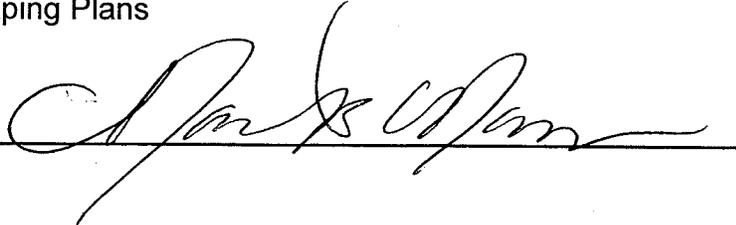


# Hearing Officer Transmittal Checklist

Hearing Date  
08/16/2011  
Agenda Item No.  
6

Project Number: 99141-(1)  
Case(s): Conditional Use Permit Case No. 201000086  
Planner: Michele Bush

- Factual
- Property Location Map
- Staff Report
- 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 Radius Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans

Reviewed By: 



Los Angeles County Department of Regional Planning  
 320 West Temple Street  
 Los Angeles, California 90012  
 Telephone (213) 974-6461  
**PROJECT NUMBER 99141-(1)**  
**CUP 201000086**

<b>PUBLIC HEARING DATE</b> August 16, 2011	<b>AGENDA ITEM</b> 6.
<b>HO CONSENT DATE</b>	<b>CONTINUE TO</b>

<b>APPLICANT</b> Chang-Wei Wu	<b>OWNER</b> Dragonis Investments, LLC	<b>REPRESENTATIVE</b> Lisa Patricio
----------------------------------	---	--

**PROJECT DESCRIPTION**  
 The applicant is requesting a Conditional Use Permit (CUP) for the continued operation of a 32,250 square foot commercial building with appurtenant landscaping, parking and offices. The building consists of a two-story 6,000 square foot office area and a one-story 26,250 square foot warehousing area, which is used for the warehousing of non-hazardous and non-perishable items. There are 47 parking spaces provided which includes 29 standard, 16 compact and two (2) accessible spaces. There are also three (3) loading spaces provided. All parking meets the requirements of the Los Angeles County Code.

**REQUIRED ENTITLEMENTS**  
**The applicant is requesting a Conditional Use Permit No. 99141-(1) for the continued use of a 32,250 square foot commercial building with appurtenant landscaping, parking and offices.**

**LOCATION/ADDRESS**  
 489 Yorbita Road, La Puente CA, 91744

**SITE DESCRIPTION**  
 The site plan depicts a 32,250 square foot commercial building with appurtenant landscaping and parking, used for storage/warehousing and offices. The building consists of a two-story 6,000 square foot office area and a one-story 26,250 square foot warehousing area. The site plan also shows 47 parking spaces which includes 29 standard, 16 compact and two (2) accessible spaces. There are also three (3) loading spaces provided.

<b>ACCESS</b> Yorbita Road	<b>ZONED DISTRICT</b> Puente
-------------------------------	---------------------------------

<b>ASSESSORS PARCEL NUMBER</b> 8727-012-040	<b>COMMUNITY</b> South San Jose Hills
--	--

<b>SIZE</b> 1.38 Acres	<b>COMMUNITY STANDARDS DISTRICT</b>
---------------------------	-------------------------------------

	<b>EXISTING LAND USE</b>	<b>EXISTING ZONING</b>
Project Site	Commercial/Warehousing/Storage	C-M-DP
North	Vacant/Single-Family Residential	A-1-6000
East	Single-Family Residential	A-1-6000
South	Light Industrial	C-M-DP-BE
West	Elementary School	A-1-6000

<b>GENERAL PLAN/COMMUNITY PLAN</b> Countywide Land Use Policy	<b>LAND USE DESIGNATION</b> 1 - Low Density Residential (1 to 6 du/ac)	<b>MAXIMUM DENSITY</b>
--	---	------------------------

