



Los Angeles County Department of Regional Planning



Planning for the Challenges Ahead

Richard J. Bruckner
Director

May 3, 2011

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Jim Marquez
796 West 27th Street
San Pedro, CA 90731

**REGARDING: PROJECT NUMBER 97-099-(2)
PKP 200900009
11860 S. La Cienega Blvd, Hawthorne, CA 90250**

Dear Applicant:

Hearing Officer, Alex Garcia by his action of Tuesday, May 3, 2011, **APPROVED** the above described application (**Parking permit to authorize the use of 15 parking spaces for the purposes of staging of motorcycle rentals**). 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 secretary, Room 1350, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. Please contact the Commission secretary for the appeal procedures and fee at (213) 974-6409. **The appeal period for this project will end at 5:00 p.m. on Tuesday, May 17, 2011.** Any appeal must be delivered in person to the commission secretary by this time. If no appeal is filed during the specified period, the Hearing Officer's action is final.

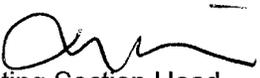
The attached documents contain the Hearing Officer's findings and conditions relating to the approval. Please carefully review each condition. A Condition requires that the permittee records an affidavit accepting the conditions before the grants becomes effective.

Upon completion of the appeal period, please notarize the attached acceptance forms and **hand deliver** this form and any other required fees or materials to the planner assigned to your case. Please **make an appointment** with the case planner to assure that processing will be completed expeditiously.

For further information on appeal procedures or any other matter pertaining to these approvals, please contact Andrew Svitek of the Zoning Permits West Section at (213) 974-6462 or e-mail at ASvitek@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,

Richard J. Bruckner
Director


Mi Kim, Acting Section Head
Zoning Permits West Section

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion)

c: DPW (Building and Safety); Zoning Enforcement
Airport Interchange Business Park, LLC, EagleRider Motorcycles, Jim Marquez

MK:as

**CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
PROJECT NO. 97-099-(2)
PARKING PERMIT NO. 200900009**

PROJECT DESCRIPTION

This permit authorizes a reduction in the required number of parking spaces from a total of 50 parking spaces to 44 parking spaces for a motorcycle rental business at the Airport Commerce Center (formerly known as the Airport Interchange Center) to permit the staging of motorcycles within a maximum of 15 parking spaces (the reduction of parking spaces for the overall site will be from 136 to 130 spaces, as the site currently has a total of 145 spaces, a surplus of 9 spaces), 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, 9 shall be effective immediately upon 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. 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 the department'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 Recorder ("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 May 17, 2021.** 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 Parking 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 (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
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 **\$1,000.00**. 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 deposit provides for five biennial (one every other year) 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 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 otherwise determined by County Code Section 22.60.350.
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 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, **four copies** of a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.

PERMIT SPECIFIC CONDITIONS

17. This parking permit shall terminate and cease to be in effect at the same time the use of the subject property for a motorcycle rental business terminates. In addition, this parking permit shall automatically terminate and the required parking must be provided except as otherwise authorized by a new parking permit if any of the following should occur: (1) the motorcycle rental business use substantially changes its mode or character of operation so as to require more parking; (2) the current or any subsequent owner or tenant substantially changes the use or occupancy of the subject property.
18. All signs shall be in conformance with Part 10 of Section 22.52 of the County Code; except that portable signs on sidewalks adjacent to the site, and temporary on-site wall or pole signs are prohibited. The permittee shall submit a revised Exhibit "A" to Conditional Use Permit 97-099 for the review of any proposed signage.
19. All conditions of approval that are part of Conditional Use Permit No. 97-099 (authorizing the construction and maintenance of the Airport Commerce Center) shall continue to be in full

effect and the permittee shall be required to comply with those conditions in addition to the conditions contained in this parking permit.

PROJECT SITE SPECIFIC CONDITIONS

20. The parking spaces designated for use as a staging area shall be shown on the approved Exhibit "A".
21. The parking spaces designated for use as a staging area shall be located along the eastern edge of the property adjacent to Building "B" and shall not be located within any of the parking spaces along the driveway aisles that provide direct access to 120th Street (between Building "B" and Building "C" and between Building "C" and "D") in order to avoid possible traffic impacts in the residential zone to the south of 120th Street.
22. The parking spaces designated for use as a staging area shall be used only during regular business hours and shall not be used for overnight storage of any kind. All motorcycles shall be stored inside the building overnight.
23. The parking spaces designated for use as a staging area shall be limited to staging purposes, and all activities associated with the rental of motorcycles, including maintenance and completion of paperwork, shall occur within the building.
24. The permittee shall stage motorcycles in such a manner to avoid disruption of the traffic flow within the parking lot aisles.
25. The permittee shall promote transport by shuttle service from LAX to the rental facility for customers.
26. The permittee shall encourage employees to commute by public transportation, and shall make employees aware of commuting options, including light rail service to the nearby Metro Green Line Aviation Station.

