

Planning Commission Transmittal Checklist

Hearing Date

12/9/2009

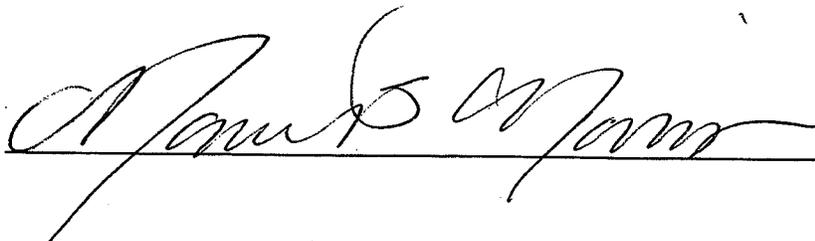
Agenda Item Number

7

Project Number: R2008-01962-(2)
Case(s): 200800163
Contact Person: Andrew Svitek

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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	Letter from Planning Director

Reviewed By:





Los Angeles County Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012
 Telephone (213) 974-6435

PROJECT NUMBER R2008-01962-(2)
Conditional Use Permit No. 200800163

PUBLIC HEARING DATE 12/09/2009	AGENDA ITEM
RPC CONSENT DATE	CONTINUE TO

APPLICANT Bahram Bakshshi	OWNER Fred and Harriet Schwartz	REPRESENTATIVE Franco Jasso
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PROJECT DESCRIPTION
 The applicant is proposing to use the vacant property (measuring approximately 0.7 acres) as a scrap metal yard. The on-site activities will include loading, sorting and storage of scrap metals. The subject site has an existing office building which measures approximately 1,000 square feet. There are 8 parking spaces on the site, including one (1) accessible parking space. Access to the subject property is from South Alameda Street to the east and from West 92nd Street to the south. Scrap metals will be unloaded from trucks using a Bobcat loader and a ramp. Scrap metals will be loaded into a cargo shipping container using an excavator. Trucks will haul filled cargo shipping containers to the port. The operations are expected to involve one (1) shift of no more than five (5) employees.

REQUIRED ENTITLEMENTS
 Conditional Use Permit to authorize the operation of a scrap metal sorting yard on a vacant industrial parcel in the M-2 (Heavy Manufacturing) Zone.

LOCATION/ADDRESS
 9113 S. Alameda, Los Angeles, in unincorporated Los Angeles County

SITE DESCRIPTION
 The subject parcel is rectangular and measures approximately 0.7 acres, with approximately 100-feet of frontage on Alameda St. and 320-feet of frontage on 92nd Ave. The parcel is flat and an existing office building measuring approximately 1,000 square feet is the only structure on-site.

ACCESS East - S. Alameda St. and South - 92 nd Street	ZONED DISTRICT Firestone Park
ASSESSORS PARCEL NUMBERS 6045020014 and 6045020013	COMMUNITY Florence-Firestone
SIZE 0.7 acres	COMMUNITY STANDARDS DISTRICT Florence-Firestone
	EXISTING LAND USE
Project Site	Vacant industrial parcel with small office building
North	Power transmission lines and plant nursery
East	Alameda Rail Corridor, Power transmission lines and warehouse
South	automobile dismantling yards
West	Scrap metal sorting yard
	EXISTING ZONING
Project Site	M-2 (Heavy Manufacturing)
North	M-2 (Heavy Manufacturing)
East	M-2 (Heavy Manufacturing) and City of South Gate (Industrial)
South	M-1 (Light Manufacturing) & M-2 (Heavy Manufacturing)
West	M-2 (Heavy Manufacturing)

GENERAL PLAN/COMMUNITY PLAN Countywide General Plan	LAND USE DESIGNATION "I" - Major Industrial	MAXIMUM DENSITY N/A
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ENVIRONMENTAL DETERMINATION
 Negative Declaration

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:		
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

