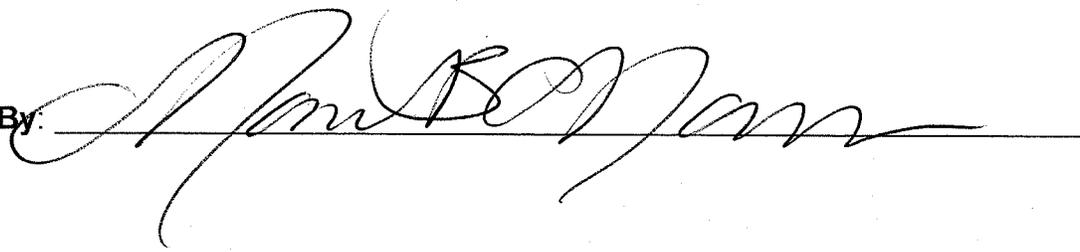


# Hearing Officer Transmittal Checklist

<b>Hearing Date</b> 11/2/2010
<b>Agenda Item Number</b> 4

**Project Number:** 93077-(2)  
**Case(s):** Conditional Use Permit No. 200900070  
**Contact Person:** Tyler Montgomery, Zoning Permits II

Included	NA/None	Document
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Factual
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Property Location Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Staff Report
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Conditions
<input type="checkbox"/>	<input checked="" type="checkbox"/>	DPW Letter
<input checked="" type="checkbox"/>	<input type="checkbox"/>	FD Letter
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other Department's Letter(s)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Burden Of Proof Statement(s)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Documentation (IS, MMP, EIR)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Opponent And Proponent Letters
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Photographs
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Resolution (ZC Or PA)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ordinance with 8.5 X 11 Map (ZC Or PA)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Aerial (Ortho/Oblique) Image(s)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use Radius Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site Plan
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Findings & Conditions for CP 93077

Reviewed By: 



Los Angeles County Department of Regional Planning  
 320 West Temple Street, Los Angeles, California 90012  
 Telephone (213) 974-6443

**PROJECT NO. 93077-(2)**  
**CONDITIONAL USE PERMIT NO. 200900070**

HO MEETING DATE November 2, 2010	CONTINUED TO
AGENDA ITEM 4	
PUBLIC HEARING DATE November 2, 2010	

<b>APPLICANT</b> Ana Valkova	<b>OWNERS</b> Tararay, Inc.	<b>REPRESENTATIVE</b> Ana Valkova
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**REQUEST**  
*Conditional Use Permit.* To authorize the continued operation of an auto repair shop in the C-3-DP (Unlimited Commercial—Development Program) zone.

<b>LOCATION/ADDRESS</b> 5140 West El Segundo Boulevard	<b>ZONED DISTRICT</b> Del Aire
<b>ACCESS</b> El Segundo Boulevard, between Ocean Gate Avenue and the San Diego (405) Freeway	<b>COMMUNITY</b> Del Aire
	<b>EXISTING ZONING</b> C-3-DP (Unlimited Commercial—Development Program)

<b>SIZE</b> 15,000 square feet (0.34 acres)	<b>EXISTING LAND USE</b> Auto repair	<b>SHAPE</b> Rectangular	<b>TOPOGRAPHY</b> Level
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<b>SURROUNDING LAND USES &amp; ZONING</b> North: Union Pacific Railroad, Single-family residences, Shopping center—B-1 (Buffer); R-1 (Single Family Residence); City of Hawthorne	East: Multiple-family residences, Apartments—R-3 (Limited Multiple Residence)
South: Single-family residences—R-1 (Single Family Residence)	West: San Diego (405) Freeway

<b>GENERAL PLAN</b>	<b>DESIGNATION</b>	<b>MAXIMUM DENSITY</b>	<b>CONSISTENCY</b>
Countywide Land Use Element	1 (Low Density Residential)	1-6 dwelling units/acre	See Staff Analysis