**ENVIRONMENTAL DETERMINATION**  
 Class 1 Categorical Exemption-Existing Facilities

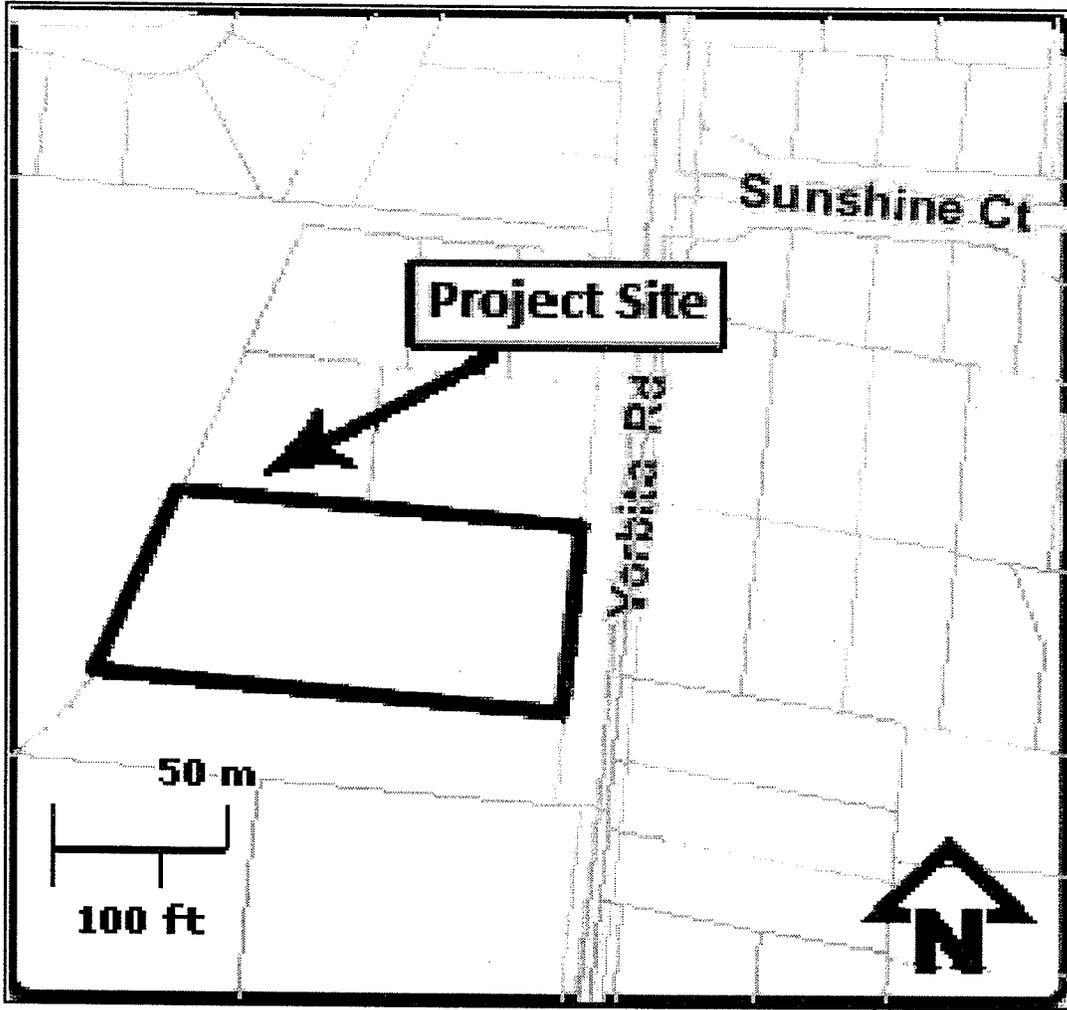
**RPC LAST MEETING ACTION SUMMARY**

<b>LAST RPC MEETING DATE</b>	<b>RPC ACTION</b>	<b>NEEDED FOR NEXT MEETING</b>
<b>MEMBERS VOTING AYE</b>	<b>MEMBERS VOTING NO</b>	<b>MEMBERS ABSTAINING/ABSENT</b>

**TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS**

<b>STAFF CONTACT PERSON:</b> Michele Bush		
<b>RPC HEARING DATE(S)</b>	<b>RPC ACTION DATE</b>	<b>RPC RECOMMENDATION</b>
<b>MEMBERS VOTING AYE</b>	<b>MEMBERS VOTING NO</b>	<b>MEMBERS ABSTAINING</b>
<b>STAFF RECOMMENDATION (PRIOR TO HEARING):</b>		
<b>SPEAKERS*</b> (O) 0 (F) 0	<b>PETITIONS</b> (O) 0 (F) 0	<b>LETTERS</b> (O) 0 (F) 0

\*(O) = Opponents (F) = In Favor



**STAFF ANALYSIS**  
**PROJECT NUMBER 99141-(1)**  
**CUP 201000086**

**PROJECT DESCRIPTION**

The applicant is requesting a Conditional Use Permit (CUP) for the continued operation of a 32,250 square foot commercial building with appurtenant landscaping, parking and offices. The building consists of a two-story 6,000 square foot office area and a one-story 26,250 square foot warehousing area, which is used for the warehousing of non-hazardous and non-perishable items. There are 47 parking spaces provided which includes 29 standard, 16 compact and two (2) accessible spaces. There are also three (3) loading spaces provided. All parking meets the requirements of the Los Angeles County Code.

**REQUIRED ENTITLEMENTS**

**Pursuant to County Code Section 22.40.030, the applicant is requesting a CUP to authorize the continued use established by Conditional Use Permit No. 99141-(1) for a 32,250 square foot commercial building, landscaping, appurtenant parking and offices in the C-M-DP zone.**

**LOCATION**

489 Yorbita Road, La Puente, CA 91744

**SITE PLAN DESCRIPTION**

The site plan depicts a 32,250 square foot commercial building, landscaping and appurtenant parking, used for storage/warehousing and offices. The building consists of a two-story 6,000 square foot office area and a one-story 26,250 square foot warehousing area. The site plan also shows 47 parking spaces which includes 29 standard, 16 compact and two (2) accessible spaces. There are also three (3) loading spaces provided.

**ENVIRONMENTAL DETERMINATION**

The Department of Regional Planning has determined that a Categorical Exemption, Class 1 – Existing Facilities, is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements.

**LEGAL NOTIFICATION AND PUBLIC OUTREACH**

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

**PREVIOUS CASES/ZONING HISTORY**

CP99141, ZC99141

The Los Angeles County Regional Planning Commission conducted a concurrent public hearing on Zone Change and CUP 99-141-(1) on 1/17/01 to consider a zone change from A-1-6,000 to C-M-DP and development of the parcel with a 32,250 square foot building, landscaping and appurtenant parking. The Regional Planning Commission approved the CUP and adopted the zone change resolution on 4/4/01. The Board

adopted the zone change from A-1-6,000 to C-M-DP on 3/26/02 (Adopted Ordinance 2002-0025Z).

Subsequently, the project applicant also requested a Minor Modification to CUP 99-141-(1). The request was to modify a condition of approval (23.L) of the approved CUP. The condition previously read: "The use of the building shall be restricted to a service center for computer parts with incidental warehousing/storage and offices." With the modification, the condition reads: "The use of the building shall be used for the warehousing of non-hazardous and non-perishable items and offices. Parking and landscaping shall be as approved by the Exhibit "A". No manufacturing is permitted." The purpose of the modification was so the property could be leased to tenants requesting to store materials other than computer parts. The request was approved by the Hearing Officer on 6/21/05.

## **STAFF EVALUATION**

### **General Plan Consistency**

The project site is subject to the requirements of the Countywide General Plan and is designated as Low Density Residential. The property is located between areas designated for Low Density Residential, to the north, and Major Industrial to the south. The land use policy map is a generalized pattern and distribution of land uses and provides a policy framework for reviewing specific development proposals. Upon closer examination, the subject property may be found consistent with the industrial designation to the south. All of the lots from the subject property south to Valley Boulevard are developed with industrial uses.

