE ITEMS, MISCELLANEOUS ITEMS ARE TO THE -- JUST AROUND THE SEMI TRAILER.AS YOU CAN SEE HERE, THE LIGHTING AND IT'S DIFFICULT TO SEE IN THIS PICTURE, BUT IN FURTHER PICTURES YOU'LL SEE EXACTLY WHAT THOSE VIOLATIONS ARE.ON DECEMBER 18TH, I DRAFTED AND STAFF MAILED THE NOTICE OF VIOLATION TO THE SUBJECT PROPERTY OWNER.ON JANUARY 16, 2013, I RECEIVED A LETTER FROM TERRI VOSEN.ON JANUARY 24TH I SENT AN E-MAIL TO TERRI VOSEN REQUESTING THE OWNER TO REMOVE THE VIOLATIONS FROM THE PREMISES, TITLE 22, AND GRANTED A 30-DAY EXTENSION.ON FEBRUARY 25TH, 2013 I SPOKE WITH TERRY VOSEN WHO IS REPRESENTING THE SUBJECT PROPERTY OWNER.MS. VOSEN STATED SHE DID NOT RECEIVE THE E-MAIL AND SAID SHE ONLY CORRESPONDS BY U.S. POSTALSERVICE.SHE STATED SHE IS AN ATTORNEY AND HER HUSBAND IS AN ATTORNEY.TITLE 22 IS SILENT ON STORAGE OF COMMERCIAL VEHICLES ON AGRICULTURAL PROPERTIES THE USE MUST BE ALLOWED.I EXPLAINED