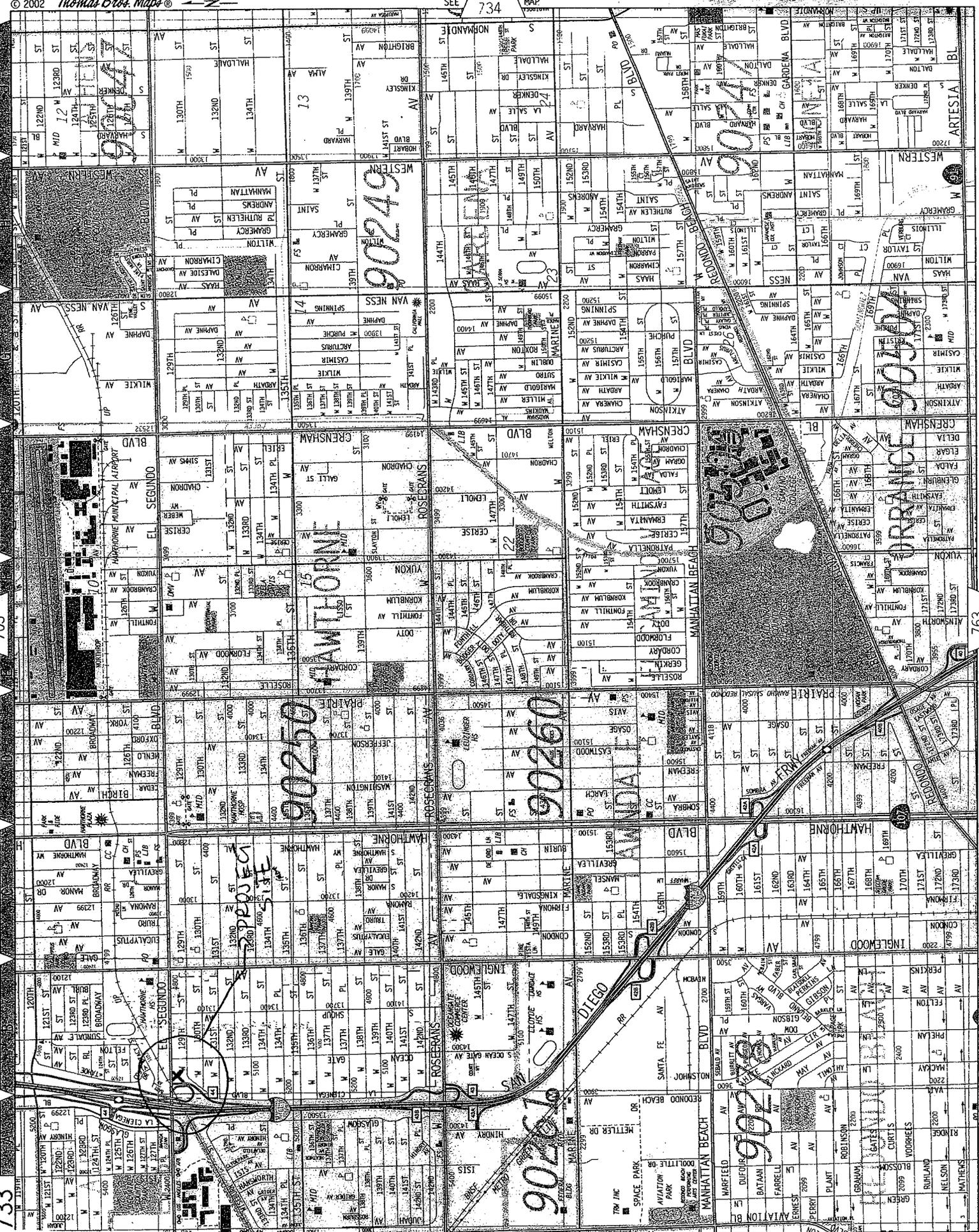
**ENVIRONMENTAL STATUS**  
 CEQA Categorical Exemption—Class 1 (Existing Facilities)

**SITE PLAN DESCRIPTION**  
 The applicant seeks authorization to continue the operation and maintenance of an auto repair shop located in a C-3-DP zone. The site plan depicts the 15,000-square-foot property, most of which is paved and used for the storage of automobiles awaiting repairs or retrieval. A 2,518 square-foot repair garage and a 1,078 square-foot metal canopy are located near the middle of the property. A six-foot-high chain link fence bounds the property's northern and western sides, and the property would be accessed by a 17-foot-wide gated driveway to the north. A six-foot-high concrete block wall bounds the property's southern and eastern sides. Ten (10) off-street parking spaces are proposed for the site, one of which would be reserved for the handicapped. One existing roof-mounted sign is located on the metal canopy and is approximately 40 sq. feet (4'x10').

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

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

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



## STAFF ANALYSIS

### PROJECT NUMBER:

93077-(2)

### CONDITIONAL USE PERMIT NO.:

200900070

### OVERVIEW OF THE PROPOSED PROJECT

The applicant, Ana Valkova, is requesting a conditional use permit (CUP) to continue the operation of an auto repair shop in a C-3-DP (Unlimited Commercial—Development Program) zone.

### DESCRIPTION OF SUBJECT PROPERTY

#### Location

The site is located at 5140 West El Segundo Boulevard, within the community of Del Aire and in the Del Aire Zoned District of unincorporated Los Angeles County.

#### Physical Features

The subject property is approximately one-third of an acre (15,000 square feet) and is a level, paved, rectangular parcel. It is developed with a 2,518 square-foot repair garage and a 1,078 square-foot metal canopy located near the center of the property. Approximately 120 square feet of landscaping is located on the project site. The remainder of the parcel is paved and utilized for the parking and storage of automobiles. The site is accessed from El Segundo Boulevard to the north. The area is urbanized and surrounded by developed land in all directions.

### ENTITLEMENT

The applicant is requesting a conditional use permit (CUP) to continue the operation of an auto repair shop in a C-3-DP (Unlimited Commercial—Development Program) zone. The previous CUP authorizing this use (CP 93077) was approved in 1993 and expired in 2008. The Development Program (-DP) overlay requires that any use in the zone must operate under a valid CUP.

### EXISTING ZONING

#### Subject Property

The project site is zoned C-3-DP (Unlimited Commercial—Development Program).

#### Surrounding Zones

Surrounding properties are zoned as follows:

North: B-1 (Buffer Strip); R-1 (Single Family Residence); City of Hawthorne

South: R-1 (Single Family Residence)

East: R-3 (Limited Multiple Residence)

West: San Diego (405) Freeway

## EXISTING LAND USES

### Subject Property

The subject property currently contains an auto repair shop.

### Surrounding Land Use

Surrounding land uses consist of:

North: Union Pacific Railroad, single-family residences, shopping center

East: Multiple-family residences, apartments

South: Single-family residences

West: San Diego (405) Freeway

## PREVIOUS CASES/ZONING HISTORY

1. Zone Exception Case No. 7474  
Authorized the construction and operation a service station in the R-3 (Limited Multiple Residence) zone.  
Approved 1965
2. Zone Change & Conditional Use Permit No. 88519  
Authorized a zone change from R-3 (Limited Multiple Residence) to C-3-DP (Unlimited Commercial—Development Program) in order to construct and operate a 34-room hotel.  
Approved March 18, 1990; Expired without use March 18, 1992
3. Conditional Use Permit No. 93077  
Authorized the operation of an auto repair shop in a C-3-DP (Unlimited Commercial—Development Program) zone in a structure formerly utilized as a service station.  
Approved November 12, 1993; Expired November 12, 2008

## GENERAL PLAN

### Land Use Policy Map

The subject property is located within the "1" (Low Density Residential) classification of the Countywide Land Use Plan. The intent of this land use classification is to promote primarily residential uses of densities between one (1) and six (6) dwelling units per acre. Neighborhood-serving commercial uses are also allowed in this classification. Because the existing use would primarily serve the surrounding neighborhood, it is consistent with the underlying land use designation.