### **Zoning Ordinance and Development Standards Compliance**

Pursuant to the County Code the parking requirements for the proposed development are as follows:

#### **Parking Requirements**

Office - 1 space/400 square feet of building space  
Warehouse - 1 space/1,000 square feet of building space  
Loading - 1 Type A (12'x24') and 2 Type C (12'x40')

#### **Parking Calculations**

The applicant's site plan indicates the square footages as follows:  
6,000 square feet of office area/400 = 15 parking spaces required  
26,250 square feet of warehouse area/1,000 = 27 parking spaces required  
Total parking spaces required = 42 spaces  
Total parking spaces provided = 47 spaces

For 47 parking spaces the Americans with Disabilities Act (ADA) requires two handicapped accessible spaces, one of these shall be van accessible. In addition, the required loading areas have been provided.

Per Section 22.52.1060.E.2 of the County Code, a minimum of two percent of the gross area of the parking lot shall be landscaped. Landscaping shall be distributed throughout

the parking lot, so as to maximize the aesthetic effect and compatibility with adjoining areas.

With the recommended conditions of approval, the proposed warehousing/office building development will comply with the required development standards pursuant to Section 22.28.270 of the County Code as follows:

That not to exceed 90 percent of the net area be occupied by buildings.

**No additional construction is proposed as a part of this project.**

That there be parking facilities provided as required by Part 11 of Chapter 22.52.

**The development meets all parking requirements of the County Code.**

All display in Zone C-M shall be located entirely within an enclosed building unless otherwise authorized by a temporary use permit.

**Outside display is not proposed as a part of this development.**

Outside storage is permitted on the rear of a lot or parcel of land in Zone C-M when such storage is strictly incidental to the permitted use existing in a building on the front portion of the same lot or parcel of land, and provided no storage is higher than the enclosure surrounding it nor nearer than 50 feet to the front property line.

**Outside storage is not proposed as a part of this development.**

#### **Site Plan**

The applicant's site plan (dated 08-10-02) depicts 47 parking spaces (29 standard, 16 compact and 2 handicapped accessible) and 3 loading areas. The site plan depicts 1,686 square feet of landscaping, approximately four percent of the gross area of the parking lot. The site plan is in compliance with the County Code requirements for parking and landscaping. The site plan is consistent with the previous approval of CUP 99-141-(1).

#### **Operation**

The project has been in operation for ten years and has had one complaint. In 2006 an enforcement case was opened for graffiti being sprayed on the rear of the building. As a deterrent the applicant constructed a wall at the rear of the building. The zoning enforcement case was closed and no additional violations or complaints have been reported on the project site. The building has been well maintained and remained in compliance with the conditions of approval.

#### **Neighborhood Impact/Land Use Compatibility**

The subject property is zoned C-M-DP and consists of the warehousing/office building. The project is consistent with C-M-DP zoning and warehouse/industrial uses to the south and southeast of the property.

#### **Surrounding Properties**

Surrounding land uses consist of vacant and single-family residential to the north, light industrial to the south, single-family residential to the east and an elementary school to

the west. The subject property is buffered from the elementary school by an approximate twenty-foot wide storm drain easement.

**Burden of Proof**

The applicant is required to substantiate all facts identified by Section 22.56.040 of the Los Angeles County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

**COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

**County of Los Angeles Fire Department**

Comments from the Fire Department, dated November 1, 2010, have been included as an attachment to this report.

**PUBLIC COMMENTS**

Staff has not received any comments regarding this request at the time of this report.

**FEES/DEPOSITS**

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

**STAFF 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:

Staff recommends **Approval** of project number 99-141-(1) / CUP 201000086 subject to the attached conditions.

Prepared by Michele Bush, Principal Regional Planner, Zoning Permits East Section  
Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East Section

**Attachments:**

- Draft Conditions of Approval
- Applicant's Burden of Proof statement
- Site Photographs
- Site Plan
- Land Use Map

**DRAFT FINDINGS AND ORDER OF THE HEARING OFFICER  
COUNTY OF LOS ANGELES**

**PROJECT NUMBER 99141-(1)  
CONDITIONAL USE PERMIT 201000086**

**REQUEST:**

The applicant is requesting to continue the use established by Conditional Use Permit No. 99141-(1), for a 32,250 square foot commercial building, landscaping, appurtenant parking and offices.

**HEARING DATE: 08/16/2011**

**SYNOPSIS:**

The applicant is requesting a Conditional Use Permit (CUP) for the continued operation of a 32,250 square foot commercial building, appurtenant landscaping, parking and offices. The building consists of a two-story 6,000 square foot office area and a one-story 26,250 square foot warehousing area, which is used for the warehousing of non-hazardous and non-perishable items. The project provides 47 parking spaces which includes 29 standard, 16 compact and two (2) accessible spaces. There are also three (3) loading spaces provided. All parking meets the requirements of the Los Angeles County Code.

**PROCEEDINGS BEFORE THE HEARING OFFICER:**

Findings

1. The subject property is located at 489 Yorbita Road, La Puente CA, 91744 in the unincorporated community of South San Jose Hills within the Puente Zoned District.
2. The applicant is requesting a Conditional Use Permit (CUP) for the continued operation of a 32,250 square foot commercial building, appurtenant landscaping, parking and offices.
3. The Subject Property is currently designated 1 - Low Density Residential (1 to 6 du/ac) in the Countywide General Plan.
4. The Subject property is currently zoned C-M-DP.
5. The Surrounding properties are zoned as follows:  
North: A-1-6000  
South: C-M-DP-BE  
East: A-1-6000  
West: A-1-6000

The Surrounding land uses within 500 include:

North: Vacant/Single-Family Residential  
South: Light Industrial  
East: Single-Family Residential  
West: Elementary School