TITLE 22 IS A CODE AND DOES NOT PERMIT ALL [SPEAKER NOT UNDERSTOOD] USES AND EXPLAINED THE CONTAINER POLICY. SINCE THIS IS THE COMMERCIAL VEHICLE, THE -- SHE COULDN'T SUBSTITUTE THE COMMERCIAL VEHICLE FOR A CONTAINER TO BE MAINTAINED ON THE PREMISE WITH AN APPROVED LOT PLAN. I EXPLAINED THE STORAGE OF VEHICLES IS CONSISTENT WITH ZONE M-1 AND HIGHER AND MEETING DEVELOPMENT STANDARDS AND SHE DID HAVE AN A-1 PROPERTY AND THEREFORE THE USE IS UNPERMITTED. LATER THAT DAY I RECEIVED AN E-MAIL AND I RESPONDED CLARIFYING WHAT WAS EXACTLY MENTIONED IN THE CONVERSATION. ON THE FEBRUARY 25TH DATE. ON FEBRUARY 26, 2013, I RECEIVED AN E-MAIL TO TERRI VOSEN SAYING WE WOULD GRANT AN ADDITIONAL 230-DAY EXTENSION WHICH WOULD BE SENT BY U.S. POSTAL SERVICE. ON FEBRUARY 27, THAT LETTER WAS SENT TO THE PROPERTY OWNER. A RETURN RECEIPT WAS SIGNED MARCH 12 -- MARCH 2ND, 2013. [SPEAKER NOT UNDERSTOOD]. ON MARCH 18, 2013 I RECEIVED A LETTER FROM TERRY VOSEN TO THE DIRECTOR AMONG SEVERAL ASSERTIONS IN THE LETTER, MS. VOSEN ARGUED THE ASSUMPTION OF THE TRAILER WAS COMMERCIAL AND STATED SHE WAS USING THE 40 FOOT ENCLOSED TRAILER TO STORE PERSONAL AND PRIVATE PROPERTY. ALSO SHE ADDED THE CONTAINER IS NOT PERMANENT AND THEREFORE THE COMPLAINT IS NOT VALID. ON APRIL 30TH, 2013, THE DIRECTOR RESPONDED IN A LETTER WHICH IS EXHIBIT 11 TO MS. VOSEN CLARIFYING THE [SPEAKER NOT UNDERSTOOD] A-1 AND M-1 [SPEAKER NOT UNDERSTOOD], AND CLARIFYING THE CARGO SOURCE CONTAINER POLICY. IN ADDITION WE SENT A COPY OF THE CURRENT CONTAINER POLICY MEMO. AND FINALLY THE LETTER OF RESPONSE REQUESTED A LETTER [SPEAKER NOT UNDERSTOOD] REQUESTING TO REMOVE [SPEAKER NOT UNDERSTOOD] FROM THE PROPERTY. I CONDUCTED A REINSPECTION OF THE SUBJECT PROPERTY. THERE'S WAS NO OBSERVABLE CHANGE IN THE CONDITION OF THE SUBJECT PROPERTY. I OBSERVED ONE COMMERCIAL SEMI TRAILER AND THE MISCELLANEOUS STORAGE ITEMS JUNK AND SALVAGE AT THE FRONT OF THE COMMERCIAL TRAILER. THOSE ITEMS ARE REFERRED TO AS JUNK AND SAVAGE INCLUDED BUT WAS NOT LIMITED TO PLASTIC AND METAL PIPING. MISCELLANEOUS METAL, WOOD AND PLASTIC STORAGE BOXES. THIS CAN BE SEEN IN THESE TWO PICTURES HERE. ON JULY 22nd, 2013, I DRAFTED AND STAFF MAILED THE FINAL ZONING ENFORCEMENT ORDER TO THE PROXY STEPHEN REID AND TO TERRY VOSEN, TRUSTEE OF THE VOSEN FAMILY TRUST. VIOLATION CONSISTED OF COMMERCIAL SEMI TRAILERS BEING PARKED, STORED AND MAINTAINED ON THE PREMISES AND UNPERMITTED STORAGE AS BEING MAINTAINED ON THE PREMISES. SUBSEQUENTLY ON JULY 26, 2013, THE RETURN RECEIPT WAS SIGNED BY STEPHEN REID. ON AUGUST 5TH, 2013, I RECEIVED A COPY OF A LETTER FROM TERRI VOSEN TO THE DIRECTOR RICHARD [SPEAKER NOT UNDERSTOOD]. IN THIS LETTER IT IS A CARGO TRAILER AND SHOULD BE DISTINGUISHED AS A CARGO CONTAINER AND REQUESTED EVIDENCE THAT THE COMMERCIAL ACTIVITIES ARE BEING CONDUCTED ON A SUBJECT PROPERTY AND RELATION TO THE STORAGE OF THE CONTAINER ON THE PROPERTY. FINALLY, ALTHOUGH NOT SPECIFICALLY REQUESTED BUT TAKEN INTO CONSIDERATION, THE LETTER WAS IN RESPONSE TO THE FINAL ZONING ENFORCEMENT ORDER WHICH PROVIDES APPEAL RIGHTS. STAFF USED THIS LETTER AS AN APPEAL REQUEST. I DO HAVE CONFIRMATION THAT SHE RECEIVED THE APPEAL, THE DATE AND THE TIME SHE RECEIVED THAT ON, AND SIGNED FOR IT ON OR AROUND AUGUST 30TH, 2012. STAFF RECOMMENDS THAT THE HEARING OFFICER SUSTAIN THE FINAL ZONING ENFORCEMENT ORDER AND DIRECT THE VIOLATOR TO BRING THE PROPERTY INTO COMPLIANCE. STAFF RECOMMENDS COMPENSATION TO THE DEPARTMENT OF REGIONAL PLANNING FOR THE NONCOMPLIANCE AND RECOVERY FEES, \$704 AS STIPULATED BY TITLE 22 OF THE LOS ANGELES COUNTY CODE SECTION 22.60.390 A-1. ALSO FOR THE RECORD, AN INSPECTION WAS CONDUCTED YESTERDAY ON THE 16TH, AND I OBSERVED ESSENTIALLY NO CHANGE TO THE CONDITION OF THE SUBJECT PROPERTY. IF YOU

WOULD LIKE, I HAVE COPIES OF THE PICTURES FOR THE HEARING OFFICER.AND THAT ENDS MY PRESENTATION.