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

STAFF ANALYSIS
PROJECT NUMBER R2008-01962-(2)
CONDITIONAL USE PERMIT NO. 200800163

PROJECT DESCRIPTION

The applicant, Mr. Bahram Bakhshi (d.b.a. Statewide Metal Recycling), is proposing to use the vacant 0.7-acre property as a scrap metal yard. The on-site activities will include loading, sorting and storage of scrap metals. The subject site has an existing office building which measures approximately 1,000 square feet. There are eight parking spaces on the site, including one (1) accessible parking space. Access to the subject property is from South Alameda Street to the east and from West 92nd Street to the south. Scrap metals will be unloaded from trucks using a Bobcat loader and a ramp. Scrap metals will be loaded into a cargo shipping container using an excavator. Trucks will haul filled cargo shipping containers to the port. The operations are expected to involve one (1) shift of no more than five (5) employees.

REQUIRED ENTITLEMENTS

Conditional Use Permit to authorize the operation of a scrap metal sorting yard on a vacant industrial parcel in the M-2 (Heavy Manufacturing) Zone in the Florence-Firestone Community Standards District (CSD).

LOCATION

9113 S. Alameda, Los Angeles, in the unincorporated community of Florence-Firestone in the Firestone Park Zoned District.

EXISTING ZONING

Surrounding Properties

Project Site: M-2 (Heavy Manufacturing)
North: M-2 (Heavy Manufacturing)
East: M-2 (Heavy Manufacturing) and City of South Gate (Industrial Zoning)
South: M-2 (Heavy Manufacturing) and M-1 (Light Manufacturing)
West: M-2 (Heavy Manufacturing)

EXISTING LAND USES

Surrounding Properties

Project Site: Vacant industrial parcel with small office building
North: Power transmission lines and plant nursery
East: Alameda Rail Corridor, LA DPW power transmission lines, warehouses
South: Automobile dismantling yards
West: Scrap metal sorting yard

SITE PLAN DESCRIPTION

The subject property consists of two irregular shaped parcels totaling 0.7 acres. One parcel totals 28,000 sq. ft. (APN 6045-020-013) and the second parcel totals 4,000 sq. ft (APN 6045-020-014). A third parcel at the southeast corner of the property (APN 6045-020-015) is owned by a third party and is not included as part of this application. A covenant will be required to maintain both parcels as one for the term of the conditional use permit. The site has frontage of approximately 100 feet on Alameda Street and 320 feet of frontage on 92nd Avenue. Access to the site is from Alameda Street and 92nd Avenue. The parcel is flat and currently vacant with the exception of an existing office building (measures approximately 1,000 square feet). The site

plan depicts a strip of landscaping of two to three feet in width along the 92nd Avenue frontage and three feet along the Alameda Street frontage. The site plan shows a scale measuring approximately 10 feet by 60 feet that has been incorporated into the pavement. The site plan also shows a fence of 10 feet height surrounding the property on all sides. The site plan depicts a one-way traffic flow that requires vehicles to enter the site from Alameda Street and exit onto 92nd Avenue.

ENVIRONMENTAL DETERMINATION

The Department of Regional Planning has determined that a Negative Declaration is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements). The Initial Study concludes that the project design and/or suggested conditions will adequately mitigate any environmental impacts to a level of no significance.

A draft version of the Initial Study was circulated to all stakeholder agencies for a period of at least 30 days.

- **County of Los Angeles, Department of Public Works, Land Development Division** - Comments addressing ingress/egress access, roads, and geotechnical plans were received and have been incorporated into the draft conditions of approval.
- **County of Los Angeles, Fire Department** - Comments addressing fire apparatus entry gates and installation of 2 fire hydrants were received and have been incorporating into the draft conditions of approval.
- **County of Los Angeles, Department of Public Health** – No comments have been received.
- **South Coast Air Quality Management District** – No comments have been received.
- **State Water Resources Control Board - Los Angeles Region** – No comments have been received.
- **California State Clearinghouse** - A draft version of the Initial Study was circulated to the California State Clearinghouse for circulation to state agencies for CEQA review. The Clearinghouse received it on October 20, 2009 and comments are due within 40 days, or November 29, 2009. At this time no formal comments have been received.