## SITE PLAN

The site plan depicts the 15,000-square-foot property, most of which is paved and used for the storage of automobiles awaiting repairs or retrieval. A 2,518 square-foot repair garage and a 1,078 square-foot metal canopy are located near the middle of the property. A six-foot-high chain link fence bounds the property's northern and western sides, and the property would be accessed by a 17-foot-wide gated driveway to the north. A six-foot-high concrete block wall bounds the property's southern and eastern

sides. Ten (10) off-street parking spaces are proposed for the site, one of which would be reserved for the handicapped. One existing double-faced, roof-mounted sign is located on the metal canopy, with each face approximately 40 square feet (4'x10'). The facility would accommodate a maximum of four (4) employees. Total landscaped area on the site is approximately 120 square feet, consisting of a 3'x22' planter to the west of the service building and six (6) 3'x3' tree planters placed along the property's southern and eastern boundaries. Access is taken from El Segundo Boulevard to the north via a 15-foot-wide gated driveway.

Structures on the subject property have minimum setbacks of 3'-4" to the northern property line, 3'-8" to the southern property line, 47'-2" from the eastern property line, and 29'-2" from the western property line.

While the site plans submitted to Regional Planning are relatively complete, the applicant neglected to submit depictions of signage and landscaping. Because this facility is already in existence, staff shall add the submission of this document as a condition of approval.

#### **COMPLIANCE WITH ZONING STANDARDS**

The property on which the existing facility is located is zoned C-3-DP (Unlimited Commercial—Development Program). An auto repair shop is allowed by right within the C-3 (Unlimited Commercial) zone. However, the Development Program (-DP) overlay requires that all uses within the zone operate under a valid CUP. The previous CUP for the subject use expired in 2008. Therefore, the facility must acquire a new CUP in order to continue operations.

Section 22.52.1105 of the County Code determines parking requirements for commercial uses. One off-street parking space is required for every 250 square feet of building or structure dedicated to such use. Therefore, 10 off-street parking spaces are required, one of which must be designed to handicapped specifications, although it need not be reserved solely for the handicapped. The site plan proposes 10 off-street parking spaces, one of which would be reserved for the handicapped.

There are no minimum setbacks or specific structural height standards in the C-3 zone, and the existing structures have a smaller lot coverage (24 percent) than the maximum allowed (90 percent) by the County Code (Sec. 22.28.220). This section of the Code also requires that a minimum of 10 percent of the lot area be utilized for landscaping. Currently, only 120 square feet of landscaping exist on the project site, which was approved as part of CP 93077 in 1993.

Section 22.52.890 of the County Code regulates roof-mounted and freestanding business signs. For a double-sided, roof-mounted business sign, the maximum sign area for each face is 150 square feet. Each face of the existing roof-mounted sign is 40 square feet. The sign must also be no higher than 30 feet above ground level or 15 feet above roof level, and the existing sign is approximately 19 feet above ground level and four (4) feet above roof level.

**BURDEN OF PROOF**

As required by Section 22.56.040 of the Los Angeles County Code, in addition to the information required in the permit application, the applicant shall substantiate to the satisfaction of the Hearing Officer the following facts:

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

The applicant's Burden of Proof responses are attached to this document.

**ENVIRONMENTAL DOCUMENTATION**

The Department of Regional Planning has determined that the project qualifies for a Class 1 Categorical Exemption (Existing Facilities) under the California Environmental Quality Act (CEQA) reporting requirements.

**LEGAL NOTIFICATION/COMMUNITY OUTREACH**

A total of 79 public hearing notices were mailed out to property owners located within the 500-foot radius of the subject property and other interested parties on September 23, 2010 regarding the project proposal. The notice was published in the *Daily Breeze* and in *La Opinion* on September 29, 2010. Case-related materials were sent to the Hawthorne Library and posted on the Regional Planning web page. The public hearing notice was also posted at the project site 30 days prior to the hearing date.

**COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

Regional Planning staff consulted with the Los Angeles County departments of Public Works, Public Health, and Fire regarding the project proposal. Both Fire and Public Health have cleared the project for public hearing. After 60 days, it was assumed that Public Works had no comments regarding the project.

### **PUBLIC COMMENTS**

At the time of this report, staff has not received any public comments regarding this project.

### **ZONING ENFORCEMENT ACTIONS**

1. RFS 04-0034933  
Case opened May 23, 1994  
Illegal banner signs on property; affidavit of acceptance not recorded; required inspection fees not paid.  
Result: signs removed, affidavit recorded, inspection fees paid  
Case closed May 3, 1995  
Case re-opened in 1996, 1998, 1999, and 2002 for illegal banner signs on property. Case closed each time after removal of signs.

### **STAFF EVALUATION**

In order to be granted a CUP, the proposed project must be consistent with the Los Angeles County General Plan and satisfy the required Burden of Proof, as delineated above. The General Plan classifies the property as "1" (Low Density Residential), which allows neighborhood serving commercial uses. Because the business would primarily serve the surrounding neighborhood, the project would be consistent with the General Plan.

The project site is bordered by commercial uses to the north and the San Diego (405) Freeway to the west. Residential uses to the south and east are separated from the site by six-foot-high block walls. The existing auto repair business has operated at the site for approximately 17 years without complaints of noise, odors, or other operational issues from nearby residents, and no opposition to the current CUP application has been received by staff. Therefore, it is unlikely that its continuance would adversely affect the health, comfort, or welfare of the surrounding community.