>> THANK YOU, MR. GERINGER.I APPRECIATE YOU GOING THROUGH THE CHRONOLOGY AND I THINK THE REASON THAT THAT'S IMPORTANT IS, AS YOU MENTION, THERE HAVE BEEN A COUPLE OF TIME EXTENSIONS.THERE'S BEEN SEVERAL ROUNDS OF CORRESPONDENCE BETWEEN THIS DEPARTMENT AND THE APPELLANT.AND, SO, THIS IS NOT AN ACTION THAT WE TAKE LIGHTLY.IT'S ONLY AFTER CONTINUING EFFORTS TO GET COMPLIANCE DOES IT REACH THIS STAGE.SO, THAT BEING SAID, YOU ALREADY SPOKE TO THE FACT THAT AS OF YESTERDAY THE VIOLATION STILL EXISTS.IN REVIEWING THIS CASE, I AGREE THAT THIS IS A COMMERCIAL TRAILER.AND TO MS. VOSEN'S POINT, IT DOESN'T MATTER WHETHER IT'S BEING USED FOR COMMERCIAL PURPOSES EVEN IF IT WERE EMPTY, JUST BY NATURE OF BEING A COMMERCIAL TRAILER IT'S NOT PERMITTED IN AGRICULTURAL ZONE.SO, I DO AGREE THAT THE VIOLATION EXISTS.AND IN LIGHT OF THAT AND IN LIGHT OF THE RECORD THAT YOU PRESENTED, I THINK IT WOULD BE APPROPRIATE TO AGREE WITH YOUR RECOMMENDATION.SO, I WILL -- AND AGAIN, NOTING THAT THE APPELLANT, ALTHOUGH NOTIFIED IS NOT HERE TODAY, I WILL GO AHEAD AND TAKE THE ACTION.SO, I WILL SUSTAIN THE FINAL ZONING ENFORCEMENT ORDER AND THE NONCOMPLIANCE FEE AND I WILL DIRECT GERRY H. VOSEN AND [SPEAKER NOT UNDERSTOOD] TO BRING THE PROPERTY INTO COMPLIANCE WITHIN 15 DAYS OF THIS DATE.FAILURE TO ABATE ALL ZONING VIOLATIONS SHALL SUBJECT MR. AND MS. VOSEN TRUSTEES FOR THE VOSEN FAMILY TRUST TO A NONCOMPLIANCE FEE OF \$704 STIPULATED BY TITLE 22 OF THE CODE, [SPEAKER NOT UNDERSTOOD].SO, THAT WILL CONCLUDE THIS MATTER.THANK YOU AGAIN, MR. GERINGER, FOR YOUR PRESENTATION.

>> THANK YOU.

>> I'LL GO AHEAD AND TURN IT OVER TO MS. HACHIYA FOR THE REMAINDER OF THE HEARING.

>> THANK YOU.NOW WE'RE ON TO THE DISCUSSION AND POSSIBLE ACTION ITEMS, CASES RECOMMENDED FOR DENIAL DUE TO INACTIVITY.AND AS PREVIOUSLY DISCUSSED WITH STAFF, WE'LL GO AHEAD AND TAKE EACH ITEM ON ITS OWN.OKAY, AND YOU MAY PROCEED.

