

**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 to authorize the operation and maintenance of a two-family residence in an M-1 (Light Manufacturing) zone, within the Eastside Unit No. 1 Zoned District of Los Angeles County.

Pursuant to the provisions of Section 22.56, Part 7 of the Los Angeles County Code, a Parking Permit to authorize the maintenance of 38 off-site parking spaces, in addition to 12 on-site parking spaces, and to provide one less than the required 51 parking spaces for the above requested use.

**PROCEEDINGS BEFORE THE HEARING OFFICER:**

Findings

1. The applicant, Rafael Martinez, is requesting a Conditional Use Permit (CUP) to authorize the operation and maintenance of a banquet hall in the M-1 (Light Manufacturing) zone. The applicant is also requesting a Parking Permit to authorize the maintenance of 38 off-site parking spaces, in addition to 12 on-site parking spaces, and to provide one less than the required 51 parking spaces for this use.
2. The subject property contains a commercial/industrial building and 12-space parking lot and is located at 1117 Goodrich Boulevard in the Eastside Unit No. 1 Zoned District of Los Angeles County. The site is within the community of East Los Angeles and is within the East Los Angeles Community Standards District.
3. The project site is zoned M-1 (Light Manufacturing).
4. The subject property is approximately 10,730 square feet is relatively level and is developed with a two-story commercial building and a 12-space parking lot. The existing building is located on the eastern portion of the property and fronts Goodrich Boulevard to the east. The parking lot takes access from a public alley to the west of the property. The area is relatively urbanized and is surrounded by commercial and residential uses in all directions.
5. Surrounding properties are zoned as follows:
  - North: M-1 (Light Manufacturing)
  - South: M-1 (Light Manufacturing)
  - East: City of Commerce
  - West: R-3 (Limited Multiple Residence)
6. The surrounding land uses consists of the following:

North: Church, Office building, Light industry  
East: Warehouses  
South: Office buildings  
West: Single-family residences & Multi-family residences

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 80 public hearing notices were mailed out to property owners located within the 500-foot radius of the subject property on December 24, 2008, regarding the subject proposal. The notice was published in the *East L.A. Tribune* and in *La Opinion* on January 1, 2009. Case-related materials were sent on December 24, 2008 to the East Los Angeles Library. The public hearing notice was posted at the project site at least 30 days prior to the public hearing.
9. At the time of this report, staff has received no comments from the public.
10. Staff consulted with both the Department of Public Works and the County Fire Department regarding the project proposal. Public Works recommended approval of the project, as they had no requests for additional street improvements or dedications. County Fire initially put a hold on the project, pending a fire flow test and verification of the distance from the nearest fire hydrant. This hold was lifted and the project cleared for public hearing.
11. Because the subject property is directly adjacent to the City of Commerce, staff sent a formal notice of consultation to the City of Commerce Planning Department on December 8, 2008. Staff has not received any comments, either for or against the project proposal, from the City of Commerce.
12. The portion of the building to be used for assembly has been certified by the Division of Building & Safety to have a maximum occupancy load of 152 persons. Therefore, the facility would require 51 off-street parking spaces. The applicant is proposing to provide 50 valet parking spaces. Because this difference is less than 30% of the total amount of spaces required, it may be approved by the Hearing Officer through the Parking Permit as a minor parking deviation.
13. The subject property is located within the CM (Commercial/Manufacturing) classification of the East Los Angeles Community Plan. This designation allows for “businesses mixed with small warehousing, light manufacturing, assembly plants, wholesaling, and other uses that do not generate large amounts of traffic, noises, congestion, or odors.” The proposed project would be compatible with this designation, as it would be a business, would be subject to noise control

conditions, and provides off-site parking that is only one space below those standards in the County Code.

