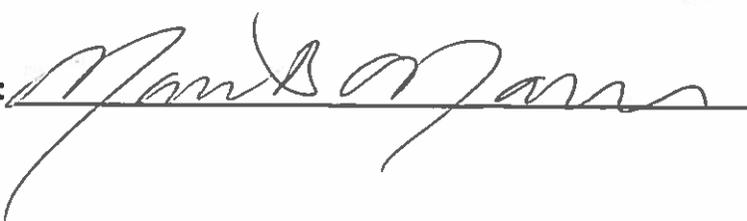


Hearing Officer Transmittal Checklist

Meeting Date 10/7/14
Agenda Item No. 12

Project Number: 00-15-(4)
Case(s): Conditional Use Permit Case No. 201100151
Environmental Assessment Case No.201100243
Planner: Kristina Kulczycki

- Project Summary
 - Property Location Map
 - Staff Analysis
 - Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
 - Draft Findings
 - Draft Conditions
 - Burden of Proof Statement(s)
 - Environmental Documentation (ND / MND / EIR)
 - Correspondence
 - Photographs
 - Aerial Image(s)
 - Land Use/Zoning Map
 - Tentative Tract / Parcel Map
 - Site Plan / Floor Plans / Elevations
 - Exhibit Map
 - Landscaping Plans
 - Staff Memorandum to the Hearing Officer
-

Reviewed By: 



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

September 22, 2014

TO: Hearing Officer

FROM: Kristina Kulczycki
Zoning Permits East Section

SUBJECT: DENIAL DUE TO INACTIVITY
Project No. 00-15-(4)
Conditional Use Permit No. 201100151
Environmental Assessment No. 201100243
HO Meeting: October 7, 2014
Agenda Item: 12

Project No. 00-15-(4) is an application for the continued sale of beer and wine for on-site consumption within an existing restaurant. This project is located at 18162 Colima Road in the Puente Zoned District.

Regional Planning staff has made repeated attempts to inform the applicant of the information that is required to proceed with their application for a conditional use permit. The correspondence dated January 5, 2012 requesting project revisions and additional information, is attached. Additionally, staff attempted to reach the applicant by telephone and email on July 29, 2014. Staff has not received the requested information and as a result, is unable to process the application.

Section 22.56.060 of the County Code (Zoning Ordinance) provides that the Hearing Officer may deny, without public hearing, an application for a conditional use permit if such application does not contain the required information contained in Sections 22.56.030 and 22.56.040 of the County Code. Therefore staff recommends that Conditional Use Permit No. 201100151 be denied pursuant to the attached findings.

SUGGESTED MOTION:

I, THE HEARING OFFICER, DENY CONDITIONAL USE PERMIT NUMBER 201100151 AND ENVIRONMENTAL ASSESSMENT NO. 201100243 SUBJECT TO THE ATTACHED FINDINGS.

MM:KK

**DRAFT FINDINGS AND ORDER OF THE HEARING OFFICER
COUNTY OF LOS ANGELES
PROJECT NO. 00-15-(4)
CONDITIONAL USE PERMIT NO. 201100151
ENVIRONMENTAL ASSESSMENT NO. 201100243**

1. **ENTITLEMENT REQUESTED.** The applicant, Gatten Sushi USA, Inc., is requesting a Conditional Use Permit (CUP) to authorize the continued sale of beer and wine for on-site consumption within a restaurant in the C-2-BE (Neighborhood Business – Billboard Exclusion) Zone pursuant to Los Angeles County (“County”) Code Section 22.28.160.
2. **MEETING DATE.** October 7, 2014
3. **PROCEEDINGS BEFORE THE HEARING OFFICER.** *To be inserted after the public meeting to reflect meeting proceedings.*
4. **LOCATION.** 18162 Colima Road, Rowland Heights
5. The project was filed on November 17, 2011. Since the application was filed, staff of the County Department of Regional Planning (“staff”) has asked the applicant for additional materials needed to proceed with the project. Recently, staff sent a letter to the applicant requesting additional materials on January 5, 2012. In addition, staff attempted to reach the applicant by phone and email on July 29, 2014. Staff has not received the requested information or materials to enable further project evaluation.
6. Staff sent a letter to the applicant dated August 5, 2014 informing the applicant that pursuant to Section 22.56.060 (denial for lack of information) of the County Code, the case would be scheduled before a Hearing Officer for denial due to inactivity on October 7, 2014.
7. The August 5, 2014 letter also directed the applicant to contact staff within 30 days for the project to remain active.
8. The applicant has not contacted staff and has failed to submit the required materials within the required timeframe, which was by September 4, 2014.
9. **ENVIRONMENTAL.** No environmental determination was made on this project.