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

**PROJECT NO. 97-099-(2)
PARKING PERMIT NO. 200900009
11860 South La Cienega Boulevard, Hawthorne**

HEARING DATE: May 3, 2011

SYNOPSIS:

This permit authorizes a reduction in the required number of parking spaces at the Airport Commerce Center by 6 parking spaces, to allow the staging of motorcycle rentals within 15 parking spaces. The use requires a total of 50 parking spaces. Of the 15 parking spaces that will be used for staging, 9 parking spaces are surplus (the site is developed with 145 and the Code requires 136).

PROCEEDINGS BEFORE THE HEARING OFFICER:

A duly noticed public hearing was held on May 3, 2011. The applicant and his representative were sworn in and testified in favor of the request. No other persons testified. The public hearing was closed and the Hearing Officer approved the request subject to conditions.

Findings

1. The subject property is located at 11860 South La Cienega Boulevard, within the Del Aire Zoned District, in the unincorporated community of Del Aire.
2. The property has access from La Cienega Boulevard to the west and West 120th Street and to the south. On the north and east the property is surrounded by the I-110 and I-405 freeways.
3. The applicant is a motorcycle rental business and is a tenant at the 3-acre Airport Commerce Center. The applicant is required to provide 50 parking spaces, based on a rented area of 23,583 SF, including 16,061 SF of industrial space (1 space per 500 SF) and 7,522 SF of office space (1 space per 400 SF).
4. The applicant has requested a reduction in the parking requirements to convert some of the required parking spaces into an outside staging area for motorcycle rentals. The applicant has requested a reduction of up to 21 parking spaces between May and October and up to 10 parking spaces between November and April. The Hearing Officer approved a reduction in parking, but reduced the number of parking spaces allowed to be used for staging purposes from a maximum of 21 spaces to 15 spaces (year round).
5. Based on a consideration of the special circumstances of the applicant's motorcycle rental business, it has been determined that a reduction of up to 15 spaces (year round) would adequately meet the applicant's needs while minimizing negative impacts on other business tenants and the surrounding community. The 12% reduction (from 50 to 44 spaces) in the required number of parking spaces for this tenant, is found to have minimal based on a consideration that the site has 9 surplus spaces (145 total spaces are provided, 136 are required). The reduction is appropriate on the basis that the rental

business is located close to LAX and caters to customers who primarily arrive via shuttle from the airport and do not make use of the provided parking.

6. The subject property is currently designated as Low Density Residential (One to Six Dwelling Units Per Acre) in the Los Angeles County General Plan. Although the site is developed with a commercial/industrial use, this use was found consistent with the designation when the Airport Commerce Center was approved by Conditional Use Permit Number 97-099. Light manufacturing uses do not meet the intent of this designation. However, the project supports specific policies in the General Plan including: *Promote planned industrial development in order to avoid land use conflicts with neighboring activities.* The existing light manufacturing facility is adjacent to other light manufacturing and warehousing uses to the north and south of the subject parcel. In addition, the General Plan Land Use Element provides more detailed guidance for specific land use planning and decision making activities in unincorporated areas. The Land Use Element's General Conditions and Standards for Development provide guidance for the provision of Locally Serving Commercial and Industrial Services that are not mapped on land use maps. These services are defined as individual enterprises, or small scale multi-use centers, serving the needs of the local community, including: *Light industrial uses of a minor nature, as defined by the scale of the facility, number of employees, service area, and general compatibility within the community setting.* The guidelines related to the location of Locally Serving Industrial Services include: *The proposed use should be located so as not to invade or disrupt sound existing residential neighborhoods, nor conflict with established community land uses, parking, and circulation patterns.*
7. The subject property is currently zoned MPD (Manufacturing-Industrial Planned Development), which "may be used for a planned industrial development in which the hearing officer may approve any use permitted in Zone M-1½ [Restricted Heavy Manufacturing]" subject to certain provisions. (Section 22.32.150.B). The zoning code recognizes the subject uses as "motorcycle, motorscooter and trail bike sales" and "motorcycle, motorscooter and trail bike rentals" and authorizes such uses as of right in the C-M (Commercial Manufacturing) Zone (per Sections 22.28.230.A.1 and 22.28.230.A.2, respectively). Since the M-1½ Zone allows for "any use", including permitted uses in the C-M Zone, (with certain provisions and prohibitions) the subject uses, being defined in the zoning code, and not prohibited in the M-1 ½ Zone, shall also be permitted in the MPD Zone. The provision that a CUP for planned industrial development be approved has been satisfied.
8. The surrounding properties are zoned as follows:
 - North: I-105 (Glenn Anderson Freeway and Transit Way)
 - South: R-1 (Single Family Residential)
 - East: I-405 (Santa Ana Freeway)
 - West: MPD, RPD (Residential Planned Zone), R-1 (Single Family Residential)
9. Surrounding land uses within 500 feet include:
 - North: I-105 (Glenn Anderson Freeway and Transit Way), Metro Green Line
 - South: Single family residences
 - East: I-405 (Santa Ana Freeway)