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.

Posting of Property

The applicant posted the hearing notice on the property on November 9, 2009. On November 23, John Rodriguez contacted staff on behalf of the applicant, stating that the sign had been removed from the property. Based on Mr. Rodriguez's conversations with neighbors, the sign had been removed sometime that day. Mr. Rodriguez reposted the property on November 24. This posting deficiency (of approximately 1 day) is considered de minimis notice defect and should not affect the adequacy of notice to the surrounding neighbors.

PREVIOUS CASES/ZONING HISTORY

Special Permit Case No. 625

In 1949, Special Permit Case No. 625 was granted to the current owners, the Schwartz family, to "establish, operate and maintain a junk yard" on the premises. The permit had been before the Zoning Board on July 27, 1949 and was approved by the Board of Supervisors on July 27, 1949. The permit was approved subject to the condition that "only metal and secondhand rubber, including vehicle tires be received."

The use authorized by a discretionary permit, which previously was called a Special Permit and now is called a Conditional Use Permit, must be in continued operation or it expires by operation of law. Section 22.56.150 ("expiration following cessation of use) states that "a conditional use permit [successor to the "Special Permit"] granted by action of the hearing officer or the commission, shall automatically cease to be of any force and effect if the use for which such conditional use permit was granted has ceased or has been suspended for a consecutive period of two or more years."

In 1957, the Special Permit Case was deemed expired based on an inspection report by a zoning inspector dated January 10, 1957 which states that the "exception [was] not used" for the purposes for which the Special Permit had been granted and that the was then being used as a tire sales business, a permitted use in the M-2 Zone. The remarks on the inspection report state that "this is a used tired business"). See attached inspection report.

More recently, observations by staff and conversations with the owners and neighbors indicate that the property has been vacant for several years.

Zoning Enforcement RFS 09-0005715

On March 5, 2009, Mr. Phil Chung, Zoning Enforcement Planner, inspected the property and observed an operational recycling yard with several small piles of scrap metals maintained onsite.

The applicant was found in violation of Title 22 as the property was not approved for the operation of a scrap yard, which requires that a Conditional Use Permit be obtained prior to being established in the M-2 Zone. The application for the Conditional Use Permit was submitted on October 22, 2008. The applicant had submitted plans to Department of Public Works, Building and Safety Division for drainage and grading plan check, but was instructed that the proposed use of the property as a scrap yard had to be approved by the Department of Regional Planning

On March 5, Mr. Chung met with the applicant (Mr. Bahram Bakshi) and on March 26 met with the applicant's consultant (Mr. Ariel Gutierrez) regarding the requirements to obtain a "Clean Hands Waiver." Mr. Chung explained that there were no grounds to approve the Clean Hands Waiver and that the scrap yard could not be maintained on the site during the pendency of the Conditional Use Permit application. The applicant's consultant indicated that the Schwartz family was not aware that SP625 had stopped being effective in 1957. The applicants submitted building permits for the existing building on site from the 1950s and 1960s in support of their

application for the Clean Hands Waiver. The applicant submitted a request for a Clean Hands Waiver on March 26, and this request was denied by the Planning Director on April 14, 2009. The applicant complied with the order and ceased operating the scrap yard.

STAFF EVALUATION

General Plan Consistency

The area is designated as "I" (Major Industrial). The Major Industrial (Land Use Element Page III-23) category is defined as "areas that are generally appropriate for major industrial uses including manufacturing of all types, mineral extraction sites, refineries, warehousing and storage, and product research and development. The intent of this category is to assure that sufficient land is allocated for a wide range of industry and industry-related activities serving both the domestic and export markets and providing jobs for a large portion of the resident labor force."

The Major Industrial category is implemented through the M-2 (Heavy Manufacturing) Zoning classification. 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.