>> GOOD MORNING, I AM LINDA [SPEAKER NOT UNDERSTOOD] FOR THE LAND DIVISION SECTION.TODAY STAFF PRESENTS AGENDA ITEMS 10 THROUGH 14 FOR INACTIVITY.STAFF NOTES FOR THE RECORD THERE IS NO VISUAL PRESENTATION ASSOCIATED WITH THESE AGENDA ITEM.AGENDA ITEM NUMBER 10, PROJECT NUMBER 03-329, TENTATIVE TRACT MAP NUMBER 060464.THE APPLICANT HAS NOTIFIED STAFF TO WITHDRAW THEIR PROJECT AND IT SHOULD BE TAKEN OFF TODAY'S AGENDA.STAFF WILL NOW ADDRESS AGENDA ITEMS 11 THROUGH 14 INDIVIDUALLY.AGENDA ITEM NUMBER 11, PROJECT NUMBER PM066361 INCLUDES TENTATIVE PARCEL MAP NUMBER 066361 AND COMMUNITY MODIFICATION NO. 200700014.A REQUEST FOR ONE MULTI-FAMILY LOT WITH DETACHED CONDOMINIUMS WITH MODIFICATION WAS FILED ON APRIL 18, 2006.THE SUBDIVISION COMMUNITY LAST MET JANUARY 28, 2008.STAFF NOTIFIED THE APPLICANT IN A LETTER DATED SEPTEMBER 13, 2012 INFORMING THE APPLICANT THAT THE PROJECT WOULD BE SCHEDULED BEFORE A HEARING OFFICER FOR DENIAL DUE TO INACTIVITY ON OCTOBER 16, 2012.THE LETTER ALSO DIRECTED THE APPLICANT TO CONTACT STAFF 30 DAYS AFTER THIS LETTER IF HE OR SHE WANTED TO KEEP THE PROJECT ACTIVE.IF THE PROJECT IS TO REMAIN ACTIVE, THE APPLICANT IS ALSO REQUIRED

TO PROVIDE DIVISION, TENTATIVE MAP OR [SPEAKER NOT UNDERSTOOD].AND WAS GRANTED A TIME EXTENSION UNTIL DECEMBER 13, 2012.STAFF SENT A LETTER TO THE APPLICANT DATED AUGUST 15, 2013 INFORMING THE APPLICANT THAT THE CASE WOULD BE SCHEDULED BEFORE A HEARING OFFICER FOR DENIAL DUE TO INACTIVITY.ON SEPTEMBER 17, 2013, AND THAT HE OR SHE WILL NEED TO APPEAR BEFORE THE HEARING OFFICER TO REQUEST FOR ADDITIONAL TIME EXTENSION.TO THIS DATE, APPLICANT HAS NOT CONTACTED STAFF.STAFF RECOMMENDS DENIAL DUE TO INACTIVITY.

>> OKAY.SO, ARE THERE ANY SPEAKERS ON THIS ITEM, NUMBER 11?

>> NO SPEAKERS FOR NUMBER 11.

>> OKAY.THIS IS NOT A PUBLIC HEARING ITEM SO I'LL JUST GO AHEAD AND CONCUR WITH STAFF RECOMMENDATIONS AND DENY THIS PROJECT NUMBER PARCEL MAP 066361 AND ASSOCIATED TENTATIVE PARCEL MAP NUMBER 066361 AND CSD MODIFICATION NO. [SPEAKER NOT UNDERSTOOD], DENIED DUE TO INACTIVITY.

>> THE LAST DAY TO APPEAL THIS ACTION IS SEPTEMBER 30TH, 2013.

>> THANK YOU.NEXT ITEM, PLEASE.

>> AGENDA ITEM NUMBER 12, PROJECT NUMBER PM067405 INCLUDES TENTATIVE PARCEL MAP 06 74 05.A REQUEST FOR TWO SINGLE-FAMILY LOTS WAS FILED ON JULY 27, 2006.THE SUBDIVISION COMMITTEE LAST MET ON AUGUST 25, 2008.STAFF NOTIFIED THE APPLICANT IN A LETTER DATED OCTOBER 4, 2012 INFORMING THE APPLICANT THAT THE PROJECT WOULD BE SCHEDULED BEFORE A HEARING OFFICER FOR DENIAL DUE TO INACTIVITY ON NOVEMBER 6, 2012.THE LETTER ALSO DIRECTED THE APPLICANT TO CONTACT STAFF WITHIN 30 DAYS OF THIS LETTER IF HE OR SHE WANTED TO KEEP THEIR PROJECT ACTIVE.THE APPLICANT WAS ALSO REQUIRED TO PROVIDE A REVISION TO THE TENTATIVE MAP AND/OR OTHER REQUESTED INFORMATION WITHIN 90 DAYS.THE APPLICANT SUBMITTED A TIME EXTENSION REQUEST ON OCTOBER 24TH, 2012, AND WAS GRANTED A TIME EXTENSION UNTIL JANUARY 17, 2013.STAFF SENT A LETTER TO THE APPLICANT DATED AUGUST 15, 2013, INFORMING THE APPLICANT THAT THE CASE WOULD BE SCHEDULED BEFORE A HEARING OFFICER FOR DENIAL ON SEPTEMBER 17, 2013, AND THAT HE OR SHE WILL NEED TO APPEAR BEFORE THE HEARING OFFICER TO REQUEST FURTHER TIME EXTENSION.TO THIS DATE, APPLICANT HAS NOT CONTACTED STAFF UNTIL THIS MORNING TO INFORM STAFF THAT HE WAS RUNNING LATE.STAFF RECOMMENDS DENIAL DUE TO INACTIVITY.

