

Hearing Officer Transmittal Checklist

Hearing Date

10/6/2009

Agenda Item Number

5

Project Number: R2008-01463
Case(s): RCUP200800125
Contact Person: Daniel Fierros

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 checked="" type="checkbox"/>	<input type="checkbox"/>	DPW Letter
<input type="checkbox"/>	<input checked="" type="checkbox"/>	FD Letter
<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	Aerial (Ortho/Oblique) Image(s)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Land Use Radius Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site Plan And Elevations
<input type="checkbox"/>	<input type="checkbox"/>	

Reviewed By: _____

Mark C...



Los Angeles County Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012
 Telephone (213) 974-6443
PROJECT NUMBER- R2008-01463
CONDITIONAL USE PERMIT - RCUP200800125

PUBLIC HEARING DATE
10/06/09

AGENDA ITEM
5

RPC CONSENT DATE

CONTINUE TO

APPLICANT Alameda Recycling & Metals	OWNER Steven & Michelle Lewis	REPRESENTATIVE None
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PROJECT DESCRIPTION
 The facility will buy scrap metals and California Redemption Value (CRV) materials. The Materials will be sorted and loaded into containers. The containers will be transported to a processing facility located off site. The Estimated number of employees is 4 or 5 employees on a single shift. Operation hours will be from 8:00 a.m. to 6 p.m. seven days a week.

REQUIRED ENTITLEMENTS
 The applicant is requesting a conditional use permit to establish a scrap metal processing yard and collection of other materials such as cardboard, newspaper and CRV materials.

LOCATION/ADDRESS
 2241 E. 89th Street, Los Angeles

SITE DESCRIPTION
 The site plan depicts a total of 14 parking spaces, two of which are designated for handicapped persons. Access to the facility is from Alameda Street from two separate driveways. The site plans also depicts a 10' by 25' scale, a total of eight 8' x 32' containers and two CRV 8' by 24' containers. Proposed is the construction of two structures, a 40'-6" by 12' office and a 30'-6" by 17' open patio cover. Open storage is proposed and is screened by a 10' high solid fence. Landscape is proposed along 89th Street, Alameda Street and adjacent to the office buildings. A 16' high by 10' wide free standing sign is proposed on the corner of 89th and Alameda Street. All open areas not landscaped will consist of existing paved surface.

ACCESS Access is from Alameda Street and 89th Street	ZONED DISTRICT Firestone Park
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ASSESSORS PARCEL NUMBER 6045-022-007 & 6045-022-008	COMMUNITY Florence-Firestone
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SIZE 0.96 Acres	COMMUNITY STANDARDS DISTRICT Florence-firestone
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	EXISTING LAND USE	EXISTING ZONING
Project Site	Vacant	M-2(Heavy Manufacturing)
North	Auto Glass, Container Storage and Utility Station	M-2(Heavy Manufacturing)
East	Alameda Corridor/ Industrial	M-2(Heavy Manufacturing)
South	Manufacturing and Used Car Sales	M-2(Heavy Manufacturing)
West	Auto Body, towing and vehicle storage	M-2(Heavy Manufacturing)

GENERAL PLAN/COMMUNITY PLAN County Wide	LAND USE DESIGNATION I-Major Industrial	MAXIMUM DENSITY
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ENVIRONMENTAL DETERMINATION
 Categorically Exempt: Class 3 Exemption (New Construction or Conversion of Small Structures)

RPC LAST MEETING ACTION SUMMARY

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

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

STAFF CONTACT PERSON: Daniel Fierros

RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING

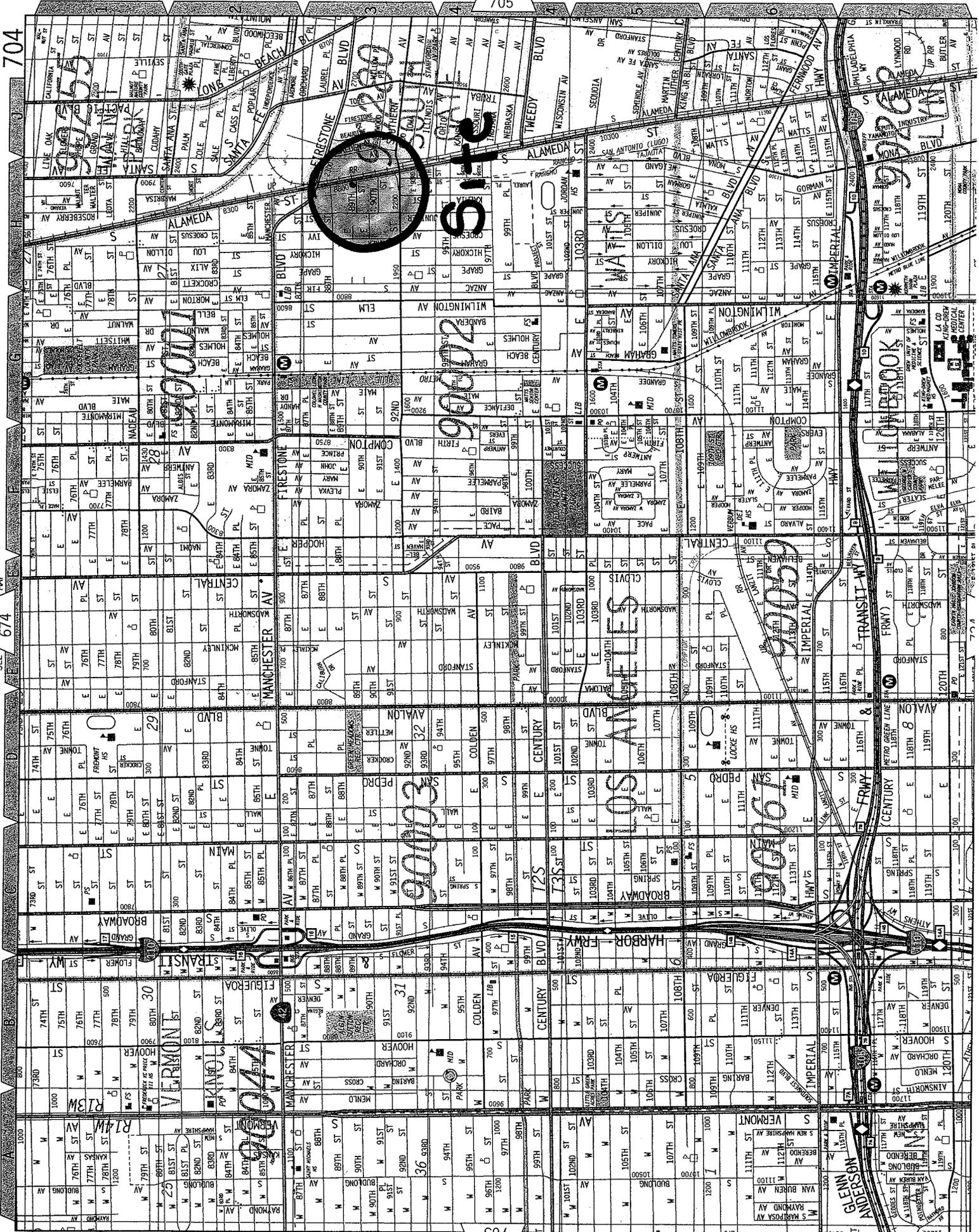
STAFF RECOMMENDATION (PRIOR TO HEARING):