The proposed project promotes the following **Land Use Policies** in the Countywide General Plan:

- Policy #5. Where appropriate, **promote more intensive use of industrial sites**, especially in areas requiring revitalization. (Land Use Element, pg. III-11). *The proposed project converts a vacant property into a productive use. The proposed project is in an area that is undergoing revitalization.*
- Policy #11. **Promote planned industrial development** in order to avoid land use conflicts with neighboring activities. (Land Use Element, pg III-12). *The proposed project is surrounded by other industrial uses and complements the existing industrial uses. The nearest residence is located approximately 500 feet from the project site.*

Although **no community plan** has been adopted for the Florence-Firestone community the area in the immediate vicinity of the Alameda Corridor railway has historically been used for salvage and scrap metal operations. This area with its density of scrap metal businesses could be considered as a hub for these types of businesses in the Los Angeles County region.

Zoning Ordinance and Development Standards Compliance

The proposed project substantially meets all applicable development standards. Development standards consist of standards and policies contained in the (1) countywide General Plan regarding the Major Industrial designation, and all Los Angeles County Code Title 22 (Zoning Code) requirements, consisting of (2) the countywide requirements in the M-2 (Heavy Manufacturing) Zone (Chapter 22.32, Part 6, Section 22.32.200); (3) the requirements of the Florence-Firestone Community Standards District (Chapter 22.44, Part 2, Section 22.44.138); and (4) use-specific standards for "scrap metal processing yards" (Chapter 22.52, Part 9, Section 22.52.670 et seq.).

A "scrap metal processing yard" is defined as an "establishment or place of business which is maintained, used or operated solely for the processing and preparing of scrap metals for remelting by steel mills and foundries." (Section 22.08.190). The standards are as follows:

- **Fences** - *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. (Section 22.52.720).*
 - **Height** - *All fences and walls shall be of a uniform height in relation to the ground upon which they stand, and shall be a minimum of eight feet and shall not exceed 15 feet in height. Where fences or walls exceed a height of 10 feet and are located on street or highway frontages, they shall be set back at least three feet from the lot line. The area between the fence and the lot line shall be fully landscaped according to the specifications hereinafter described in Section 22.52.780. (Section 22.52.730A). [See below for landscaping discussion.]*
This requirement is met. The fence is 10 feet high.
 - **Materials** - *All fences and walls open to view from any street or highway or any area in a residential, agricultural or commercial zone shall be constructed of the following materials: (1) Metallic panels, at least .024 inches thick, painted with a "baked on" enamel or similar permanent finish.... (Section 22.52.730B).*
This requirement has been met. The existing fence is constructed of metallic panels with a permanent finish.
 - **Condition** - *All fences and walls shall be constructed in workmanlike manner and shall consist solely of new materials unless the director approves the substitution of used materials where, in his opinion, such used materials will provide the equivalent in service, appearance and useful life. (Section 22.52.730D).*
This requirement has been met. The fence is newly constructed and in good condition.
 - **Color** - *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, and improvements 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. (Section 22.52.730E).*
This requirement has been met. The entire fence is painted in a uniform, neutral color. The applicant will be required to maintain the fence and will agree submit any signs for approval.
 - **Structures as Boundary** - *Any structures which are used as part of the yard boundaries and/or are exposed to view from a street or highway frontage shall be subject to painting, maintenance and sign requirements for fences and walls as provided in subsection E of this section. The Director may approve other appropriate architectural treatments. (Section 22.52.730F).*
This requirement has been met. The existing building serves as a part of the boundary and is painted with a neutral color.
- **Paving of Yards** - *All areas of the yard open to vehicular passage shall be paved with an asphalt surfacing.... (Section 22.52.750A). Areas designated for storage or otherwise restricted to vehicular passage shall be indicated on the plot plan and be so maintained unless surfaced as provided herein. (Section 22.52.750B).*

This requirement is met. The entire site has recently been paved with asphalt. The site plan indicates how vehicles will circulate and where materials will be stored.