>> OKAY.IS THERE SOMEONE SPEAKING ON THIS ITEM?

>> WE DO HAVE ONE SPEAKER.I BELIEVE THE APPLICANT, MR. MOHAMMED [SPEAKER NOT UNDERSTOOD].HE WAS NOT SWORN IN, I DON'T BELIEVE.

>> OKAY.WHAT'S THE LAST NAME, MR. --

>> CANONI.

>> MR. CANONI, COULD YOU PLEASE COME DOWN AND BE SWORN IN? IF YOU COULD PLEASE STAND AND RAISE YOUR RIGHT HAND TO BE SWORN IN FIRST.

>> DO YOU SWEAR AND AFFIRM UNDER PENALTY OF PERJURY THAT THE TESTIMONY YOU MAY GIVE IN THIS MATTER SHALL BE THE TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH? THANK YOU.

>>> THANK YOU.

>> PLEASE GO AHEAD.

>>> GOOD MORNING.

>> GOOD MORNING.

>>> WHEN I STARTED THIS PROJECT I HAD --

>> PLEASE STATE YOUR NAME FOR THE RECORD.

>>> YEAH, MY NAME IS MOHAMMED [SPEAKER NOT UNDERSTOOD] KANANI.

>> GO AHEAD.

>>> I HAVE SOMEONE TO DO THIS SUBDIVISION AND HE ACTUALLY SENT A CHECK TO THE COUNTY AND THE CHECK BOUNCED.SO, I PAID MY FEES TWICE.THEN I TRIED -- I ALSO PAID THEM ALL THE MONEY FOR ALL THE REQUIREMENTS, AND THEY DIDN'T DO ANYTHING, AND THEN I HIRED A THIRD COMPANY.I PAID THEM THE MONEY TO DO THE THINGS.I'M ALMOST OUT OF \$85,000.AND THIS LETTER, ONE WHAT FOR THE 17TH.I TALKED TO -- WHAT'S HIS NAME? THE LAST COMPANY THAT WAS HERE, MICROSUN DESIGN.AND HE'S OUT OF BUSINESS.WHAT I'D LIKE TO DO IS I'D LIKE TO HAVE ONE EXTENSION AND I'LL TRY TO DO WHATEVER I CAN.AND FOR LAST YEAR I HAD BACK SURGERY.I WAS NOT ABLE TO DO TOO MANY THINGS.

>> OKAY.TIME EXTENSIONS ARE USUALLY ONLY 90 DAYS.DO YOU REALLY THINK THAT YOU CAN TAKE SOME SORT OF ACTION IN THE NEXT 90 DAYS?

>>> YES, I'M ACTIVE NOW.I CAN WALK.

>> THE SUBDIVISION PROCESS, I'VE NEVER GONE THROUGH IT, BUT AS I UNDERSTAND IT, WORKING WITH STAFF, IT'S PRETTY COMPLICATED.WHAT ARE YOU PLANNING TO DO PERSONALLY IN THE NEXT 90 DAYS?