In order to ensure continuing good use of the property, staff recommends conditions that are substantially similar to those imposed upon the prior conditional use permit (CP 93077), which was maintained without substantial problems for the County or applicant. Such conditions include the limitation of business hours from 7:00 a.m. to 9:00 p.m., seven days a week, the prohibition of body repairs, painting, upholstery work, or dispensing motor vehicle fuel, and the grant term of 15 years.

The site plan of the previous CUP was approved with approximately 120 square feet of landscaping, which is less than the required amount of 10 percent of the lot area (1,500 square feet). Staff recommends that a condition of approval be added to the project requiring that, within 60 days of approval, a revised site plan be submitted to staff indicating a minimum of 1,500 square feet of landscaping to be provided on the project site. All other general and zone specific development standards would be met by the project proposal. Therefore, the property is adequate in size and shape to

accommodate the required development features of the Zoning Ordinance, or as otherwise required to integrate the use into the surrounding community.

The site is adequately served by public roads, as El Segundo Boulevard is a major arterial right-of-way that is more than adequate for a locally serving commercial use. In addition, the existing parking lot would provide the required 10 off-street parking spaces as well as many additional spaces generally used for the parking of cars awaiting repairs.

Due to the aforementioned factors, staff believes that the applicant has met the burden of proof for a conditional use permit.

### FEES/DEPOSITS

If approved, the following fees will apply unless modified by the Hearing Officer:

#### Zoning Enforcement

1. Inspection fees of \$1,400.00 to cover the costs of 7 recommended biennial zoning enforcement inspections.

### 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 No. 93077-(2) / Conditional Use Permit No. 200900070, subject to the attached conditions.

Prepared by Tyler Montgomery, Regional Planning Assistant II  
Reviewed by Maria Masis, AICP, Supervising Regional Planner,  
Zoning Permits II Section

#### Attachments:

Draft Findings  
Draft Conditions of Approval  
Applicant's Burden of Proof statement  
Public Health clearance letter  
County Fire clearance letter  
Site Photographs  
CP 93077 Findings & Conditions

MM:TM  
10/20/10

**HEARING OFFICER'S FINDINGS AND ORDER:**

**REQUEST:** Pursuant to the provisions of Section 22.56, Part 1 of the Los Angeles County Code, a conditional use permit (CUP) to authorize the continued operation and maintenance of an auto repair shop in a C-3-DP (Unlimited Commercial—Development Program) zone, located in the Del Aire Zoned District of Los Angeles County.

**PROCEEDINGS BEFORE THE HEARING OFFICER:**Findings

1. The site is located at 5140 West El Segundo Boulevard, within the community of Del Aire and in the Del Aire Zoned District of unincorporated Los Angeles County.
2. The project site is zoned C-3-DP (Unlimited Commercial—Development Program) and is currently used for auto repair.
3. The subject property is approximately one-third of an acre (15,000 square feet) and is a level, paved, rectangular parcel. It is developed with a 2,518 square-foot repair garage and a 1,078 square-foot metal canopy located near the center of the property. Approximately 120 square feet of landscaping is located on the project site. The remainder of the parcel is paved and utilized for the parking and storage of automobiles. The site is accessed from El Segundo Boulevard to the north. The area is urbanized and surrounded by developed land in all directions.
4. Surrounding properties are zoned as follows:  
North: B-1 (Buffer Strip); R-1 (Single Family Residence); City of Hawthorne  
South: R-1 (Single Family Residence)  
East: R-3 (Limited Multiple Residence)  
West: San Diego (405) Freeway
5. The surrounding land uses consists of the following:  
North: Union Pacific Railroad, shopping center, single-family residences  
South: Single-family residences  
East: Multiple-family residences, apartments  
West: San Diego (405) Freeway
6. The applicant is requesting a conditional use permit (CUP) to continue the operation of an auto repair shop in a C-3-DP (Unlimited Commercial—Development Program) zone. The previous CUP authorizing this use (CP 93077) was approved in 1993 and expired in 2008. The Development Program (-DP) overlay requires that any use in the zone must operate under a valid CUP.

7. The Department of Regional Planning has determined that the project qualifies for a Class 1 Categorical Exemption (Existing Facilities) under the California Environmental Quality Act (CEQA) reporting requirements.
8. A total of 79 public hearing notices were mailed out to property owners located within the 500-foot radius of the subject property and other interested parties on September 23, 2010 regarding the project proposal. The notice was published in the *Daily Breeze* and in *La Opinion* on September 29, 2010. Case-related materials were sent to the Hawthorne Library and posted on the Regional Planning web page. The public hearing notice was also posted at the project site 30 days prior to the hearing date.
9. Staff consulted with the Los Angeles County Fire, Public Works, and Public Health departments regarding the project proposal. The case was cleared for public hearing by Public Health and Fire. Public Works did not respond to the consultation request.
10. Staff has not received any comments from the public regarding this project proposal.
11. The subject property is located within the "1" (Low Density Residential) classification of the Countywide Land Use Plan. The intent of this land use classification is to promote primarily residential uses of densities between one (1) and six (6) dwelling units per acre. Neighborhood-serving commercial uses are also allowed in this classification. Because the existing use would primarily serve the surrounding neighborhood, it is consistent with the underlying land use designation.
12. The site plan depicts the 15,000-square-foot property, most of which is paved and used for the storage of automobiles awaiting repairs or retrieval. A 2,518 square-foot repair garage and a 1,078 square-foot metal canopy are located near the middle of the property. A six-foot-high chain link fence bounds the property's northern and western sides, and the property would be accessed by a 17-foot-wide gated driveway to the north. A six-foot-high concrete block wall bounds the property's southern and eastern sides. Ten (10) off-street parking spaces are proposed for the site, one of which would be reserved for the handicapped. One existing double-faced, roof-mounted sign is located on the metal canopy, with each face approximately 40 square feet (4'x10'). The facility would accommodate a maximum of four (4) employees. Total landscaped area on the site is approximately 120 square feet, consisting of a 3'x22' planter to the west of the service building and six (6) 3'x3' tree planters placed along the property's southern and eastern boundaries. Access is taken from El Segundo Boulevard to the north via a 15-foot-wide gated driveway.
13. Section 22.52.1105 of the County Code determines parking requirements for commercial uses. One off-street parking space is required for every 250 square feet of building or structure dedicated to such use. Therefore, 10 off-street parking

spaces are required, one of which must be designed to handicapped specifications, although it need not be reserved solely for the handicapped. The site plan proposes 10 off-street parking spaces, one of which would be reserved for the handicapped.