- **Parking Requirements** - *That there be parking facilities as required by Part 11 of Chapter 22.52. (Section 22.52.760). In connection with any manufacturing or other industrial use in any zone... there shall be provided parking space for all vehicles used directly in the conducting of such use and, in addition, not less than one automobile parking space for each two persons employed or intended to be employed on the shift having the largest number of employees, or each 500 square feet of floor area of the building used for such use, whichever is the larger.... (Section 22.52.1140). In addition, scrap metal yards require one space for every 7,000 square feet of yard area up to 42,000 square feet and one space for every 20,000 square feet of yard area in excess of 42,000 square feet, with a minimum of three spaces and the spaces shall not be used in the operation of the business. (Section 22.52.1205)*

This requirement is met. The required **eight parking spaces** are calculated by adding the number of spaces required by Sections 22.52.1140 and 22.52.1205. Section 22.52.1140 requires **five parking spaces** (32,000 square feet / 1 space per 7,000 square feet). Section 22.52.1205 requires **three parking spaces** based on a maximum of five employees per shift (five persons / one space per two employees).

- **Landscaping** - *At least one square foot of landscaping shall be provided for each linear foot of street or highway frontage, and said landscaping shall be developed in accordance with a plot plan which complies with the following criteria. (Section 22.52.770A).*

- *Landscaping shall be distributed along said frontage in accordance with the plot plan approved by the director. (Section 22.52.770(A.1).*

This requirement is met. The street frontage along Alameda Street and 92nd Avenue, with the exception of driveways and building is landscaped.

- *No planting area shall have a horizontal dimension of less than three feet. (Section 22.52.770(A.2). However, this requirement can be varied: In existing yards, the director may approve alternative methods of providing landscaping where the criteria provided herein would cause unnecessary hardship or constitute an unreasonable requirement and an alternative plan will, in his opinion, provide as well or better for landscaping within the intent of this provision. (Section 22.52.770B).*

This requirement is met. Most of the street frontage along Alameda Street and 92nd Avenue is three feet in width. A portion of the landscaping along 92nd Avenue is two feet in width. Based on the extensively street frontage (corner property), the amount of total landscaping being provided, and the existence of a permanent fence, staff believes that it is reasonable to vary this requirement pursuant to Section 22.52.770(B).

- *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. (Section 22.52.770(A.3).*

This requirement is met. The applicant will be required to comply with this provision in the Conditions of Approval.

- *All landscaped areas shall be continuously and properly maintained in good condition. (Section 22.52.770(A.4).*
This requirement is met. The applicant will be required to comply with this provision in the Conditions of Approval.
- **Drought Tolerant Landscaping Requirements (Chapter 22.52, Part 21).** *The total landscaped area of a lot or parcel of land on which a project is situated shall satisfy the following:*
 - *A minimum of seventy-five (75) percent of such total landscaped area shall contain plants from the drought-tolerant plant list;*
 - *A maximum of twenty-five (25) percent of such total landscaped area shall consist of turf, however, in no event shall turf be planted in strips that are less than five (5) feet wide, and in no event shall the total landscaped area contain more than five thousand (5,000) square feet of turf;*
 - *All turf in such total landscaped area shall be water-efficient. The green building technical manual shall contain a list of turf that meets this requirement; and*
 - *The plants in such total landscaped area shall be grouped in hydrozones in accordance with their respective water, cultural (soil, climate, sun, and light), and maintenance requirements.*

This requirement is met. The applicant will be required to submit a landscaping plan that meets the requirements of the drought tolerant landscaping ordinance.

- **Storage Limitations – Salvage or junk:** *(1) Shall not be placed or allowed to remain outside of the enclosed yard area; (2) May be stored above the height of the fence or wall, provided such storage is not within 10 feet of an exterior lot line. (Section 22.52.780A).*

This requirement is met. The site is completely fenced and all storage will be enclosed. The applicant will be required to comply with the height restriction in the Conditions of Approval.

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 have a direct impact on any residential uses, as the closest residence is approximately 500 feet in the distance. The scrap yard operations are compatible with similar uses surrounding this property and any impacts on similar uses are negligible (noise, dust, visual impacts) etc.