SPEAKERS* (O) 0 (F) 0	PETITIONS (O) 0 (F) 0	LETTERS (O) 0 (F) 0
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*(O) = Opponents (F) = In Favor

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SEE 674 MAP



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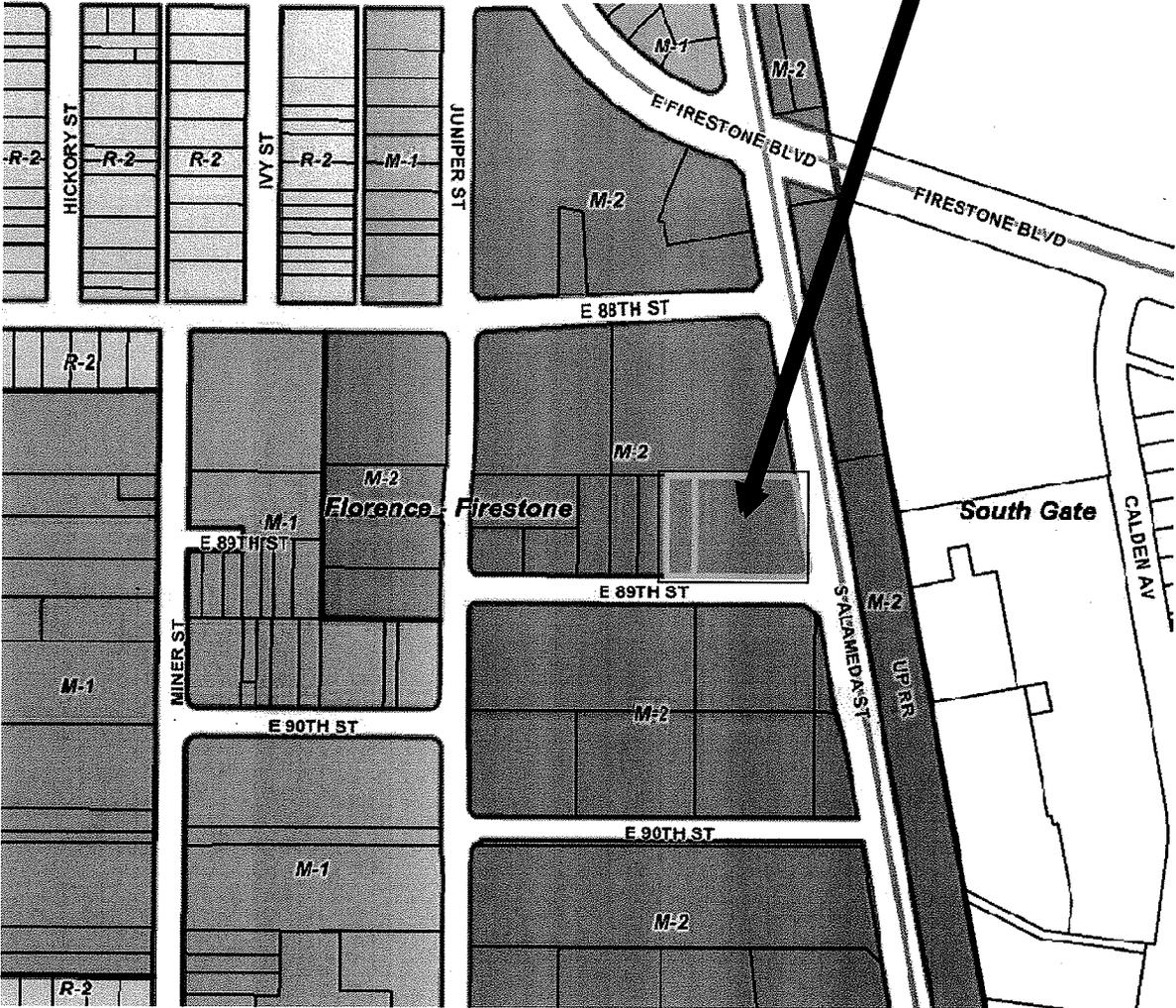
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Property Location



PARCEL 6045-022-007 & 6045-022-008
2241 E. 89TH STREET LOS ANGELES CA 90002

STAFF ANALYSIS
PROJECT NUMBER R2008-01463
Conditional Use Permit RCUP200800125

PROJECT DESCRIPTION

The facility will buy scrap metals and California Redemption Value (CRV) materials. The Materials will be classified and sorted in the project site open areas and then loaded into containers. The containers will be hauled away to a processing facility located off site. The Estimated number of employees is 4 or 5 employees on a single shift. Operation hours will be from 8:00 a.m. to 6 p.m. seven days a week.

REQUIRED ENTITLEMENTS

The applicant is requesting a conditional use permit to establish a scrap metal processing yard and collection other materials such as cardboard, newspaper and California Redemption Value (CRV) materials.

LOCATION

2241 E. 89th Street

SITE PLAN DESCRIPTION

The site plan depicts the scrap metal and CRV material facility with a total of 14 parking spaces two of which are designated handicap spaces. Access to the facility is off Alameda Street from two separate driveways. The site plans also depicts a 10' by 25' scale, a total of eight 8' x 32' containers and two CRV 8' by 24' containers. Also proposed is the construction of two structures, a 40'-6" by 12' office and a 30'-6" by 17' open patio cover. Open storage is proposed on the project site and will be screened by a 10' high solid fence. Landscape is proposed on 89th street, Alameda Street and adjacent to the office buildings. A 16' high by 10' wide free standing sign is also proposed on the corner of 89th and Alameda Street. All open areas not landscaped will maintain the existing concrete paved surface.

ENVIRONMENTAL DETERMINATION

The Department of Regional Planning has determined that a Categorical Exemption, Class 3 - New Construction or Conversion of Small Structures, is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

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

PREVIOUS CASES/ZONING HISTORY

CP99021 Continued use of a dismantling yard-September 29, 1999 - Denied

STAFF EVALUATION

General Plan Consistency

Surrounding properties are zoned M-2 (Heavy Manufacturing). Properties in the M-2 Zone may be used for scrap metal processing yards subject to the requirements of Part 9 of Chapter 22.52 provided that a conditional use permit is obtained.

Zoning Ordinance and Development Standards Compliance

The proposed project substantially meets the Los Angeles County Code requirements and the subject property's General Plan designation.

Neighborhood Impact/Land Use Compatibility

The proposed project is compatible with the existing surrounding industrial uses. The establishment of a new scrap metal processing facility will not impact the surrounding neighborhood.

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 and/or the Commission, the following:

- 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, 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.
- 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.

Staff finds that the proposed project substantially meets the above burden of proof.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

The following departments have commented on this project:

As of the time of this report, staff has not received any public agency comments.

PUBLIC COMMENTS

A total of five public letters have been received, of which four in support of the project and one expressing their concerns with the project that the "conditional use permit would be issues without the appropriate environmental, noise traffic study and environmental impact studies".