14. There are no minimum setbacks or specific structural height standards in the C-3 zone, and the existing structures have a smaller lot coverage (24 percent) than the maximum allowed (90 percent) by the County Code (Sec. 22.28.220). This section of the Code also requires that a minimum of 10 percent of the lot area be utilized for landscaping. With the required conditions of approval, the proposed project would satisfy this requirement.
15. Section 22.52.890 of the County Code regulates roof-mounted and freestanding business signs. For a double-sided, roof-mounted business sign, the maximum sign area for each face is 150 square feet. Each face of the existing roof-mounted sign is 40 square feet. The sign must also be no higher than 30 feet above ground level or 15 feet above roof level, and the existing sign is approximately 19 feet above ground level and four (4) feet above roof level.
16. The project site is bordered by commercial uses to the north and the San Diego (405) Freeway to the west. Residential uses to the south and east are separated from the site by six-foot-high block walls. The existing auto repair business has operated at the site for approximately 17 years without complaints of noise, odors, or other operational issues from nearby residents, and no opposition to the current CUP application has been received. Therefore, it is unlikely that its continuance would adversely affect the health, comfort, or welfare of the surrounding community.
17. All general and zone specific development standards would be met by the project proposal. Therefore, the property is adequate in size and shape to accommodate the required development features of the Zoning Ordinance, or as otherwise required to integrate the use into the surrounding community.
18. The site is adequately served by public roads, as El Segundo Boulevard is a major arterial right-of-way that is more than adequate for a locally serving commercial use. In addition, the existing parking lot would provide the required 10 off-street parking spaces as well as many additional spaces generally used for the parking of cars awaiting repairs.

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

- A. The proposed use is consistent with the adopted general plan for the area;

- B. The requested use at the proposed locations will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding areas, 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. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features;
- D. The proposed site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such use would generate and by other public or private facilities as are required.

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for conditional use permits as set forth in Section 22.56.090, Title 22, of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

- 1. The Hearing Officer finds that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA). The project is within a class of projects, which have been determined not to have a significant effect on the environment in that it meets the criteria set forth in section 15301 of the State CEQA Guidelines and Class 1 of the County Environmental Document Reporting Procedures and Guidelines, Appendix G
- 2. In view of the findings of facts presented above, Conditional Use Permit No. 200900070 is **APPROVED**, subject to the attached conditions.

Attachments: Conditions  
Affidavit of Acceptance

c: Commission Services, Zoning Enforcement, Building and Safety

1. This grant authorizes the use of the subject property for an auto repair shop with appurtenant parking and landscaping, as depicted on the approved Exhibit "A", subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. 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 Department of 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. 8, and until all required monies have been paid pursuant to Condition 10. Notwithstanding the foregoing, this condition (No. 3), and Condition Nos. 4, 5, and 6 shall be effective immediately upon final approval of this grant by the County.
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 limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
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 pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
  - a. If during the litigation process, actual costs 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 the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
  - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Section 2.170.010 of the Los Angeles County Code.

6. This grant shall expire unless used within two (2) years from the date of approval. A one-year time extension may be requested in writing with the applicable fee before the expiration date.
7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee, as applicable, of the subject property.
9. This grant shall terminate on **November 2, 2025**. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect.
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. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of \$1,400.00. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including adherence to development in accordance with the approved site plan on file. The fund provides for 7 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 the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently \$200 per inspection).

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 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. A revocation/modification public hearing shall be held before the Regional Planning Commission in accordance with Section 22.60.174 of the County Code. The permittee shall pay or reimburse the County of all necessary fees associated with such hearing.

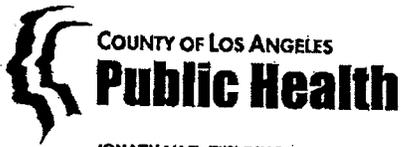
12. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans. The on-site storage of appliances, heating and air conditions systems, water tanks, and similar materials not directly related to authorized uses is expressly prohibited.
13. The subject property shall be developed and maintained in compliance with the requirements of the Los Angeles County Department of Public Health. Adequate water and sewage facilities shall be provided to the satisfaction of said department, and the permittee shall comply with all requirements of the County Noise Ordinance.
14. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works.
15. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above 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 such extraneous marking occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such marking shall be of a color that matched, as closely as possible, the color of the adjacent surfaces.
16. Within 60 days of the approval date of this grant, the permittee shall submit to the Director for review and approval three (3) copies of revised plans, similar to Exhibit "A" as presented at the public hearing, that depict all project changes required by these conditions of approval, including elevations which depict the dimensions and location of the service building, canopy structure, and signage, and the provision of 1,500 square feet of landscaping. The subject property shall be developed and maintained in substantial compliance with the approved Exhibit "A." In the event that subsequent revised plans are submitted, the permittee shall submit three (3) copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner.
17. A minimum of 1,500 square feet of landscaping shall be maintained on the project site. Landscaping shall comply with the drought-tolerant landscaping requirements of Section 22.52.2230 of the County Code. A minimum of 75 percent of such total landscaped area for each parcel shall contain plants from the drought-tolerant plant list

of the Department of Regional Planning, and no more than 25 percent of such total landscaped area shall consist of grass or turf. Watering facilities shall consist of a permanent water-efficient irrigation system, such as "bubblers" or drip irrigation, for irrigation of all landscaped areas except where there is turf or other ground cover. The permittee shall maintain all landscaping in a neat, clean and healthful condition, including proper pruning, weeding, litter removal, fertilizing and replacement of plants when necessary. The permittee shall record a covenant agreeing to maintain such landscaping for the life of the permit. This covenant shall be filed with the Department of Regional Planning, to the satisfaction of the Director of said department.

