



Los Angeles County Department of Regional Planning



Planning for the Challenges Ahead

Richard J. Bruckner
Director

November 8, 2012

Wing Lun Ng
18184 Colima Road
Rowland Heights, CA 91748

**REGARDING: PROJECT NUMBER R2006-00324-(4)
CONDITIONAL USE PERMIT 200600256
PROJECT SITE ADDRESS 18184 Colima Road (APN 8270017020)**

Hearing Officer, Patricia Hachiya, by her action of Tuesday, November 6, 2012, has **APPROVED** above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Regional Planning Commission's decision. The appeal period for this project will end at 5:00 p.m. on Tuesday, November 20, 2012. **Appeals must be delivered in person.**

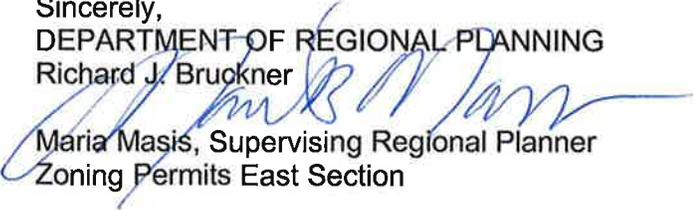
Appeals:

To file an appeal, please contact:
Executive Office of the Board of Supervisors
Room 383, Kenneth Hahn Hall of Administration
500 West Temple Street, Los Angeles, CA 90012
(213) 974-1426

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

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

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner


Maria Masis, Supervising Regional Planner
Zoning Permits East Section

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

c: DPW (Building and Safety); Zoning Enforcement, Owner
MM:da

HEARING OFFICER'S FINDINGS AND ORDER:

REQUEST: Minor modification to condition of approval 18 (a) to previously approved Conditional Use Permit No. 200600256.

FACTUAL SUMMARY:

The subject minor modification to Conditional Use Permit No. 200600256 was approved on consent at the November 6, 2012 Hearing Officer meeting, with the following findings.

Findings

1. The applicant, Wing Lun Ng, has requested a minor modification to the conditions of approval for Conditional Use Permit No. 200600256 to modify the hours and days of operation.
2. The project was approved on October 7, 2008 to allow the sales of beer and wine for on-site consumption at an existing restaurant, located at 18184 Colima Road in the C-2-BE (Neighborhood Business-Billboard Exclusion) zone.
3. The restaurant occupies 1,800 square feet in an existing multi-tenant shopping center with a total floor area of 26, 830 square feet and a total of 268 parking spaces provided.
4. Zoning on the subject property is C-2-BE (Neighborhood Business-Billboard Exclusion).
5. The surrounding properties are zoned as follows:
North: C-1 (Restricted Business) and A-1 (Light Agricultural)
South: C-2-BE (Neighborhood Business-Billboard Exclusion) and R-3-30U (Limited Multiple Residence)
East: C-2-BE (Neighborhood Business-Billboard Exclusion), R-3-30U (Limited Multiple Residence) and C-3-BE (Billboard Exclusion Zone)
West: R-1-10,000 (Single-family Residences), R-3-30U (Limited Multiple Residence)
6. The subject property is located within an existing shopping center that consists of retail, restaurants and office space.
7. Surrounding land uses include single family residences, office, and commercial uses.
8. The land use designation within the Rowland Heights Community Plan for the subject property and surrounding area is Commercial. Areas within this designation are suited for retail, commercial, service and office uses. While there are no specific policies concerning commercial uses in the Rowland Heights Community

Plan, the Countywide General Plan defined local commercial uses as individual enterprises, or small scale multi-use centers, serving the needs of the local community. Examples of such uses include facilities providing neighborhood or community convenience goods and services and local community/neighborhood-serving office and professional services. The plan provides guidelines for the location, scale, design and circulation characteristics of local commercial services.

This approval action authorizes the modification of Conditions No. 18 (a) of previously approved Conditional Use Permit No. 200600256 regarding the operation hours and days.

9. The modification to Condition No. 18 (a), to allow extended operating hours, seven days a week, will allow the restaurant to operate in a similar manner than all the other restaurants in the area.
10. The requested modification to Condition No. 18 (a) reads as follows:
 - (a) *“Hours of operation for the restaurant, including the sale of beer and wine for on-site consumption, shall be limited to 11:00 a.m. to 1:00 a.m., seven days a week.”*
11. In accordance with the requirements specified in Section 22.56.1620 of the County Code, notices were sent to homeowners within a 500-foot radius of the subject property, legal advertising was placed in The San Gabriel Valley Tribune Newspaper, and the subject property was posted for a 30-day period.
12. Staff did not receive correspondence in favor or opposition during the 15-day comment period.
13. Pursuant to Section 22.56.1630 of the County Code, if more than one protest to the request for a minor modification to a conditional use permit is not received during the appeal period the Hearing Officer shall approve the request.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

REGARDING THE MINOR MODIFICATION OF THE CONDITIONAL USE PERMIT:

- A. That not more than one protest to the granting of the application was received within the specified protest period;
- B. That the burden of proof for the conditional use permit as modified has been satisfied as required by Los Angeles County Code Section 22.56.040;

- C. That approval of the application will not substantially alter or materially deviate from the terms and conditions imposed in the granting of the previously approved conditional use permit; and
- D. That approval of the application is necessary to allow the reasonable operation and use granted in the conditional use permit.

AND, THEREFORE, the information submitted by the applicant and presented at the hearing substantiates the required findings for a minor modification to a conditional use permit as set forth in Section 22.56.1630, Title 22, of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

1. The Hearing Officer finds that the project is categorically exempt (Class 1 – Existing Facilities) from the requirements of the California Environmental Quality Act and that the project will not have a significant effect on the environment.

In view of the findings of fact presented above, the requested minor modification to Conditional Use Permit No. 200600256 is approved subject to the attached addendum.

Attachments: Addendum

c: Zoning Enforcement, Building and Safety

MM:DA

**ADDENDUM TO CONDITIONAL USE PERMIT
DEPARTMENT OF REGIONAL PLANNING
PROJECT NO. R2006-00324-(4)
CONDITIONAL USE PERMIT NO. 200600256**

**MINOR MODIFICATION OF CONDITION NUMBER 200600256 OF CONDITIONAL USE
PERMIT NUMBER R2006-00324-(4)**

Pursuant to Section 22.56, Part 11 of the County Zoning Ordinance (Conditional Use Permit – Modifications or Eliminations of Conditions), and in conformance with the Hearing Officer approval action regarding minor modification to Conditional Use Permit Number 200600256 on November 6, 2012. Condition Number 18 (a) of the originally approved Conditional Use Permit Number 200600256 is hereby eliminated.

BY:



**Patricia Hachiya, Hearing Officer
Department of Regional Planning
County of Los Angeles**