FEES/DEPOSITS

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

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **Approval** of project number R2008-01463 Conditional Use Permit RCUP200800125 subject to the attached conditions.

If approved, staff recommends a fifteen (15) year term for the requested conditional use permit. This is based on the need to re-evaluate the project's compatibility with the surrounding community. Staff also recommends that the project be inspected annually (every year) for compliance with the conditions of approval.

Prepared by Daniel Fierros, Senior Regional Planner
Reviewed by Mark Child, Supervising Regional Planner, Zoning Permits Section I

Attachments:

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

DRAFT

**FINDINGS AND ORDER OF THE PLANNING COMMISSION
COUNTY OF LOS ANGELES**

**PROJECT NUMBER R2008-01463
Conditional Use Permit RCUP200800125
2241 E. 89th Street, Los Angeles**

HEARING DATE: 10/6/2009

SYNOPSIS:

The applicant, Jose Diaz, is requesting a Conditional Use Permit (CUP) to authorize the establishment of a scrap metal processing yard and collection other materials such as cardboard, newspaper and California Redemption Value (CRV) materials. The site plan depicts a total of 14 parking spaces, two of which are designated handicap spaces. Access to the facility is off Alameda Street from two separate driveways. The site plans also depicts a 10' by 25' scale, a total of eight 8' x 32' containers and two CRV 8' by 24' containers. Also proposed is the construction of two structures, a 40'-6" by 12' office and a 30'-6" by 17' open patio cover. Open storage is proposed on the project site and will be screened by a 10' high solid fence. Landscape is proposed on 89th street, Alameda Street and adjacent to the office buildings. A 16' high by 10' wide free standing sign is also proposed on the corner of 89th and Alameda Street. All open areas not landscaped will maintain the existing concrete paved surface.

PROCEEDINGS BEFORE THE PLANNING COMMISSION:

Findings

1. The subject property is located at 2241 E. 89th Street, in the unincorporated community of Florence-Firestone within the Firestone Park Zone District.
2. Scrap metal processing yards require a conditional use permit in the M-2 Zone.
3. The applicant Alameda Recycling and Metals is requesting a conditional use permit to authorize the establishment of a scrap metal processing yard and collection other materials such as cardboard, newspaper and CRV materials.
4. The site plan depicts an office, patio, several cargo containers and a scale.
5. The subject property is currently designated I-Major Industrial in the Los Angeles County General Plan.
6. The subject property is currently zoned M-2 (Heavy Manufacturing)

7. The surrounding property is zoned as follows:
 - North: M-2 (Heavy Manufacturing)
 - South: M-2 (Heavy Manufacturing)
 - East: M-2 (Heavy Manufacturing)
 - West: M-2 (Heavy Manufacturing)
8. The subject property is currently vacant and surrounding land uses within 500 include:
 - North: Auto Glass, Container Storage and Utility Station
 - South: Manufacturing and Used Car Sales
 - East: Alameda Corridor/ Industrial
 - West: Auto Body, towing and vehicle storage
9. The subject property consists of two rectangular shaped parcels totaling 0.96 acres. Parcel 1 totals 32,957 sq. ft. and parcel 2 totals 8,900 sq. ft. A covenant is required to maintain both parcels as one for the term of the conditional use permit.
10. Frequent monitoring is necessary to assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses. It is therefore necessary to limit the term of the grant to 10 years.
11. To satisfy the burden of proof, the facility must maintain a good general appearance in order to be in keeping with the character of the neighborhood and so as not to be detrimental to the public health, safety and general welfare of the community in which such use or uses are located.
12. Pursuant to the provisions of Section 22.60.174 and 22.60.175 of the Zoning Ordinance, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
13. The Department of Regional Planning has determined that the project qualifies for Class 3 Exemption (New Construction or Conversion of Small Structures), as it includes construction of a small structure of this office and patio. Staff has determined that the project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA).
14. 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 I Section, Los Angeles County Department of Regional Planning.
15. A total of five public letters have been received, of which four in support of the project and one expressing their concerns with the project that the "conditional use

permit would be issues without the appropriate environmental, noise traffic study and environmental impact studies”.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

- A. That the proposed use is consistent with the adopted general plan for the area; and
- B. That the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare; and
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, loading facilities, landscaping and other development features prescribed in this Title 22.
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required; 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 Sections 22.56.090, Title 22, of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

- 1. The Hearing Officer has considered the Categorical Exemption for this project and certifies 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 presented above, Conditional Use Permit No. RCUP20080125(5) / Project R2008-01463 with findings and conditions is APPROVED subject to the attached conditions.

c: Hearing Officer, Each Commissioner, Zoning Enforcement, Building and Safety

This grant authorizes a conditional use permit to establish a scrap metal processing yard and collection other materials such as cardboard, newspaper and California Redemption Value (CRV) materials as depicted on the approved revised Exhibit "A", subject to all of the following conditions of approval:

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. Prior to the use of this grant, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the property owner or permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
3. This grant shall not be effective for any purpose and cannot be used 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 Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all conditions of this grant and that the conditions have been recorded as required by Condition No. 2, and until all required fees have been paid pursuant to Condition No. 15. Notwithstanding the foregoing, this condition (No. 3), and Condition Nos. 4 and 5 and 13 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. 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.
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 Los Angeles County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
7. 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.
8. If there are any changes to the site plan within ninety (90) days of the approval date of this grant, the permittee shall submit to the Director for review and approval, three (3) copies of site plans, similar to Exhibit "A" as presented at the public hearing. The property shall be developed and maintained in substantial compliance with the plans marked 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. If changes to the site plan are required as a result of instruction given at the public hearing, a Revised Exhibit "A" shall be submitted to the Department of Regional Planning within sixty (60) days of the date of approval for the conditional use permit.
9. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.

In the event that the county deems it necessary to initiate such proceedings pursuant to Part 13 of Chapter 22.56 of the County Code, the applicant shall compensate the county for all costs incurred in such proceedings.

10. 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.
11. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas on the premises over which the permittee has control.

12. All landscaped areas shall be continuously and properly maintained in good condition;
13. This grant shall expire unless used within 2 years from the date of final approval by the County. A single one-year time extension may be requested in writing and with the payment of the applicable fee no earlier than 6 months prior to such expiration date.
14. This grant will terminate on **October 6, 2019**. Entitlement to use of the property thereafter shall be subject to the regulations then in effect. At least six (6) months prior to the expiration of this permit and in the event that the permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning. The application shall be a request for continuance of the use permitted under this grant, whether including or not including modification to the use at that time.
15. 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 **\$1,500.00**. 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 ten (10) semi-annual (twice per year) inspections. Inspections shall be unannounced.
The inspection fee shall be paid within **30 days** of approval. 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 condition of this grant, the permittee shall be financially responsible for 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. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150.00 per inspection).
16. 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. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

17. 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 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. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
18. The permittee shall maintain a current contact name, address, and phone number with the Department of Regional Planning at all times
19. Upon receipt of this letter, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Fire Department 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.
20. Any sign to be located on the subject property is subject to a separate sign review that shall be filed for review and approval to the Department of Regional Planning;
21. The placement of portable signs on sidewalks adjacent to the subject property and temporary signs on walls and poles is prohibited;
22. Outside storage is proposed, therefore all operations and storage, including all equipment used in conducting such use, other than parking, shall be conducted within an enclosed building or within an area enclosed by a solid wall or solid fence. Neither a solid fence nor building exist for the outside storage area; therefore prior to commencing operations the solid fence or building must be constructed. All walls and fences shall comply with section 22.52.730.