>>> I TALKED TO SOMEBODY LOCALLY IN SANTA CLARITA, THAT'S WHAT THEY DO, SUBDIVISION.SO, I'M SUPPOSED TO MEET THEM TODAY AND SEE WHAT I CAN HAVE THEM START WORKING ON IT AND GET ALL THE ITEMS YOU NEED.AND BRING IT UP TO DATE.

>> OKAY.IT'S TOO BAD YOU WEREN'T ABLE TO BRING THAT CONSULTANT DOWN HERE.

>>> I HAVE NOT HIRED HIM YET.

>> YES.

>>> I MADE APPOINTMENT WITH HIM, BUT I HAVE NOT HIRED HIM YET.

>> UM-HM, OKAY.DOES STAFF HAVE ANY COMMENTS OR THOUGHTS ON THIS MATTER?

>> I BELIEVE 90 DAYS IS SUFFICIENT FOR THE APPLICANT TO PROVE TO US THAT HE'S TAKING ACTION AND WE WORK WITH THE APPLICANT ONCE HE HAS HIRED A CONSULTANT, AND WE'VE HAD A CHANCE TO MEET WITH THE CONSULTANT, GO THROUGH THE HOLES AND THE REST.SO, 90 DAYS SHOULD BE ENOUGH FOR THEM TO TAKE ACTION.

>> OKAY.SO, YOU HAVE 90 DAYS.I HOPE YOU HIRE A GOOD CONSULTANT, SIR.

>>> YEAH, I WILL.YOU KNOW, IT'S JUST IT HAPPENS.THERE IS NOTHING I CAN SAY.

>> RIGHT.

>>> I DIDN'T PAY ATTENTION TO IT.

>> RIGHT, YES.GOOD CONSULTANT IS ACTUALLY DIFFICULT TO FIND AND YOU REALLY DO HAVE TO, YOU KNOW, KEEP YOUR TABS ON THEM.SO, IT IS VERY IMPORTANT --

>>> I'VE BEEN IN THE BUSINESS OVER 30 YEARS.BUT IN THIS TYPE OF BUSINESS THEY'RE ALL FAKES.

>> WELL, WE'LL HOPE THIS TIME YOU FIND --

>>> AS I SAID, I'M OUT OF \$85,000.

>> I DON'T KNOW IF IT'S POSSIBLE, MAYBE IF STAFF COULD PROVIDE YOU WITH SOME PAPERWORK BEFORE YOU GO MEET WITH THIS CONSULTANT AND YOU CAN JUST SHOW HIM THIS IS WHAT NEEDS TO BE DONE.

>>> PLEASE.

>> SOMETHING TO CONSIDER.OKAY.SO, I'LL GO AHEAD AND APPROVE THE REQUEST FOR A TIME EXTENSION FOR 90 DAYS.SO, I'M NOT SURE IF THERE IS AN ACTUAL DATE THAT WE --

>>

>> IT WILL BE CONTINUED THREE MONTHS.

>> IT WILL BE CONTINUED, OKAY.SO, I DON'T KNOW --

>> SO, IN THE THREE MONTHS WE COME BACK HERE.

>> OKAY.SO, WHATEVER THAT DATE IS, WE'LL ACTUALLY COME BACK HERE.

>>> OKAY.

>> IN 90 DAYS.YOU KNOW WHAT WOULD BE GREAT, IF YOU COULD BRING THE CONSULTANT WITH YOU.

>>> I WILL BRING THEM WHEN I HIRE A COMPANY, WORKING WITH YOU, GIVING YOU THE STUFF THAT YOU NEED.

>> THE LETTER YOU SENT ME LAST YEAR IN OCTOBER 2012, IN THAT LETTER YOU STATED YOU WERE GOING TO HIRE A CONSULTANT.I'M GETTING THE FEELING --

>>> I HAVE.

>> YOU DID HIRE THAT PERSON?

>>> THIS COMPANY, MICROSUN.

>> BUT THAT WAS YOUR PREVIOUS COMPANY.

>>> NO, THAT WAS TRI TECH.