West: Multi-family residences, business office park, single family residences

10. The site plan shows a 3-acre business office park developed with four warehouses utilized for a combination of commercial/manufacturing uses and measuring a total of 60,161 SF (building sizes are as follows: "A" is 14,708 SF, "B" is 6,796 SF, "C" is 19,254 SF and "D" is 19,403 SF). There are 145 parking spaces along the eastern and northern edge of the property based on a total of 29,092 SF of office space and 32,244 SF of industrial space. There are landscape areas measuring 13,643 SF. There are five access driveways from Sepulveda Boulevard and one from 120th Street.
11. The subject property satisfies the development standards of the MPD Zone. The subject property is currently developed and includes yards, walls, walks and landscaping that make the industrial development attractive, adequately buffered from adjacent more restrictive uses, and in keeping with the established or anticipated development of the surrounding area in satisfaction of Section 22.32.150.B.8. The existing development was approved with a sign program that ensures that the project keeps with the concept of planned development in satisfaction of Section 22.32.150.B.7. The existing landscaping is well maintained.
12. The development standards regarding "access and parking" state that "adequate provision shall be made for vehicular access, parking and loading so as to prevent undue traffic congestion on adjacent streets or highways, particularly local streets" Section 22.32.150(B)(4). The site is developed with 145 parking spaces, which exceeds the 136 parking spaces that are required based on the existing uses. The parking permit would reduce the parking requirement by 6 spaces based on the special circumstances of the motorcycle rental business being located close to LAX airport which means that many customers arrive by a shuttle van. As a result, the motorcycle rental business does not require as many spaces for customers as would the same type of business in another location.
13. All conditions of approval that are part of Conditional Use Permit No. 97-099 (authorizing the construction and maintenance of the Airport Commerce Center) shall continue to be in full effect and the permittee shall be required to comply with those conditions in addition to the conditions contained in this parking permit.
14. The applicant has requested that the term of the lease be longer than 10 years to coincide with the length of the term of its lease. The Hearing Officer decided to limit the grant to 10 years to allow an opportunity to evaluate the future mixture of uses within the Airport Commerce Center and to assess whether parking permit has affected the on-street parking next to the residential zone along La Cienega south of 120th Street.
15. Department of Regional Planning has determined that the project qualifies for a Class 5 Categorical Exemption ("alterations in land use limitations") pursuant to the Guidelines for the California Environmental Quality Act (Title 14, Cal. Code of Regulations, Section 15305). Parking permits are listed under Class 5 (paragraph "n") in the Los Angeles County CEQA Guidelines, Appendix G.

16. Pursuant to the provisions of Section 22.60.174 of the County Code, the Notice of Public Hearing was advertised in The Daily Breeze on March 26, 2011 and in La Opinion on March 30, 2011. A total of 38 public hearing notices regarding the subject application were mailed to the owners of properties located within the 500-foot radius and to the "courtesy list" of addresses for the Del Aire Zoned District on March 23, 2011.
17. 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 ten years.
18. 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 West Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

1. That the requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding properties;
2. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping and other development features prescribed in the Zoning Ordinance;
3. That the requested parking permit at the location proposed will allow the amount of parking required and prevent an overflow of off-site parking;

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Parking Permit as set forth in Section 22.56.1020, Title 22, of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

1. I have 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 projects does not have a significant effect on the environment.
 2. In view of the findings of fact and conclusions presented above, **Parking Permit Number 200900009, Project Number 97-099-(2)** is APPROVED, subject to the attached conditions.
- c: Hearing Officer, Zoning Enforcement, Building and Safety