All fences and walls, excluding masonry and approved permanent-finish panels, shall be painted a uniform, neutral color, excluding black, which blends with the surrounding terrain, uniform in height relating to the ground upon which they stand as depicted in the approved exhibit "A"; and shall be maintained in a neat, orderly condition at all times. Such fence or wall shall contain no painted signs or posters except as approved by the director.

23. All areas of the yard open to vehicular passage shall be paved with a concrete surface, an asphalt surfacing, an oil and aggregate mixture to prevent emission of dust or tracking of mud onto public rights-of-way as depicted on the approved Exhibit "A", the site plan.
24. Landscaping areas depicted on the approved Exhibit "A" shall comply with section 22.52.770 and be continuously and properly maintained in good condition, neat, clean and healthful condition, including proper pruning, weeding, and removal of litter, fertilizing and replacement of plants.

No planting area shall have a horizontal dimension of less than three feet.

A permanent watering system or hose bibs shall be provided which satisfactorily irrigates all planted areas. When hose bibs are utilized, they shall be so located as to permit the watering of planted areas with a 50-foot hose.

25. Storage shall not be stored above the height of the fence or walls and shall be stored in a manner that it cannot be blown from the enclosed storage area. No storage shall be placed or allowed to remain outside the enclosed storage area.

All storage container exchange shall be conducted on the premises.

26. Parking areas shall be conveniently accessible and permanently maintained as depicted on approved Exhibit "A", the site plan. (Including pavement, striping, Wheel Stops and Landscaping).
27. No expansion of the existing storage yard is permitted except as depicted on the approved Exhibit "A", the site plan.
28. No automobile dismantling or parts are permitted on the premises. No wrecked or inoperable vehicles shall be located on the premises.

MC:df

Tuesday, October 6, 2009

Burden of Proof for Proposed Recycling Center at 2241 East 89th Street in East Los Angeles, California 90002

Pursuant to Los Angeles County Code Section 22.56.040, the applicant must substantiate the following facts for a Conditional Use Permit:

1- That the requested use at the location proposed will not:

A. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; or

B. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site; or

C. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The proposed recycling center will not affect the health, peace comfort or welfare of the persons residing or working in the surrounding area. The proposed site is located in a heavy industrial area of the County of Los Angeles where other compatible uses are located. The closest residential areas or educational facilities will not be affected since the nature of the recycling products to be collected at the site pose no threat to the human health.

The proposed recycling center will not affect the use, enjoyment or valuation of property of other persons located in the vicinity of the site since it poses no threat to the property values. On the other hand the proposed improvements and occupancy of the proposed building will provide for an opportunity to the nearby residents and workers to dispose their recyclable items and to contribute to the state goals of reducing the waste that goes into our landfills.

The proposed recycling center will not endanger or otherwise constitute a menace to the public health, safety or general welfare since it will not collect any hazardous materials other than those marked with the California redemption value, metals, cardboard and newspapers that otherwise would not be recycled.

2-That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as otherwise required in order to integrate said use with the uses in the surrounding area.

The proposed recycling center is adequate in size and shape to accommodate all the required development guidelines established by the county. Recycled materials will be stored in containers once they are classified in an area not visible from the street. The existing fences will be upgraded and landscaping will be provided to comply with the County's requirements.

3-That the proposed site is adequately served:

A. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate; and

The proposed recycling center is located in an area that is well served by paved roads and close to freeway access. Alameda Street is a main arterial that provides access not the only industrial area of the Florence Firestone area but connects the downtown warehouses with the Los Angeles Ports. All streets are wide enough to accommodate for trucks to deliver and pick up the container where the recyclable will be collected and shipped.

B. By other public or private service facilities as are required. ***All other utilities and services are available on the site for proposed for recycling center.***

Daniel Fierros
Department of Regional Planning
320 West Temple Street
Los Angeles, CA. 90012
RE: 2241 East 89th Street

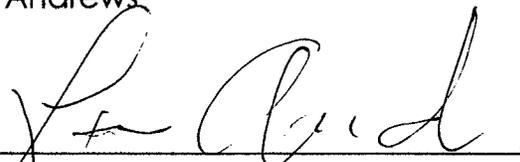
RECEIVED
SEP 21 2009

September 12, 2009

Mr. Fierros;

This letter is to let you know that my business supports Mr. Diaz and his business at the above address. Mr. Diaz is a good person and a good business man. He will provide a great service to the Spanish speaking people in the community.

Liz Andrews

X 
Date: 09-12-2009

8 de Septiembre, 2009

Señor Fierros

Department of Regional Planning
320 West Temple St
Los Angeles, CA 90012

RE: 2241 East 89th Street

Estimado Señor:

Esta carta es para apoyar al señor Diaz, quien siempre ha sido un hombre de negocios muy honesto. No entendemos porque le cerraron su negocio pero deseamos que pronto lo abra para poder llevar nuestros materiales. Le preferimos vender a el y no a las grandes companias que fueron los que tuvieron que ver en que lo cerraran.

Sinceramente.

2200 W 89
Mal Herrera

SEP 17 2009

September 5, 2009

Daniel Fierros

Department of Regional Planning

320 West Temple Street
Los Angeles, CA 90012

RE: 2241 East 89th Street

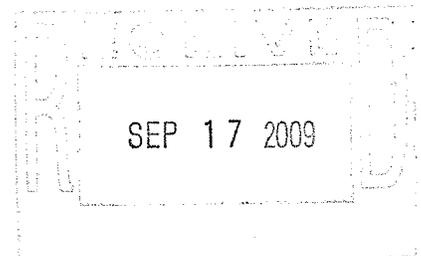
Dear Sir:

This letter is in let you know that we support Mr. Diaz and his business at the above location. Mr. Diaz is a good person and a good business man. He will provide a great service to the people who only speak Spanish in this community.

Sincerely,



8821 S. ALAMEDA ST
LOS ANGELES CA.
90002



September 5, 2009

Daniel Fierros

Department of Planning
320 West Temple St
Los Angeles, CA 90012

RE: 2241 East 89th Street

Dear Sir:

This letter is in support of the project that Mr. Diaz is proposing at the above location. In the short time that Mr. Diaz business was open my business also benefited and I hope that he can re-open soon. Letting business operate is always good. Closing them down is not.

Sincerely,

A handwritten signature in black ink that reads "Chris Diaz". The signature is written in a cursive style with a large, looped "D" for the last name.