18. The operation and maintenance of the pallet assembly and storage facility shall be further subject to all of the following restrictions:
  - a. A minimum of 10 on-site parking spaces shall be provided and continuously maintained, one of which shall be reserved for the handicapped, and all of which shall be visibly delineated and striped and comply with the design specifications of County Code Sec. 22.52.1060;
  - b. Required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, automobile or truck repair, or any other unauthorized uses;
  - c. Except for required landscaping, the subject property shall be paved with concrete or an asphalt surfacing or an oil and aggregate mixture to prevent emission of dust or tracking of mud onto public right-of-way or adjacent properties. The permittee must demonstrate that the entire lot is paved to the satisfaction of the Department of Public Works and the Director of Regional Planning;
  - d. Any exterior lighting shall be hooded and directed away from neighboring properties to prevent direct illumination and glare, and shall be turned off within thirty (30) minutes after conclusion of activities, with the exception of sensor-activated security lights and/or low level lighting;
  - e. The height of the all freestanding or roof-mounted signs shall not exceed 30 feet above finished grade;
  - f. The permittee shall maintain a block wall or masonry fence along the property's southern and eastern boundaries that meets all design requirements of County Code Sec. 22.52.610. Said wall shall be finished with a uniform, neutral color, excluding black, which blends with the surrounding terrain, and shall have a minimum height of six (6) feet;
  - g. All vehicle repair, service, or maintenance work shall be performed within an enclosed building;

- h. Operating hours are restricted to the hours between 7:00 a.m. to 9:00 p.m., seven days per week;
- i. No body repairs, painting, or upholstery work shall be performed on the premises, and;
- j. The permittee shall not store or use hazardous materials.

MM:TM  
10/20/10



COUNTY OF LOS ANGELES

# Public Health

**JONATHAN E. FIELDING, M.D., M.P.H.**  
Director and Health Officer

**JONATHAN E. FREEDMAN**  
Chief Deputy Director

**ANGELO J. BELLOMO, REHS**  
Director of Environmental Health

**ALFONSO MEDINA, REHS**  
Director of Environmental Protection Bureau

**KEN HABARADAS, MS, REHS**  
Acting Environmental Health Staff Specialist  
6050 Commerce Drive  
Baldwin Park, California 91708  
TEL: (626) 430-5220 • FAX: (626) 960-2740



**BOARD OF SUPERVISORS**

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- Don Knabe  
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Fifth District

August 27, 2009

Philip Estes, AICP  
Principal Regional Planner  
Zoning Permits Sections  
Los Angeles County  
Department of Regional Planning  
320 W. Temple Street  
Los Angeles, CA 90012

93-077

**RE: PROJECT NO. ~~93-077~~, CUP 200900070**  
**LOCATION: 5140 W. EL SEGUNDO BLVD., HAWTHORNE**

- Environmental Health recommends approval of this project.
- Environmental Health does NOT recommend approval of this project.

This is in response to the Project Consultation regarding the above-referenced project that was forwarded to Environmental Health for review and comment.

The applicant is seeking to renew a CUP for an existing auto repair shop. Based on review of the application and site plan, Environmental Health recommends approval of the CUP with the understanding that Golden State Water Company, a public water system, will continue to provide potable water to the repair shop, and wastewater demand will be accompanied by public sewers and wastewater treatment facilities.

If you have any general questions regarding the approval procedures, please contact me at (626) 430-5262.

Sincerely,

Ken Habaradas, REHS  
Bureau of Environmental Protection



COUNTY OF LOS ANGELES  
FIRE DEPARTMENT

*Phillip Estes*

5823 Rickenbacker Road  
Commerce, California 90040-3027

DATE: 11-09-2009

TO: Department of Regional Planning  
Permits and Variances

PROJECT #: CUP 93-077

LOCATION: 5140 W. El Segundo Blvd. Hawthorne

- The Fire Department Land Development Unit has no additional requirements for this permit.
- The required fire flow for this development is 1500 gallons per minute for 2 hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 psi residual pressure. 2 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 1 6" X 4" X 2 1/2" fire hydrants, 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 AS SUBMITTED IS CLEARED FOR PUBLIC HEARING.
- Water: Provide evidence on LACoFD fire flow form, Form 196, that the hydrant and available flow rate meets the current Fire Department requirements. Verify one existing public fire hydrant at the NW corner of the property line.
- Access: Access is adequate to meet LACoFD fire Department standards as shown on the site plan.
- Special Requirements: \_\_\_\_\_

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: **CLAUDIA SOIZA** *J*

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



Los Angeles County  
Department of Regional Planning  
Planning for the Challenges Ahead