>> YOU SAID YOU HIRED MICROSUN AND TRI TECH.YOU WERE WORKING WITH TWO FIRMS AND YOU WERE LOOKING TO HIRE --

>>> [SPEAKER NOT UNDERSTOOD].

>> WHICH IS OKAY.SO, THE NEXT 90 DAYS DOESN'T MEAN ONLY THING YOU HAVE TO DO IS JUST HIRE ANOTHER CONSULTANT.YOU HAVE TO WORK TOWARDS REVISING YOUR MAPS, REVISING THE SET OF MAPS, DILATOR SOME OF THE HOLES, WORKING WITH THE OTHER DEPARTMENTS, THAT WOULD BE PUBLIC WORKS, FIRE, PUBLIC HEALTH, PARKS AND REC, SOMETHING TO SHOW PROGRESS.SO, JUST THE ACT OF HIRING A CONSULTANT IS NOT ENOUGH TO KEEP THIS PROJECT GOING.

>>> THAT'S WHY MY QUESTION HAS BEEN EASIER TO COME BACK HERE IN 90 DAYS.IN THE MEANTIME, WHATEVER THE ITEMS YOU NEED?

>> [SPEAKER NOT UNDERSTOOD].SO, I ALSO HAVE A COPY OF THAT FOR YOU FOR YOUR CONVENIENCE.SO, THOSE ARE ALL THE HOLES ON YOUR PROJECT WHICH MEANS YOU NEED TO BE WORKING TOWARDS CLEARING, WE UNDERSTAND NOT ALL OF THEM AT THE SAME TIME, BUT YOU NEED TO KEEP WORKING TOWARDS CLEARING SOME OF THE HOLES.AND SOME OF THEM DO TAKE TIME.WE UNDERSTAND THAT, BUT YOU HAVE TO BE WORKING TOWARDS CLEARING SOME OF THE HOLES.AND JUST THE ACT OF HIRING CONSULTANT IS NOT ENOUGH TO KEEP THIS PROJECT GOING, WHICH YOU STATED IN YOUR LETTER BACK IN 2012 OCTOBER THAT YOU WERE GOING TO HIRE SOMEONE ELSE IN ADDITION TO MICROSUN AND TRI TECH.

>>> YOU ARE 100% RIGHT.IF I WASN'T INTERESTED, I WOULDN'T BE HERE.

>> IF I MAY --

>> YES, MA'AM.

>> WHAT WE EXPECT IS THAT YOU HIRE A CONSULTANT AS SOON AS POSSIBLE AND MAKE AN APPOINTMENT WITH LINDA HIKICHI OR CASE PLANNER AND WORK WITH THE CONSULTANT TO START PRODUCING REPORTS AND DOING YOUR ENGINEERING.WE GO FROM THERE.I THINK IT'S CONTINUED TO DECEMBER 17TH.

>> OKAY.

>> 2013.ON THAT DAY IF YOU HAVE SHOWN PROGRESS, WE COME TO THE PUBLIC HEARING AND WE'LL SAY THAT YOU CAN TAKE IT OFF CALENDAR BECAUSE YOU'RE

WORKING ON IT.BUT PLEASE DO HIRE THE CONSULTANT AS SOON AS POSSIBLE AND MAKE AN APPOINTMENT WITH LINDA TO START WORKING ON THE PROJECT.

>>> YES.

>> THANK YOU.

>>> THANK YOU VERY MUCH.

>> THANK YOU.

>> THANK YOU.

>> SO, I DO HAVE A COUPLE MORE ITEMS TO GO OVER, BUT THIS IS THE REPORT FROM 2008.SO, YOU SHOULD HAVE A COPY OF THIS, BUT I ALSO MADE COPIES FOR YOU.THESE ARE THE REPORTS AND THOSE REPORTS CONTAIN ALL THE ITEM THAT IS REQUIRED FOR REVISIONS, ADDITIONAL INFORMATION REQUIRED.SO, WHEN YOU HIRE YOUR CONSULTANT, YOU NEED TO BE WORKING TOWARDS CLEARING THAT.