Int. Towing -
2225 E- 89th St.
LA. CA, 90002

SEP 16 2009

LAW OFFICES OF

Robert David Ciaccio

also Admitted in New York

CITY NATIONAL BANK BUILDING
3424 CARSON STREET, SUITE 500
TORRANCE, CALIFORNIA 90503-5701
(310) 214-1477 Ext: 109
FAX (310) 214-0764

Email: rdc@robertdciacciolaw.com

September 18, 2009

Our File No.10005.01

City of Los Angeles
Department of Regional Planning
Attn: Daniel Fierros
320 W. Temple Street, Room 1346
Los Angeles, CA 90012

Re: 92nd Street CUP Applications
Nos. R208-00125 and R2008-01463

Dear Mr. Fierros:

Please be advised that the undersigned represents various neighbors to the property located on 92nd Street, in Los Angeles, California. It is my understanding that CUP permit nos. R2008-00125 and R2008-01463 are scheduled for public hearing on October 6, 2009. I have previously indicated to you that the adjacent neighbors were concerned that the CUP would be issued without the appropriate environmental, noise, traffic study and environmental impact studies. Please forward to my attention any and all documentation obtained by your Department in setting this matter for public hearing and agreeing that the required testing has occurred.

I shall await your immediate response. Time is of the essence given the date of the hearing.