6. The project site is subject to the requirements of the Countywide General Plan and is designated as Low Density Residential. The property is located between areas designated for Low Density Residential, to the north, and Major Industrial to the south. The land use policy map is a generalized pattern and distribution of land uses and provides a policy framework for reviewing specific development proposals. Upon closer examination, the subject property may be found consistent with the industrial designation to the south. All of the lots from the subject property south to Valley Boulevard are developed with industrial uses.
7. The project on the subject property will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare. The project is located in an existing commercial building and is consistent with the surrounding area. The warehousing and office use is consistent with other warehousing and office uses in the area.
8. The site plan depicts a 32,250 square foot commercial building, landscaping and appurtenant parking, used for storage/warehousing and offices. The building consists of a two-story 6,000 square foot office area and a one-story 26,250 square foot warehousing area. The site plan also shows 47 parking spaces which includes 29 standard, 16 compact and two (2) accessible spaces. There are also three (3) loading spaces provided.
9. The subject property is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required. Access to the project is via Yorbita Road. The site is served by all necessary public and private facilities, including water, sewer, electricity and trash collection.
10. The subject property is adequate in size and shape to accommodate the development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area. Unless specifically modified by a Conditional Use Permit during the discretionary review process, the project shall be subject to the following development standards:
  - A. Parking. Pursuant to Part 11 of Chapter 22.52 of the County Code, office uses require one (1) space for every 400 square feet of building space. The existing structure contains 6,000 square feet of office area and requires the provision of 15 parking spaces. The County Code also

requires, for warehouse uses, one (1) space for every 1,000 square feet of building space. The existing structure contains 26,250 square feet of warehouse area and requires 27 parking spaces. Additionally, the County Code also requires three (3) loading spaces (1 Type A (12'x24') and 2 Type C (12'x40')). The Americans with Disabilities Act (ADA) requires two handicapped accessible spaces (one van accessible). The existing project provides 47 parking spaces (including the required accessible spaces), three (3) required loading spaces and complies with this requirement.

- B. Landscaping. Section 22.52.1060.E.2 of the County Code requires a minimum of two (2) percent of the gross area of the parking lot be landscaped with landscaping distributed throughout the parking lot.

The parking lot has been landscaped to meet this requirement.

- C. Lot Coverage. Section 22.28.270 of the County Code states that not to exceed 90 percent of the net area be occupied by buildings.

No additional structures are shown on the site plan. The site plan complies with this requirement. No additional buildings are proposed.

- D. Outside Display. Section 22.28.270.C of the County Code states all display shall be located entirely within an enclosed building unless otherwise authorized by a temporary use permit.

No outside display is shown on the site plan. The site plan complies with this requirement. No outside display is proposed.

- E. Outside storage. Section 22.28.270.D. of the County Code permits outside storage on the rear of a lot or parcel of land in the C-M Zone when such storage is strictly incidental to the permitted use existing in a building on the front portion of the same lot or parcel of land.

No outside storage is proposed.

11. The Hearing Officer determined that the project qualifies for a Categorical Exemption under Class 1, Existing Facilities, of the CEQA reporting requirements and the Los Angeles County Environmental Document Reporting Guidelines, since the project will not require any addition or significant alteration to the existing facility beyond that which existed at the time of the environmental determination.
12. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
13. No comments were received from the public opposing this proposal.

14. To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Hearing Officer determines that it is necessary to limit the term of the grant to 20 years.

The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Los Angeles County Department of Regional Planning.

**BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:**

- A. That the proposed use will be consistent with the adopted general plan for the area;
- B. That the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare;
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as otherwise required in order to integrate said use with the uses in the surrounding area;
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

**HEARING OFFICER ACTION:**

1. The Hearing Officer has considered the Categorical Exemption for this project and certify that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of project does not have a significant effect on the environment.
  2. In view of the findings of fact and conclusions presented above, Conditional Use Permit 201000086 is **APPROVED** subject to the attached conditions.
- C: Hearing Officer, Zoning Enforcement, Building and Safety

MM:mrb  
08/16/2011

**DRAFT CONDITIONS OF APPROVAL  
DEPARTMENT OF REGIONAL PLANNING  
PROJECT NO. 99141-(1)  
CONDITIONAL USE PERMIT NO. 201000086**

**PROJECT DESCRIPTION**

The applicant is requesting a Conditional Use Permit (CUP) for the continued operation of a 32,250 square foot commercial building with appurtenant landscaping, parking and offices. The building consists of a two-story 6,000 square foot office area and a one-story 26,250 square foot warehousing area, which is used for the warehousing of non-hazardous and non-perishable items subject to the following conditions of approval:

**GENERAL CONDITIONS**

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense,

including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on 08/16/2031.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within two years from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued operation of the 32,250 square foot commercial building and satisfaction of Condition No. 2 shall be considered use of this grant.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a

violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$2,000.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for 10 biennial inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code.
13. All requirements of Title 22 of the County Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise modified as set forth in these conditions or as shown on the approved plans.
14. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works.
15. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings

shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

16. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **three copies of** a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.

#### PROJECT SITE SPECIFIC CONDITIONS

This grant authorizes the continued operation of a 32,250 square foot commercial building with appurtenant landscaping, parking and offices. The building consists of a two-story 6,000 square foot office area and a one-story 26,250 square foot warehousing area, which is used for the warehousing of non-hazardous and non-perishable items subject to the following conditions of approval:

1. The permittee shall maintain a minimum of 47 on-site automobile parking spaces including two handicapped accessible spaces, one of which is van accessible, and three loading areas;
2. The access aisle for the van accessible handicapped parking shall not be used for additional parking;
3. All exterior lighting shall be shielded and directed away from neighboring residences to prevent direct illumination and glare. The primary parking lot lighting shall be turned off no later than 7:00 p.m. A security lighting system is permitted and may remain on through the night.
4. All landscaping shall be maintained in a neat, clean and healthful condition throughout the life of this grant, including proper pruning, weeding, removal of litter, fertilizing and replacement of plants when necessary;
5. The use of amplified sound equipment intended to be audible outside the buildings is prohibited;
6. The height of the building shall not exceed 29'0" from finished grade;
7. Operating hours are restricted to the hours between 8:00 a.m. to 6:00 p. m., Monday through Friday. All deliveries to the subject property shall also be within these operating hours;
8. The permittee shall comply with the attached conditions from the County of Los Angeles Fire Department, dated November 1, 2010, or otherwise modified by said department;
9. The tenants of the building shall not store or use hazardous materials; and

10. The use of the building shall be restricted to the storage/warehousing of non-hazardous and non-perishable items and offices.