THEREFORE, in view of the findings of fact and conclusions presented above, Conditional Use Permit No. 201100151 and Environmental Assessment No. 201100243 **DENIED.**

MM:KK
9/22/14



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



August 5, 2014

Richard J. Bruckner
Director

Gatten Sushi USA, Inc.
c/o Chris Keody
18162 Colima Road
Rowland Heights, CA 91748

SUBJECT: PUBLIC MEETING NOTICE: DENIAL DUE TO INACTIVITY
Project: 00-15-(4)
Case: RCUP 201100151
Address (APN): 18162 Colima Road, Rowland Heights

Dear Agent/Applicant:

The Los Angeles County ("County") Department of Regional Planning ("Regional Planning") has made repeated attempts to inform you of the information that is required to proceed with your application for a conditional use permit to continue selling beer and wine for on-site consumption within the restaurant at the above referenced location. The correspondence dated January 5, 2012 requesting project revisions and additional information is attached for your review. Additionally, staff attempted to reach you by telephone and email on July 29, 2014. To date, we have not received the requested information and as a result, we are unable to proceed with processing your application.

Section 22.56.060 of the County Code (Zoning Ordinance) provides that the Hearing Officer may deny, without public hearing, an application for a conditional use permit if such application does not contain the required information contained in Sections 22.56.030 and 22.56.040. Due to the longstanding inactive status of the project identified above, the project **will be scheduled for denial** before a County Hearing Officer on **October 7, 2014**.

If you wish to keep this project active, please send a written request to Regional Planning, Zoning Permits East Section, Room 1348, 320 West Temple Street, Los Angeles, CA 90012, Attention: Kristina Kulczycki. This correspondence must be received within **30 days from the date of this letter** in order to avoid being scheduled for denial. If you choose to keep your project active and submit a written request within the timeframe listed above, you must also submit all requested information **within 90 days of the date of this letter** or this project will be automatically scheduled for denial at the next available Hearing Officer meeting.

For questions or for additional information, please contact Kristina Kulczycki of the Zoning Permits East Section at (213) 974-6435, or by email at kkulczycki@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner

Kristina Kulczycki, Regional Planning Assistant II
Zoning Permits East Section

CC.012914

**PUBLIC MEETING NOTICE: DENIAL DUE TO INACTIVITY
AUGUST 5, 2014
PAGE 2**

Enclosures: Incomplete Letter, January 5, 2012

c: Applicant; Owner

MM:KK

Kristina Kulczycki

Subject: FW: Project No. 00-15-(4)/CUP201100151; 18162 Colima Road, Rowland Heights
(Incomplete Letter)

From: Tashjian, Maral
Sent: Thursday, January 05, 2012 6:38 PM
To: 'alexwoo@genesiscinc.com'
Subject: RE: Project No. 00-15-(4)/CUP201100151; 18162 Colima Road, Rowland Heights (Incomplete Letter)

SUBJECT: REQUEST FOR REVIEW MATERIALS
Project: 00-15-(4) *(please note, previously assigned project number 00-151 was incorrect)*
Case: CUP201100151
Address: 18162 Colima Road, Rowland Heights

Dear Applicant:

The Department of Regional Planning is currently reviewing the project identified above and has determined that the project file is incomplete and additional materials or information is required before we can proceed further. Please submit the following items:

1. The parking matrix provided did not include a breakdown of all tenants on the property and their respective parking space requirements. Please provide a more detailed parking matrix.
2. The Land Use Map does not indicate where existing alcohol permits or sensitive uses are located within 600 feet. Please revise map.
3. The property owner on record is "Tone Yee Investments and Dev LLC" which does not match the owner provided in the application. If there was a name change in ownership, please provide proof. Also, if an LLC, please provide articles of organization.
4. A banner sign appears above the restaurant in the photos provided. Banner signs are prohibited according to the Zoning Code and must be removed.
5. In the burden of proof, it is mentioned that the restaurant has been operating many years. Please specify how many years, this detail will be useful in the staff report.
6. The site plan provided is not to the require scale. Please provide a larger, more detailed site plan. If one is available in the previous case file (CUP 00151) this requirement may be waived. Staff will receive that file sometime next week.
7. Staff recommends that you present your project before the local community group prior to the public hearing. The presentation before the community group will not affect the scheduling of the project for public hearing, however note that final discretionary decision has been delayed until the local community group has been notified. Please contact the local community group at the following address to arrange a meeting:

Rowland Heights Community Coordinating Council, Inc.
RHCCC
P.O. BOX 8171
ROWLAND HEIGHTS, CA 91748

Failure to disclose all pertinent information for consideration in the review of this case could result in delays, continuation of public hearings, new environmental analysis or additional costs. Additional materials may be required pending the outcome of consultation with other agencies.

Any zoning violations on the property discovered after the filing of this case may affect the scheduling of a public hearing pursuant to the "Clean Hands" provisions of the County Code in Section 22.04.110.

We request that you expeditiously comply with the above requirements. If no activity occurs within 30 days of this letter, your case may be scheduled before a Hearing Officer for denial pursuant to Section 22.56.060 of the County Code.

If you have any questions regarding this matter, please contact *Maral Tashjian* at (213) 974-6435, from 7:30 a.m. to 5:30 p.m., Monday through Thursday or via email at mtashjian@planning.lacounty.gov. Our offices are closed on Fridays.