Very truly yours,

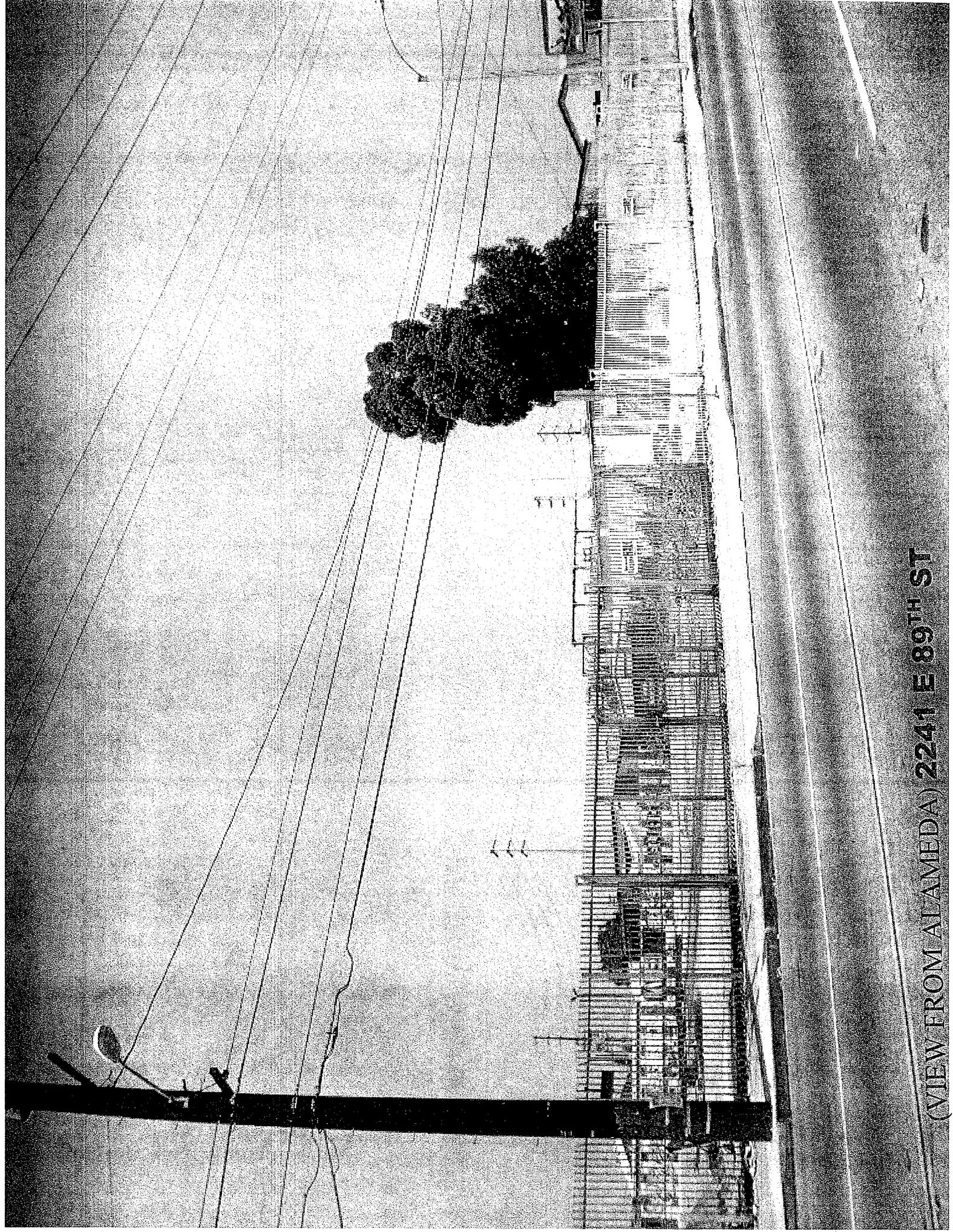
LAW OFFICES OF ROBERT DAVID CIACCIO



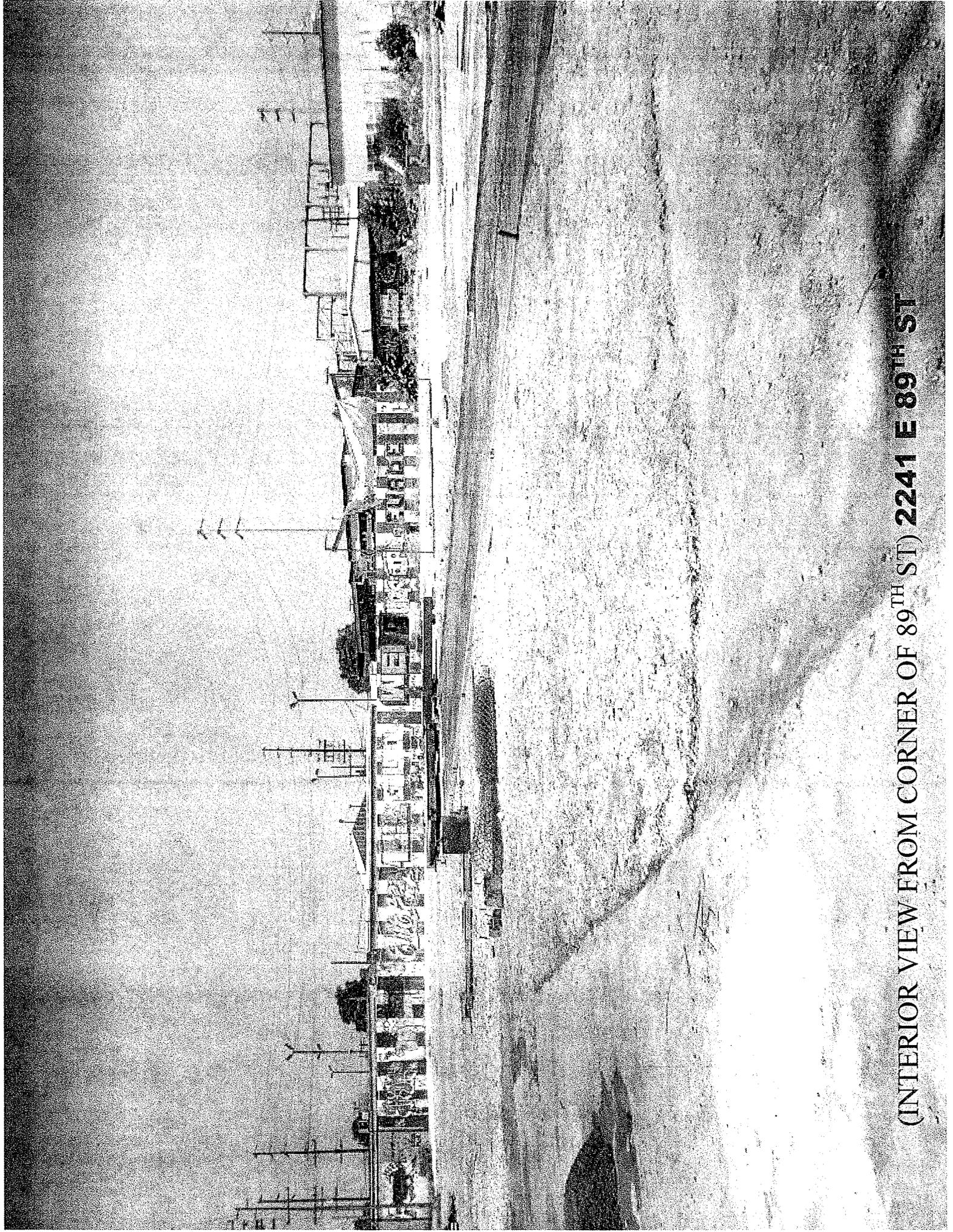
Robert David Ciaccio

RDC/djn

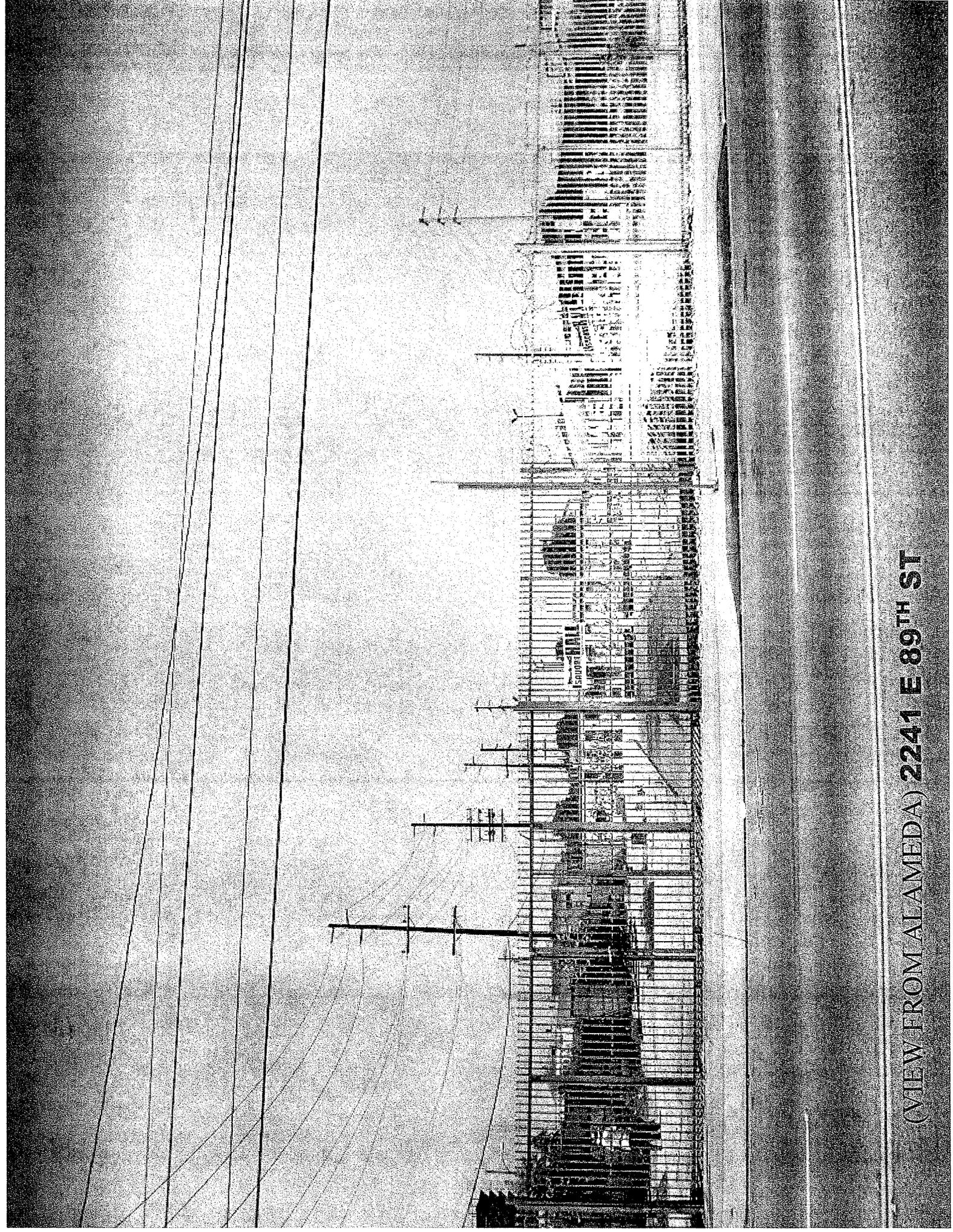