Attachments:

Fire Department conditions dated November 1, 2010

MM:mrb 08-16-11



**COUNTY OF LOS ANGELES  
FIRE DEPARTMENT**

5823 Rickenbacker Road  
Commerce, California 90040-3027

DATE: November 1, 2010

TO: Department of Regional Planning  
Permits and Variances

PROJECT #: CUP 99-141

LOCATION: 489 Yorbita Road, La Puente (Co.)

- The Fire Department Land Development Unit has no additional requirements for this permit.
- The required fire flow for this development is \_\_\_\_ gallons per minute for \_ hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 psi residual pressure. \_\_\_ Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
- The required fire flow for private on-site hydrants is \_\_\_\_\_ gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing \_\_\_\_\_ gallons per minute at 20 psi with two hydrants flowing simultaneously, one of which must be the furthest from the public water source.
- Verify and flow test \_\_ 6" X 4" X 2 1/2" fire hydrant, conforming to AWWA C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- Comments:** THIS PROJECT IS CLEARED BY THE FIRE DEPARTMENT FOR PUBLIC HEARING.
- Water:** Fire flow data provided by Rowland Water District dated 09-06-2010 is adequate.
- Access:** Fire apparatus access as depicted on the site plan dated 09-16-2010 is adequate.
- Special Requirements:** All fire access gates shall comply with LACoFD Regulation 5.

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office at (323) 890-4243.

Inspector: **SCOTT JAEGGI**

Land Development Unit – Fire Prevention Division – Office (323) 890-4243 Fax (323) 890-9783

**Burden of Proof for Conditional Use Permit Renewal**  
**CUP No. 99-141-(1)**  
**489 Yorbita Road**  
**County Code Section 22.56.040**

This application requests renewal of an approved conditional use permit ("CUP") for an existing office commercial building used for the storage and distribution of non-perishable and non-hazardous items (musical instruments and mobile electronics currently). The current land use has operated successfully throughout the term of the existing CUP, which was approved by the County Board of Supervisors in 2002.

**I. Renewal of the Approved CUP Will Not Adversely Affect the Health, Peace, Comfort, or Welfare of the Surrounding Community Because:**

- A. The current commercial operation has operated successfully since it was established under the approved CUP.**

The property was initially approved as a service center for computer parts with warehousing/storage and office uses. In 2005, while the project was under construction, the hearing officer approved a minor modification of the CUP to allow the 32,250 square-foot commercial building to be used for the storage and distribution of non-hazardous and non-perishable items and associated office use.

The project was completed and the existing businesses have operated without incident or complaint. When graffiti was discovered in 2006, the property owner in consultation with the planning department, built a wall to deter taggers. The current tenants, Cecillo Musical Instruments, a distributor of musical instruments, and Gryphon Mobile Electronic, a distributor of mobile electronics, continue to operate in full compliance with the terms of the previously approved CUP.

- B. No construction or changes to the existing commercial operation are proposed.**

The existing commercial building was constructed pursuant to the CUP approved by the County Board of Supervisors in 2002. The renewal of this CUP will not result in any construction or changes to the current, successful operation.

**II. Renewal of the CUP Will Not Be Materially Detrimental to the Use, Enjoyment, or Valuation of Property in the Surrounding Area Because:**

- A. No development or change in the current successful operation is proposed.**

The subject property is developed with a 32,250 square foot commercial building, used for the storage and distribution of non-hazardous and non-perishable items and associated offices. The existing business is a successful part of the commercial/industrial corridor in the La Puente community and adjacent City of Industry, and no changes to the current building uses and operation are proposed.

**B. There was no public opposition to the original CUP request.**

Public hearings on the initial CUP and associated zone change were held before the Regional Planning Commission and Board of Supervisors and there was no opposition from the public.

**C. The commercial land use is consistent with the Commercial Manufacturing zoning category applied to the property and nearby property.**

In 2002, the County Board of Supervisors approved a zone change for the subject property, amending the zoning to Commercial Manufacturing with a Development Program combining zone (C-M-DP). This Commercial Manufacturing zoning category is consistent with the zoning and development of commercial property to the south of the site.

**D. The existing commercial business provides a logical transition between residential land uses to the north and commercial manufacturing land uses to the south.**

The project site is located between residential land uses to the north and industrial and commercial properties in the County and the adjacent City of Industry to the south. The existing commercial and office use of the property provides a logical transition and buffer between the commercial and industrial land uses to south and the existing residential properties to the north.

**III. Renewal of the CUP Will Not Constitute a Menace to the Public Health, Safety or General Welfare Because:**

**A. The existing commercial land use has operated successfully at its current location since it was established under the approved CUP.**

The County Board of Supervisors in 2002 approved the development of a commercial building on the subject property to be used as a computer service center, along with associated warehousing. While the project was under construction in 2005, the property owner sought and the hearing officer approved a minor modification to the approved CUP. The minor modification authorized the building to be used for the storage and distribution of non-hazardous and non-perishable items and associated office use. The minor modification allowed the property owner to accommodate a tenant who has run a successful business while remaining in compliance with the CUP.

**B. The existing commercial operation is conducted entirely indoors and during normal business hours.**

The commercial operation presently on site is conducted within the enclosed building during the hours of 8:00 AM and 6:00 PM, Monday through Friday. The operation complements the neighboring residential, industrial and commercial land uses.