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 Regional Planning 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. The applicant's responses are attached.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

The Conditional Use Permit application was circulated to all applicable county agencies.

- County of Los Angeles, **Department of Public Works (DPW)**, Land Development Division. Has cleared project for public hearing. (See attached letter dated July 28, 2009)
 - DPW resolved traffic flow concerns by requiring a separate entrance and exit to the project site.
 - DPW has conceptually approved drainage and grading plan.
- County of Los Angeles, **Fire Department**, Prevention Division – Cleared project for public hearing. (See attached letter dated May 28, 2009.)
 - The Fire Department is requiring the applicant the installation of two fire hydrants to alleviate inadequate fire flow pressure.

OTHER AGENCY COMMENTS

- **Caltrans** – Staff clarified the scope of the project in a conversation with a representative of Caltrans. The representative did not express concerns about this project, but no written comments have been received.

PUBLIC COMMENTS

Staff has been contacted by Ms. Mona Howerton, a representative of Williams Recycling Company, located at 2225 E 92nd St, Los Angeles, CA 90002. Williams Recycling is located immediately to the west of the project site and has access from 92nd Avenue. Based on conversations with Ms. Howerton, staff would summarize the concerns as follows:

- That the applicants will not comply with all applicable laws and regulations related to the operations of a scrap yard. This concern is due in part to the applicant opening a scrap yard initially without obtaining applicable permits, including from the Department of Regional Planning. This concern is also based on the expense and complexity of requiring compliance with regulatory agencies.
- That the owner of this property, Harriet Schwartz, should not receive a Conditional Use Permit because she should be held responsible for her lack of oversight over the activities of previous tenants, a recycling business that defrauded the State of California through illegal CRV Redemption activities. The prior lessees are named in a criminal complaint for fraudulent activities relating to CRV redemption by the California Attorney General's Office in Los Angeles County Superior Court Case No. BA255379.
- That the 0.7-acre site is not large enough to allow for the feasible operation of a scrap yard. The concern is that trucks and vehicles will not be able to maneuver adequately on site and will cause traffic to build up on the adjoining streets.

- That the subject site will cause increased traffic and will disrupt traffic flow along Alameda Street and 92nd Avenue. That cars exiting from the subject property will make access more difficult to Williams Recycling, which has access immediately to the West on 92nd Avenue. This concern is also based on not having a traffic study that would study the impacts of this use at this location.
- That the applicant should have conducted a soil contamination test prior to the paving of the property.
- That the property should be used for a business that is complementary to the existing scrap yards and provides services to the scrap yards rather than allowing another scrap yard to open in the area.

Staff has received two letters from Mr. Robert Ciaccio, Attorney for Williams Recycling (See attached.) In a letter dated November 12, 2009, Mr. Ciaccio objected to the adoption of the Negative Declaration on the following basis: that inadequate environmental review was performed because noise, traffic and soil studies have not been performed. The letter also mentions the criminal activities by prior tenants and a number and cites a number of other concerns regarding the draft Initial Study.

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 R2008-01962-(2) 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 recommends that this permit grant be made eligible for renewal through Director's Review after the 15-year period if the subject property is operated during that time without zoning violations. This recommendation is based on (1) experience with other scrap yards in the Alameda Corridor area, which also have a term of 30-years and (2) the nature of the Alameda Corridor area (M-2 Zone) which has long served as a hub for scrap and salvage uses. Staff also recommends that the project be inspected annually for compliance with the conditions of approval.

SUGGESTED APPROVAL MOTIONS

I move that the Regional Planning Commission close the public hearing, consider Environmental Assessment Case Number 2008-00115, and **ADOPT** a Negative Declaration associated with Conditional Use Permit Number 200800163.

I move that the Regional Planning Commission close the public hearing and **APPROVE** Conditional Use Permit Number 200800163, with findings and conditions.