SEP 22 2009



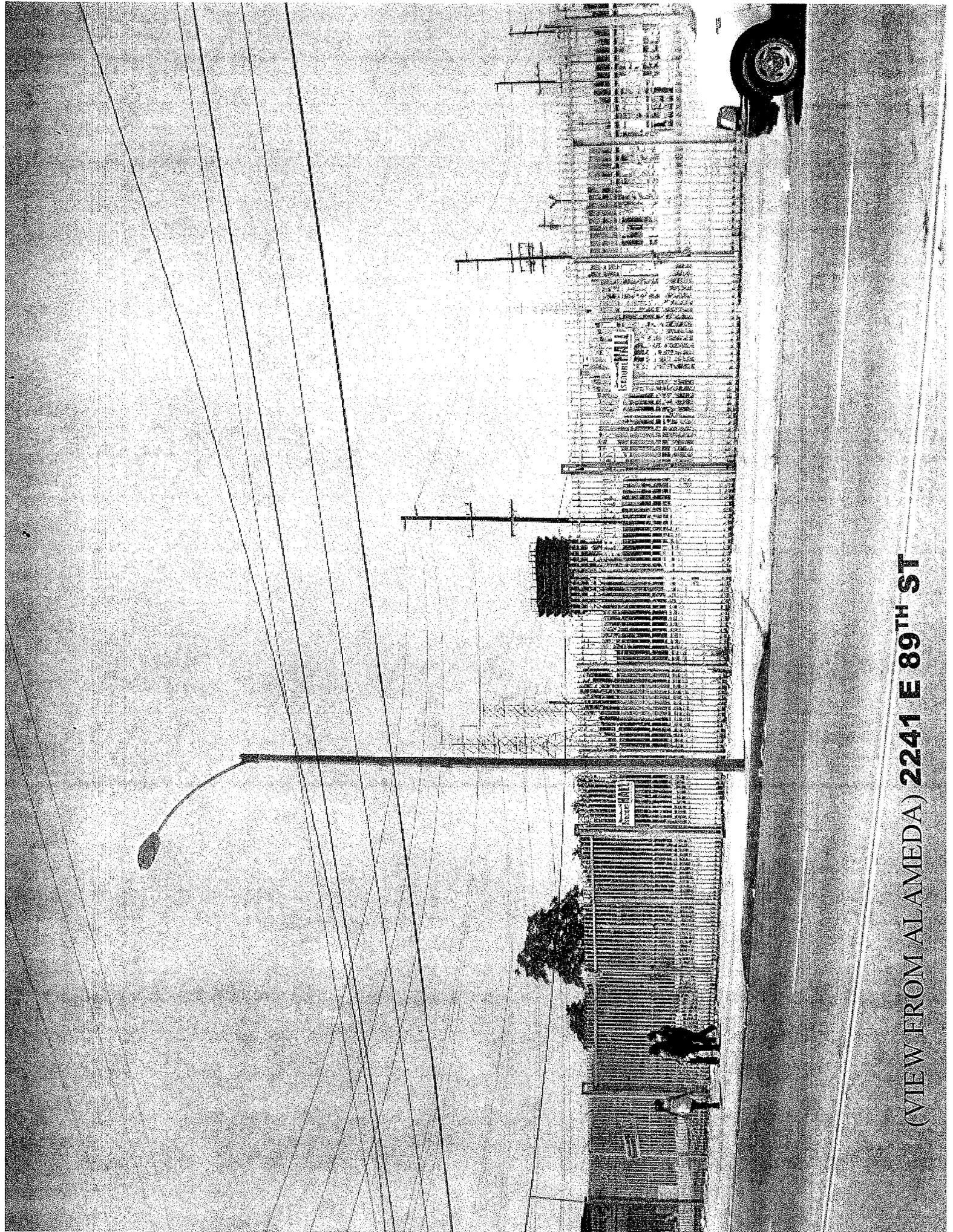
(VIEW FROM ALAMEDA) 2241 E 89TH ST



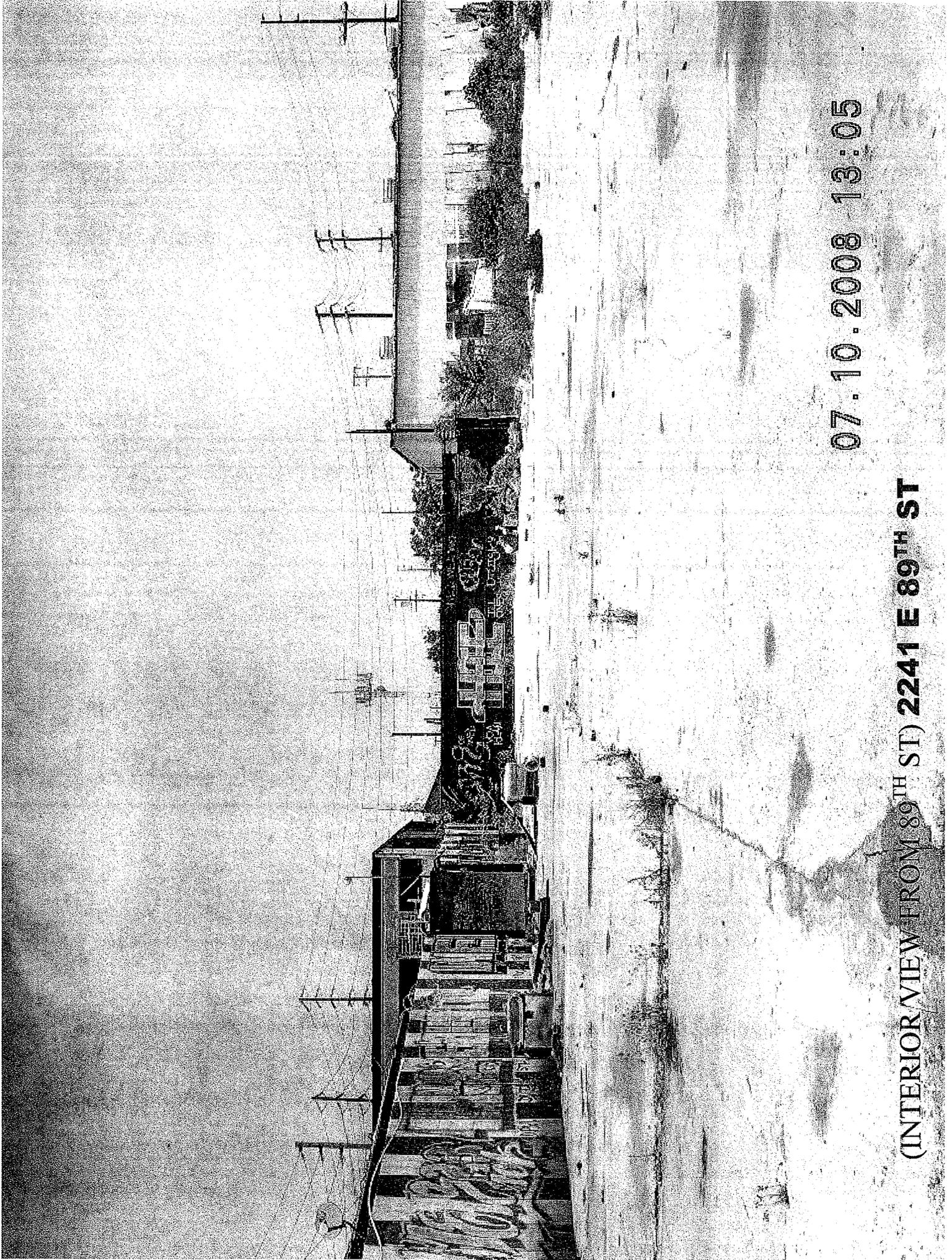
(INTERIOR VIEW FROM CORNER OF 89TH ST) **2241 E 89TH ST**