- C. **The existing commercial operation includes the storage and distribution of only non-hazardous and non-perishable items.**

No hazardous or perishable items are on-site as part of the commercial operations on the subject property.

IV. **The Site of the Proposed Project is Appropriate in Size and Shape to Accommodate the Yards, Walls, Fences, Parking and Loading Facilities, Landscaping, and Other Development Features and Will Fully Integrate the Proposed Uses with the Surrounding Area.**

- A. **The current site plan complies with all development standards of the County Code.**

The project was built in compliance with the approved Exhibit A for the CUP. No variances were required or approved.

- B. **No construction or changes to the current business are proposed.**

The application requests renewal of the approved CUP. No construction or changes to the current commercial business are proposed.

V. **The Proposed Project is Adequately Served By Nearby Highways, Streets, and Other Service Facilities Because:**

- A. **The site is surrounded by urban development and services.**

The project site is located within a developed urban commercial corridor. All utilities already service the existing business, and no expansion or construction is proposed as part of this application. Yorbita Road is paved and the serves the existing commercial corridor and neighboring residential community adequately.

## LOS ANGELES COUNTY LETTERGRAM

<b>TO</b>	File	<b>FROM</b>	Michele Bush
-----------	------	-------------	--------------

**SUBJECT: ENVIRONMENTAL DETERMINATION  
PROJECT 99-141-(2)  
RCUP 201000086**

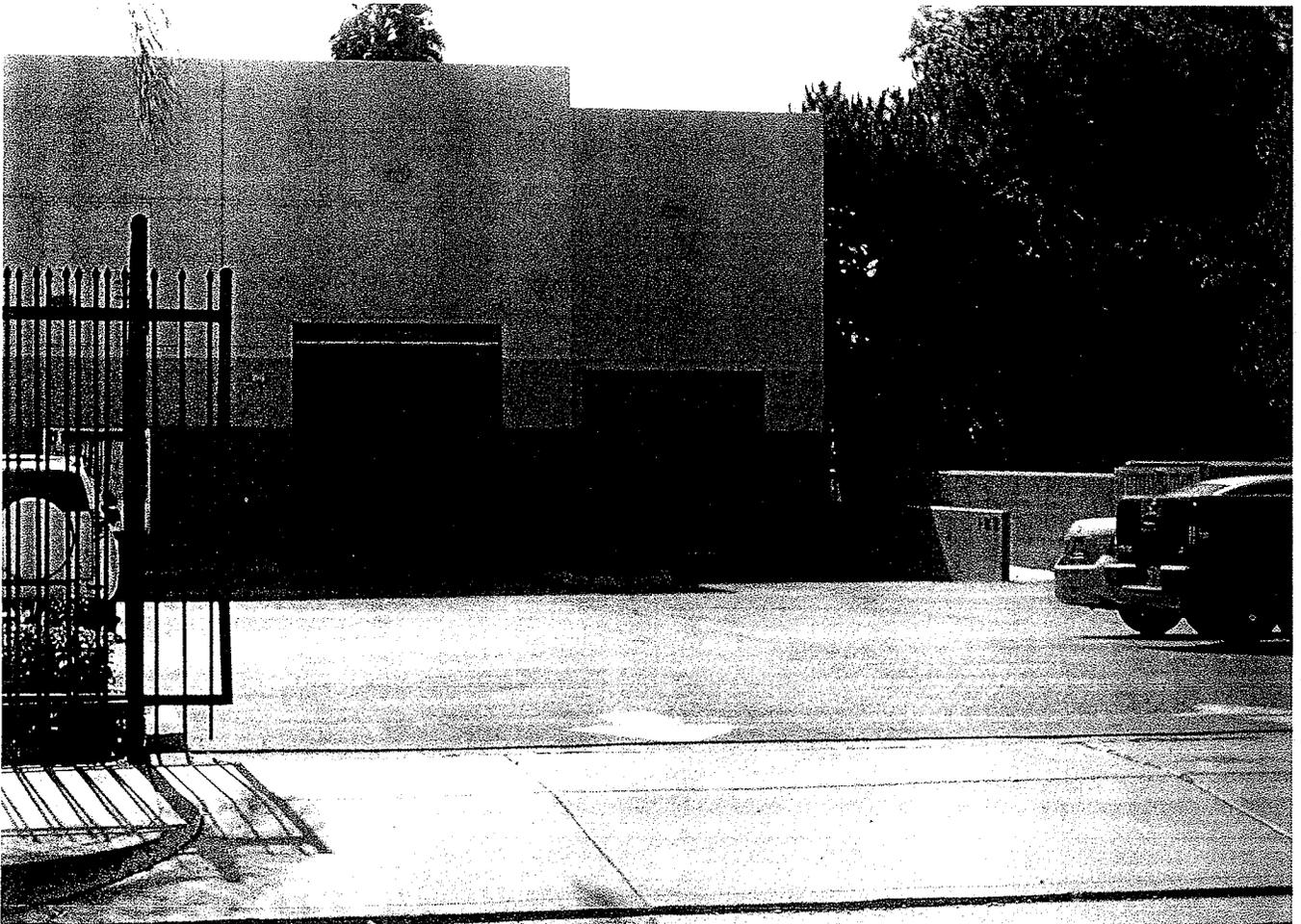
**DATE: 6/28/2011**

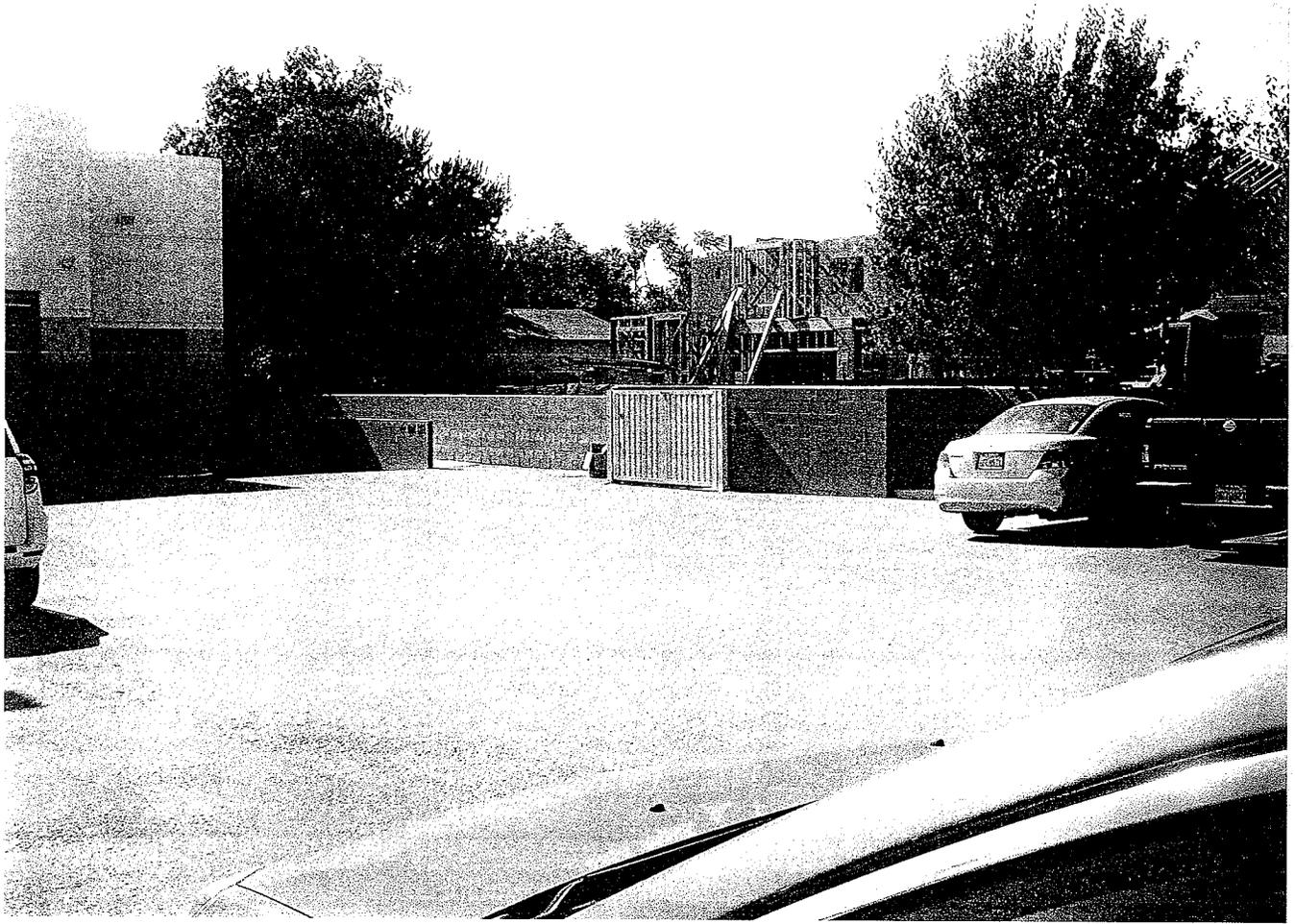
The applicant is requesting a Renewal of Conditional Use Permit No. 99-141-(1) for a 32,250 square foot commercial building, landscaping, appurtenant parking and offices. The building consists of a two-story 6,000 square foot office area and a one-story 26,250 square foot warehousing area, which is used for the warehousing of non-hazardous and non-perishable items.

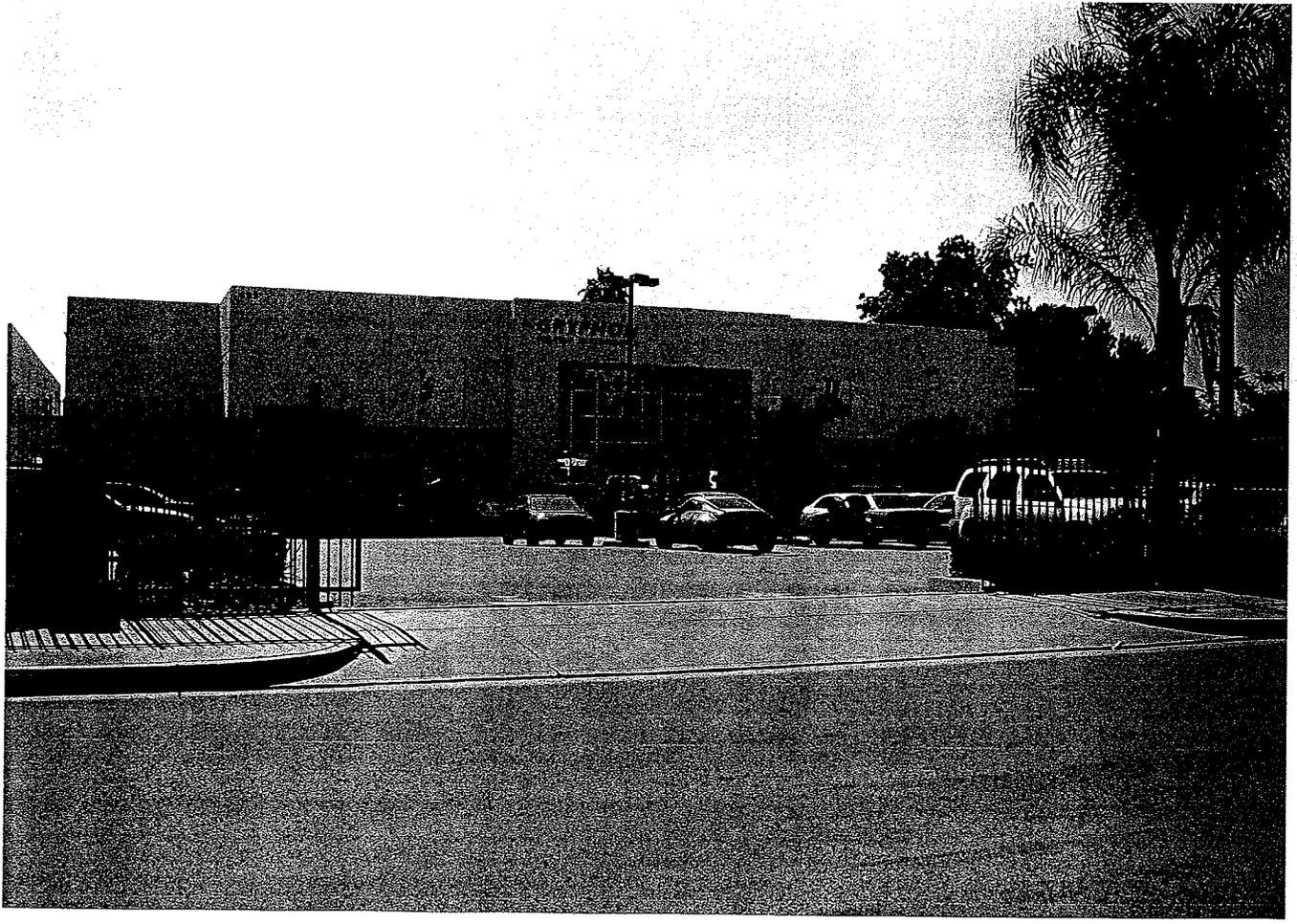
As such, this project qualifies for:  
Class 1 Categorical Exemption – Existing Facilities.