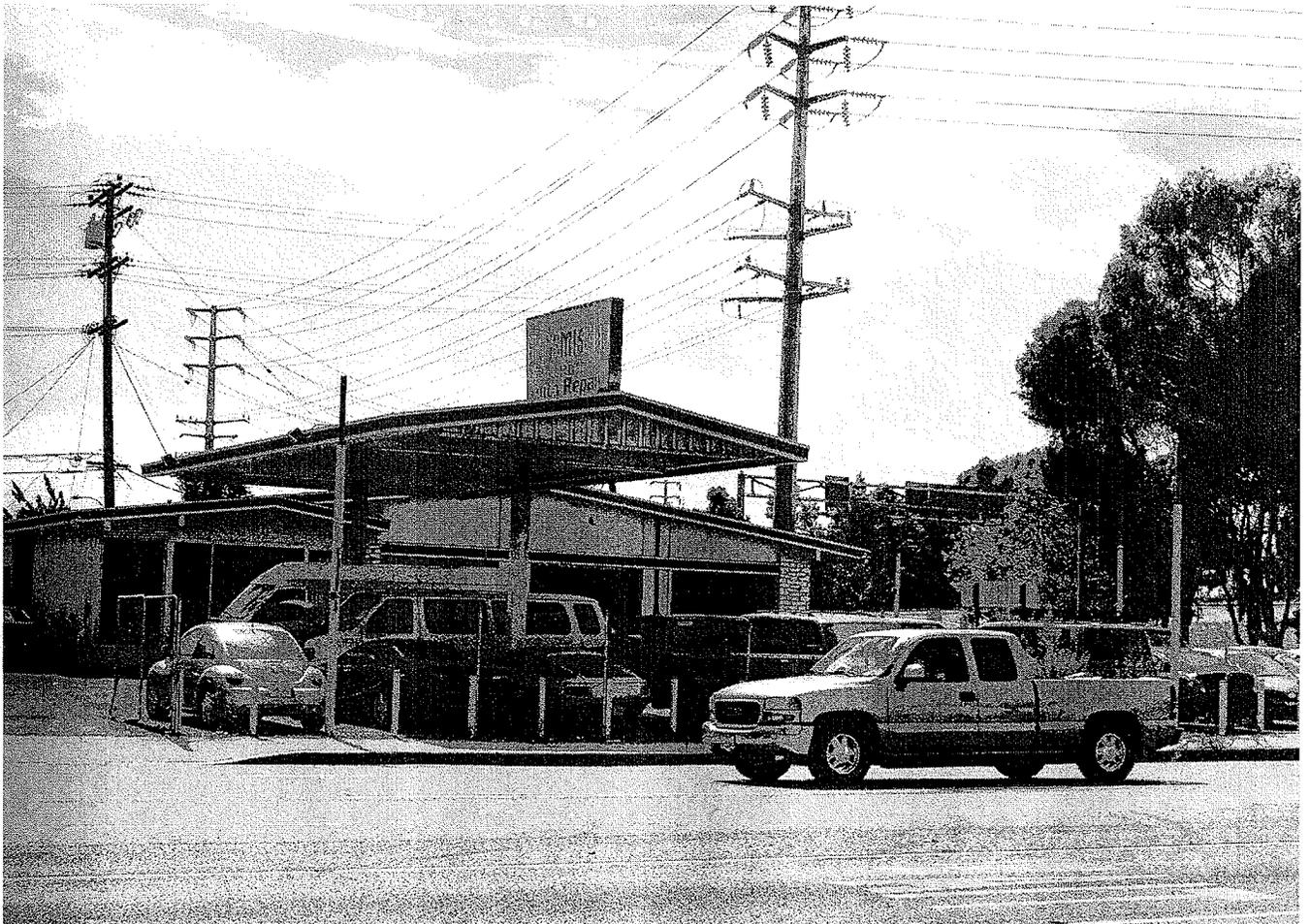
### CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

<p>A. That the requested use at the location will not:</p> <ol style="list-style-type: none"> <li>1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or</li> <li>2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or</li> <li>3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.</li> </ol>
<p>NO, IT IS AUTO REPAIR SHOP. IT IS NOT GOING TO AFFECT THE HEALTH, PEACE, COMFORT OR WELFARE OF PERSONS WORKING / RESIDING IN THE SURROUNDING AREA. THE SHOP WILL NOT BE MATERIALLY DETRIMENTAL TO THE USE, ENJOYMENT OR VALUATION OF PROPERTY OF OTHER PERSONS LOCATED IN THE VICINITY OF THE SITE. IT WILL NOT ENDANGER THE PUBLIC HEALTH.</p>
<p>B. 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 this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.</p>
<p>YES - SEE PREVIOUSLY ISSUED CUP #</p>
<p>C. That the proposed site is adequately served:</p> <ol style="list-style-type: none"> <li>1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and</li> <li>2. By other public or private service facilities as are required.</li> </ol>
<p>YES - SEE PREVIOUSLY ISSUED CUP #</p>









*Los Angeles County  
Department of Regional Planning*

*Director of Planning, James E. Hartl, AICP*



**RE: CONDITIONAL USE PERMIT CASE NO. 93077 - (2)  
Auto Service Center  
5140 El Segundo Boulevard, Hawthorne**

**Mailing Date:** December 1, 1993

**TO: Eduardo Faloro  
4213 West 169th Street  
Lawndale, CA 90260**

**CERTIFIED-RECEIPT  
REQUEST**

**PLEASE NOTE:** This document contains the hearing officer's findings and order and conditions relating to **APPROVAL** of the above referenced case.

**CAREFULLY REVIEW EACH CONDITION.**

Condition 2 requires that the permittee must file an affidavit accepting the conditions before this grant becomes effective. **USE THE ENCLOSED AFFIDAVIT FOR THIS PURPOSE.**

The applicant or **ANY OTHER INTERESTED PERSON** may **APPEAL** the hearing officer's decision to the Regional Planning Commission at the office of the Commission's secretary, Room 170, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. Contact the Commission's secretary for the necessary forms and the amount of the appeal fee at (213) 974-6409. The appeal must be postmarked or delivered in person within 15 days after this notice is received by the applicant. The hearing officer's decision may also be called up for review by the Regional Planning Commission during the appeal period. This grant will not become effective until and unless this period has passed without an appeal or call for review.