>>> IF I SHOW HIM THIS, HE SHOULD KNOW WHAT TO DO?

>> HE SHOULD.WE'LL WE'RE GOING TO FINISH THE LAST TWO ITEMS AND STAFF CAN TALK TO YOU.

>> OKAY.

>> LET'S GO TO NUMBER 13.

>> ITEM 13, PROJECT NO. TR069 708, [SPEAKER NOT UNDERSTOOD].A REQUEST FOR SINGLE-FAMILY LOTS A CONDITIONAL USE PERMIT AND AN 02 PERMIT WAS FILED JULY 14, 2009.THESE SUBDIVISION COMMITTEE LAST MET DECEMBER 17, 2009, THE LAST TIME EXTENSION EXPIRED SEPTEMBER 23, 2010.STAFF NOTIFIED THE APPLICANT IN A LETTER DATED AUGUST 15, 2013 INFORMING THE APPLICANT ABOUT THIS HEARING OFFICER MEETING THAT THE CASE WILL BE DENIED DUE TO INACTIVITY ON SEPTEMBER 17.THE LETTER DIRECTED THE APPLICANT TO CONTACT PLANNING STAFF WITHIN 30 DAYS OF THIS LETTER IF HE OR SHE WANTED TO KEEP THE PROJECT ACTIVE.TO THIS DATE APPLICANT HAS NOT CONTACTED STAFF.STAFF RECOMMENDS DENIAL DUE TO INACTIVITY.

>> OKAY, I'LL GO AHEAD AND CONCUR WITH STAFF'S RECOMMENDATIONS AND DENY THIS CASE.PROJECT NUMBER TR069708 AND ALL ASSOCIATED PERMITS DUE TO INACTIVITY.

>> THE LAST DAY TO APPEAL THIS ACTION IS SEPTEMBER 30, 2013.

>> AGENDA ITEM NUMBER 14.PROJECT NUMBER PM 070565 INCLUDES TENT MINIMUM MAP 070565, REQUEST TO FILE WAS [SPEAKER NOT UNDERSTOOD].THE COMMITTEE MET JULY 21ST, 2008.THE LAST EXPIRED JUNE 20TH, 2010.STAFF INFORMED THE APPLICANT IN A LETTER DATED AUGUST 30TH, 2013.THE PROJECT WOULD BE SCHEDULED BEFORE A HEARING OFFICER DUE TO INACTIVITY [SPEAKER NOT UNDERSTOOD].THE LETTER ALSO DIRECTED THE APPLICANT TO CONTACT STAFF WITHIN 30 DAYS OF THIS LETTER IF HE OR SHE WANTED TO KEEP THE PROJECT ACTIVE.TO THIS DATE APPLICANT HAS NOT CONTACTED STAFF.STAFF [SPEAKER

NOT UNDERSTOOD].UNLESS THERE ARE ANY QUESTIONS, THIS CONCLUDES STAFF PRESENTATION.

>> OKAY, I DON'T HAVE ANY QUESTIONS ON THIS AND I'LL GO AHEAD AND CONCUR WITH STAFF'S RECOMMENDATIONS ON THIS AND DENY THIS PROJECT NUMBER PARCEL MAP 070565 AND ALSO AND ALL STATED PERMITS DUE TO INACTIVITY.

>> THE LAST DAY TO APPEAL THIS PERMIT IS SEPTEMBER 30, 2013.

>> GREAT, THANK YOU.

>> OKAY, THE LAST PART, PUBLIC COMMENT.PURSUANT TO SECTION 54954.3 OF THE GOVERNMENT CODE, IS THERE ANYONE IN THE AUDIENCE WHO WISHES TO COMMENT ON ANY ITEMS NOT ON TODAY'S AGENDA BUT WITHIN MY PURVIEW? SEEING NO ONE, THIS TUESDAY SEPTEMBER 17, 2013 MEETING OF THE HEARING OFFICER IS NOW ADJOURNED.[GAVEL]