The staff of the Zoning Permits East Section recommends a Categorical Exemption since it meets the criteria set forth in Class 1 of the State EIR Guidelines (Article 19, Categorical Exemptions) and Class 1 of the County Guidelines (Appendix G, Categorically Exempt Projects).

**A NOTICE OF EXEMPTION MAY BE FILED WITH THE COUNTY CLERK UPON APPROVAL OF THIS PROJECT.**

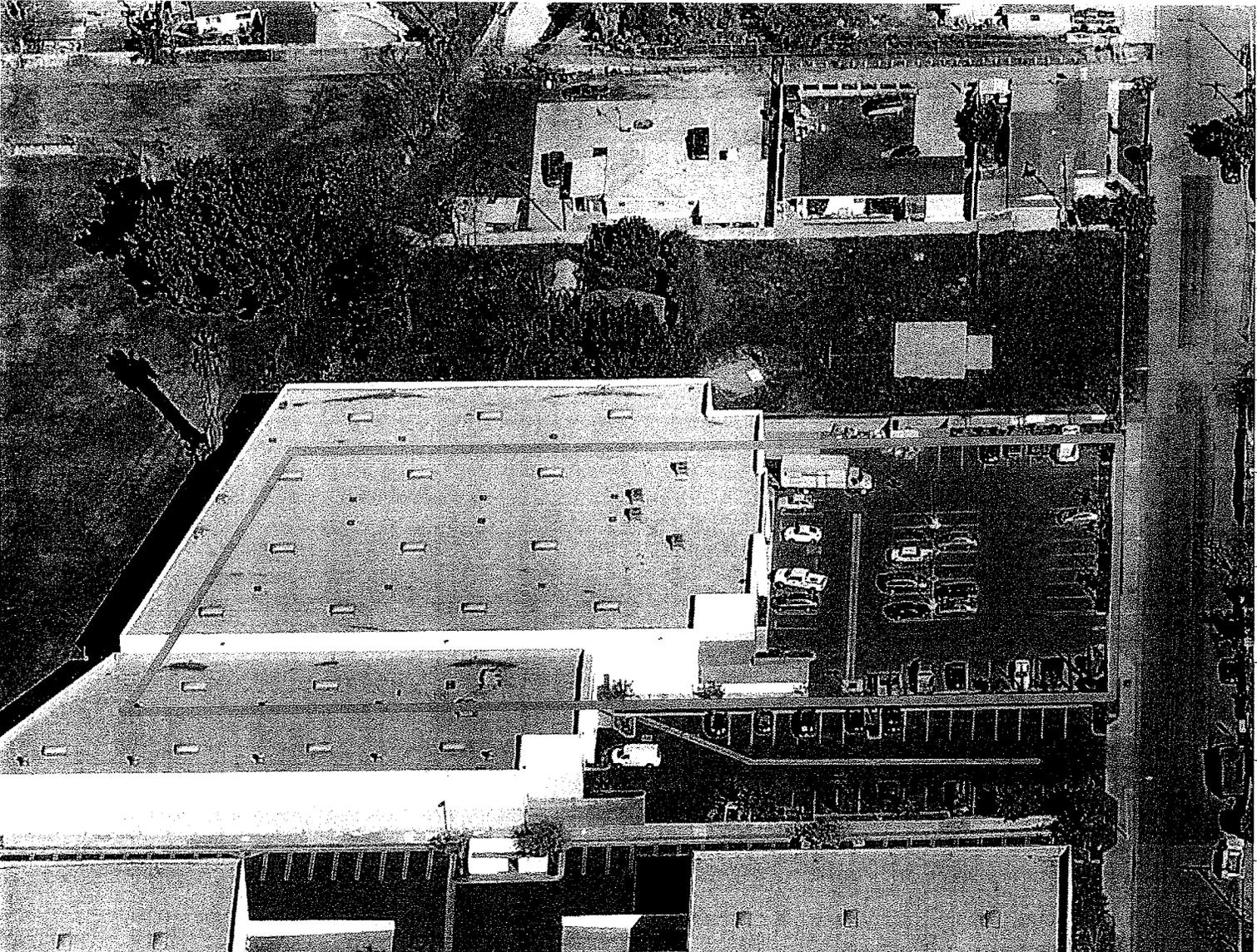




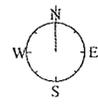








Copyright ©2008 Pictometry International Corp.



Copyright ©2008 Pictometry International Corp.