(VIEW FROM ALAMEDA) 2241 E 89TH ST

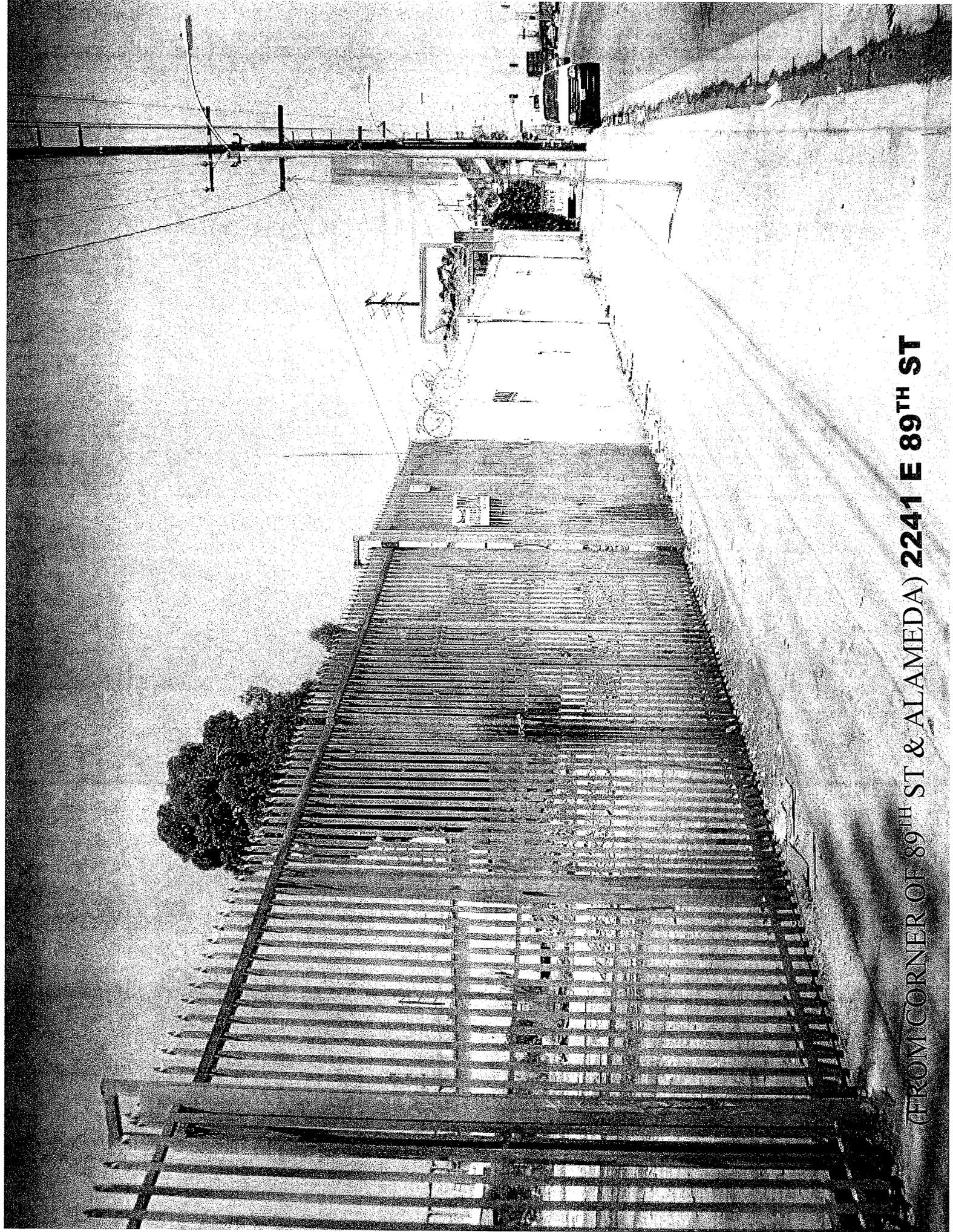


(VIEW FROM ALAMEDA) 2241 E 89TH ST



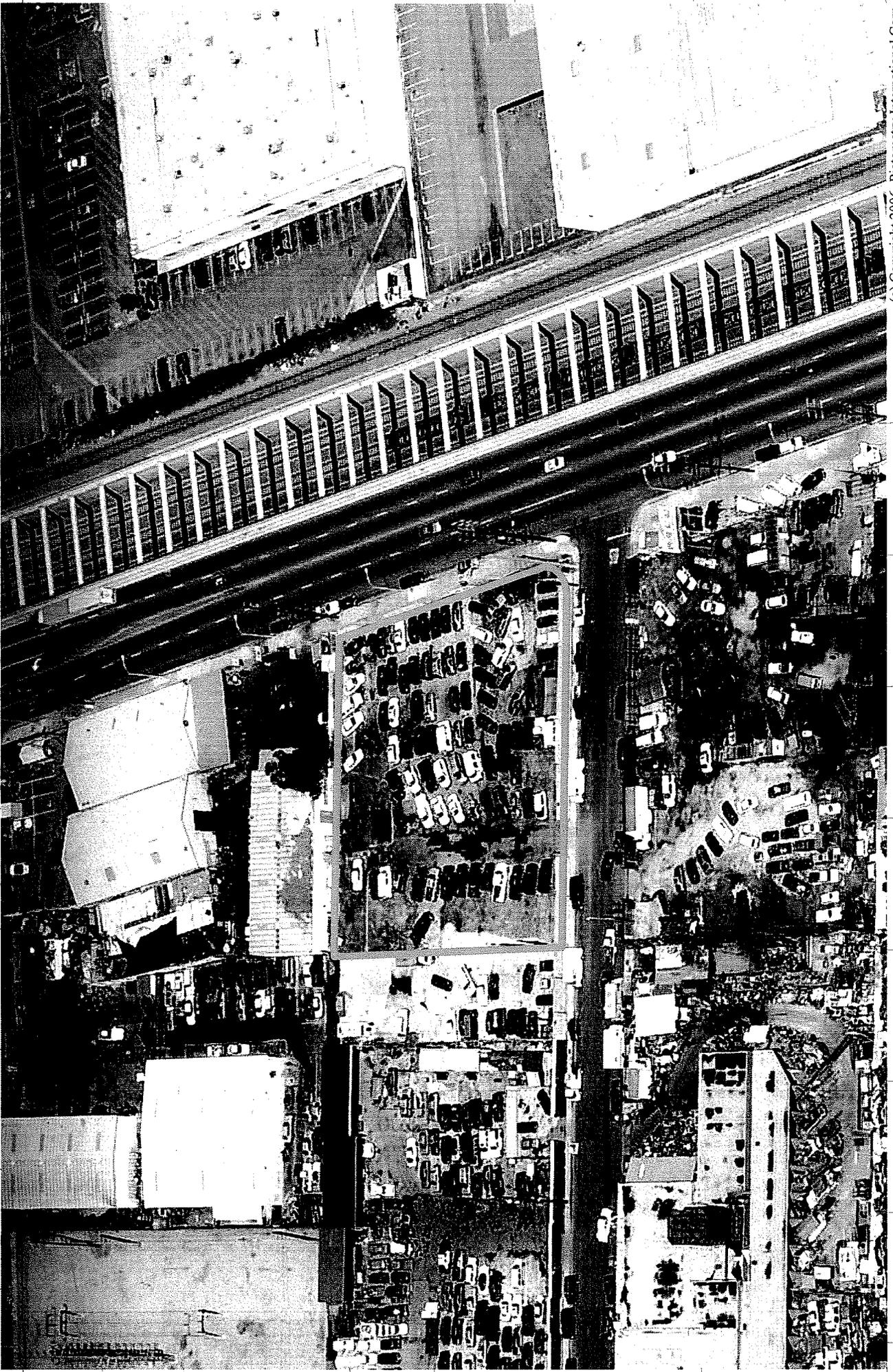
07.10.2008 13:05

(INTERIOR VIEW FROM 89TH ST) 2241 E 89TH ST



(FROM CORNER OF 89TH ST & ALAMEDA) 2241 E 89TH ST





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