For further information on appeal procedures compliance with conditions or any other matter pertaining to this grant, please contact the Zoning Permits Section at (213) 974-6443.

**HEARING OFFICER'S FINDINGS AND ORDER:**

**FACTUAL SUMMARY:**

The subject property is a 14,994 square foot level, rectangular shaped parcel located at 5140 El Segundo Boulevard in the unincorporated area of Hawthorne. It is improved with a commercial structure formerly operated as a gasoline service station.

The request is to allow the renovation and remodeling of the site

to operate an automobile service center which would provide for light duty service and repairs, and tune ups and tire service and sales. There would be no motor fuel sales.

The site is located within the C-3-DP Zone (Unlimited Commercial-Development Program). A Conditional Use Permit is required for the requested change of use for the site in the zone.

An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was determined that this project will not exceed the established threshold criteria for any environmental or service factor and, as a result, will not have a significant effect on the physical environment.

A public hearing was held on October 19, 1993 at which time the applicant testified in favor of the request. There was no opposition testimony.

Eighty-eight notices of this request were mailed on September 13, 1993 to property owners and tenants within 500 feet of the subject property and to other interested parties. Notice was also published in the Hawthorne Press Tribune.

**FINDINGS:**

- A. The requested use is consistent with the adopted general plan. The site is within the Low Density Residential classification of the Los Angeles County General Plan. The plan would allow the auto service center since it is a neighborhood serving retail commercial use.
- B. With the attached restrictions and conditions, the requested use will not adversely affect the health, peace, comfort or welfare of persons residing or 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 or general welfare.

The site is surrounded by retail commercial uses on the north within the City of Hawthorne, single family homes to the south, apartments to the east, and the 405 San Diego Freeway on the west. There should be no adverse impacts to the surrounding area since the site is buffered by walls from adjacent residences and the attached conditions of operation should be adequate to assure compatibility with the neighborhood.

- C. The site is adequate in size and shape to accommodate the

development features prescribed in the Zoning Ordinance and otherwise required to integrate the use requested with the uses in the surrounding area.

The site plan, Exhibit "A", shows a single story 1512 square foot commercial building, 7 parking spaces, 5 and 6 foot masonry walls along the east and south property boundaries, and a 19 foot tall freestanding sign with a 5 x 8 foot face at the northeast corner of the site.

- D. The site has adequate traffic access and is adequately served by other public and private facilities which it requires.

The site has access to El Segundo Boulevard and all required utilities and services are existing and adequate to serve the site.

And, therefore, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Conditional Use Permit as set forth in Section 22.56.090 of Title 22 of the Los Angeles County Code, the Zoning Ordinance.

**HEARING OFFICER'S ACTION:**

1. I approve the negative declaration for the project, certify that I have reviewed and considered the environmental information contained in the initial study for the proposed project, and determine that the proposed project will not have a significant effect on the environment.
2. In view of the findings of fact presented above, Conditional Use Permit Case No. 93077 - (2) is **GRANTED** with the attached conditions.

BY:

John R. Huttinger  
JOHN HUTTINGER, HEARING OFFICER  
Department of Regional Planning  
County of Los Angeles

DATE: 11-23-93

DCC:rg

Enclosure: Affidavit

cc: Each Commissioner; Zoning Enforcement; Building and Safety;  
Subdivision Road Unit

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant 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 property involved (if other than the permittee) have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant.
3. 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 65907. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate fully 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.
4. This grant will expire unless used within 2 years from the date of approval. A one year time extension may be requested before the expiration date.
5. This grant will terminate November 12, 2008.  
  
Entitlement to use of the property thereafter shall be subject to the regulations then in effect.
6. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
7. 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. The

permittee shall deposit with the County of Los Angeles the sum of \$700.00. The fee shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fee provides for seven biennial inspections.

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 the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance.

8. 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 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 health of safety or so as to be a nuisance.
9. This grant allows the use of the site as an auto service and tire shop subject to the following restrictions as to use:
  - a. All work shall be performed within the building with no outdoor car repair service;
  - b. Hours of operation shall be between 7:00 a.m. to 9:00 p.m. 7 days per week at the discretion of the operator; and
  - c. No body repairs, painting nor upholstery work shall be performed on the premises.
10. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. 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.
11. In the event of such extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage no later than 72 hours after occurring. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

12. The subject property shall be developed and maintained in substantial compliance with the plans on file marked Exhibit "A". In the event that subsequent revised plans are submitted the written authorization of the property owner is necessary.
13. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.
14. Provide three copies of a landscape plan, which may be incorporated into a revised plot plan, shall be submitted to and approved by the Director of Planning before issuance of a building permit. The landscape plan shall show the size, type, and location of all plants, trees, and watering facilities. All landscaping shall be maintained in a neat, clean and healthful condition, including proper pruning, weeding, removal of litter, fertilizing and replacement of plants when necessary.
15. The subject facility shall be developed and maintained in compliance with requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said Department.
16. Upon receipt of these conditions, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided as may be required by said Department.
17. The permittee shall secure any necessary permits from the South Coast Air Quality Management District and shall fully comply with the terms of said permits.
18. The permittee shall contact the Department of Public Works to determine whether an Industrial Waste Disposal Permit is required. No activity for which a permit is required shall be initiated on the subject property before a permit is obtained and any required facilities are installed. The permittee shall keep any required permits in full force and effect and shall fully comply with any requirements thereof.

Should any operation at the subject development include the installation of new underground storage tanks or require

industrial waste discharge into the sewer system, the Department of Public Works, Waste Management Division must be contacted for issuance of necessary permits.

Until an approved oil storage tank can be placed on the subject property, the project site shall be allowed only two 55 gallon barrels utilized for used motor oil.

19. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.