14. The banquet hall would have hours of operation from 12:00 pm to 12:00 am, Saturday and Sunday only. While the facility would be open from 12:00 pm for preparation and set-up activities, actual assembly activities would not begin until 7:00 pm. The facility would be completely vacated by midnight. No food will be prepared on site, and no alcohol will be served on site, although food may be served and live music may be performed. Valets would take possession of all cars from the public alley at the rear of the building. Twelve (12) parking spaces will be provided on site, eight (8) parking spaces on a leased lot at 1125 Goodrich Boulevard, and 30 parking spaces on a leased lot at 1001 Goodrich Boulevard. Three (3) employees would work at the banquet hall.
15. A banquet or dance hall is an allowed use within the M-1 (Light Manufacturing) zone, provided that a Conditional Use Permit has first been obtained. The proposed project, within an existing two-story commercial/industrial building, would also adhere to all development standards of the M-1 zone and of the East Los Angeles Community Standards District. In addition, both County Fire and the Department of Public Works have cleared the project for approval.
16. As with all properties in Los Angeles County, this project would have to comply with County Noise Ordinance (Title 12 of the County Code). This ordinance requires that any noise from the subject property must be no louder than 55-60 decibels at any adjacent commercial property and no louder than 45-50 decibels at any adjacent residential property. By adding this as a Condition of Approval to the project, the Department of Regional Planning would have the option of revoking the Conditional Use Permit should the County Noise Ordinance be violated.
17. Potential loitering at the project site would be mitigated by the fact that the facility would be prohibited from serving alcoholic beverages. In addition, staff would add conditions of approval prohibiting loitering and outside congregation on any portion of the property and require that the operators post signs in English and Spanish advising patrons that such activities are illegal.
18. The banquet hall facility would only be used for two (2) nights a week—Saturday and Sunday—which would mitigate the potential disturbance of area residents.
19. Because East Los Angeles has many older structures that do not conform to current off-street parking standards, and because the facility is proposed to be located in an existing structure, the provision of off-site parking spaces for this use is appropriate.

20. The minor parking deviation—which would allow the applicant to provide 50 off-street parking spaces instead of the required 51—is appropriate for this case, as the calculated parking requirement for this use is actually 50.6 spaces, and on-street parking is plentiful in the area.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

REGARDING THE CONDITIONAL USE PERMIT:

- 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.

REGARDING THE PARKING PERMIT:

- A. That there will be no need for the number of parking spaces required by Part 11 of Chapter 22.52 because:
  - 1. The age and/or physical condition of the residents is such that the use of automobile is unlikely, or
  - 2. The nature of the use is such that there is a reduced occupancy, or
  - 3. The business or use has established a viable transportation program for its employees and/or customers to use transportation modes other than the single-occupant automobile. Such a program shall include positive incentives such as van pools, transit fare subsidies, commuter travel allowances, car pools or bicycle commuter facilities. Where appropriate, proximity to freeways with high-occupancy vehicle (HOV) lanes, bus routes, park-and-ride facilities, people-movers, rapid transit stations, bikeways, or other similar facilities shall be a factor in this consideration, or

4. Sufficient land area is reserved or an alternative arrangement is approved to insure that the parking requirements may be complied with should the use, occupancy, or transportation program change. Such reservation or alternative may be waived for certain senior citizen and handicapped person housing developments where the director finds that it is unnecessary because of the anticipated permanent nature of such use. If required, the reserved land area shall be so located and developed in such a manner that it can be feasibly converted to parking if needed;
- B. That there will be no conflicts arising from special parking arrangements allowing shared facilities, tandem spaces or compact spaces because:
1. Uses sharing parking facilities operate at different times of the day or days of the week, or
  2. Parking facilities using tandem spaces will employ valets or will utilize other means to insure a workable plan, or
  3. Apartment houses using compact spaces for a portion of the required parking have a management program or homeowners' association to assure an efficient distribution of all parking spaces;
- C. That off-site facilities, leases of less than 20 years, rear lot transitional parking lots and uncovered residential parking spaces will provide the required parking for uses because:
1. Such off-site facilities are controlled through ownership, leasing or other arrangement by the owner of the use for which the site serves and are conveniently accessible to the main use, or
  2. Such leases are written in such a way as to prevent multiple leasing of the same spaces or cancellation without providing alternate spaces; such leases shall contain other guarantees assuring continued availability of the spaces, or
  3. Such transitional lots are designed to minimize adverse effects on surrounding properties, or
  4. Uncovered parking for low and moderate income residential developments will be appropriately screened and compatible with the surrounding neighborhood;
- D. 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 property;
- E. 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 this Title 22.

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) and

the required findings for parking permits as set forth in Section 22.56.1020, 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 Case No. 200700178-(1) is **APPROVED**, subject to the attached conditions.
3. In view of the findings of facts presented above, Parking Permit Case No. 200700010-(1) is **APPROVED**, subject to the attached conditions.

Attachments: Conditions  
Affidavit of Acceptance

c: Each Commissioner, Zoning Enforcement, Building and Safety