Prepared by Andrew Svitek, Regional Planning Assistant II
Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits Section II

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 REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES**

PROJECT NUMBER R2008-01962-(2)
Conditional Use Permit No. 200800163
9113 S. Alameda, Los Angeles, CA 90002

HEARING DATE: 12/9/09

SYNOPSIS:

The applicant, Bahram Bakhshi, is requesting a Conditional Use Permit (CUP) to authorize the establishment of a scrap metal processing yard. The on-site activities will include loading, sorting and storage of scrap metals. The subject site has an existing office building which measures approximately 1,000 square feet. There are eight parking spaces on the site, including one accessible parking space. The site plans also depicts a scale measuring 10 feet by 25 feet. Open storage is proposed on the project site and is screened by a solid fence that is 10 feet high. Landscaping is proposed along 92nd Street and Alameda Street. All open areas not landscaped will maintain the existing concrete paved surface. Access to the subject property is from South Alameda Street to the east and from 92nd Street to the south. Scrap metals will be unloaded from trucks using a Bobcat loader and a ramp. Scrap metals will be loaded into a cargo shipping container using an excavator. Trucks will haul filled cargo shipping containers to the port. The operations are expected to involve one shift of no more than five employees.

PROCEEDINGS BEFORE THE HEARING OFFICER:

Findings

1. The subject property is located at **9113 South Alameda Street** in the unincorporated community of Florence-Firestone within the Firestone Park Zone District.
2. The subject property is currently zoned M-2 (Heavy Manufacturing).
3. The applicant, Bahram Bakhshi, is requesting a conditional use permit to authorize the establishment of a scrap metal processing yard.
4. Scrap metal processing yards require a conditional use permit in the M-2 Zone.
5. The site plan depicts an office building, proposed scale, and landscaping.
6. The subject property is currently designated "I" (Major Industrial) in the Los Angeles County General Plan.

7. The surrounding property is zoned as follows:
 - North: M-2 (Heavy Manufacturing)
 - South: M-1 (Light Manufacturing) and 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 feet include:
 - North: Power transmission lines and plant nursery
 - South: Automobile dismantling yards
 - East: Alameda Rail Corridor
 - West: Scrap metal sorting yard
9. The subject property consists of two irregular shaped parcels totaling 0.7 acres. One parcel totals 28,000 sq. ft. and the second parcel totals 4,000 sq. ft. A covenant is required to maintain both parcels as one for the term of the conditional use permit.
10. To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses and to assure compliance of this grant, it is necessary to require annual monitoring inspections and to limit the term of the grant to 15 years, with an option of extending the term of the grant for an additional 15 years through the Director's Review procedure pursuant to Chapter 22.56, Part 12 of Los Angeles County Code.
11. To satisfy the burden of proof, the facility must be so as not to be detrimental to the public health, safety and general welfare of the community in which such use is located. The Commission finds that the proposed scrap yard is compatible with the surrounding community.
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 location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission 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 II Section, Los Angeles County Department of Regional Planning.
14. A total of two letters from the public have been received. The two letters are from the attorney representing Williams Recycling Co., which adjoins the subject property. The letters express concerns that the conditional use permit would be issued without the appropriate environmental, noise traffic study and

environmental impact studies. Staff has discussed a number of concerns with a representative of the neighboring metal scrap processing business, Williams Recycling.

15. It has been determined that the project will not have a significant effect on the environment pursuant to CEQA reporting requirements and qualifies for a Negative Declaration.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION 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 Section 22.56.090, Title 22, of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

1. The Regional Planning Commission has considered the Negative Declaration together with any comments received during the public review process, finds on the basis of the whole record before the Commission that there is no substantial evidence the project will have a significant effect of the environment, finds that the Negative Declaration reflects the independent judgment and analysis of the Commission, and adopts the Negative Declaration.
 2. In view of the findings of fact presented above, Conditional Use Permit No. 200800163 / Project R2008-01962-(2) with findings and conditions is APPROVED subject to the attached conditions.
- c: Each Commissioner, Zoning Enforcement, Building and Safety

This grant authorizes a conditional use permit to establish a scrap metal processing yard 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 Nos. 15 and 31. Notwithstanding the foregoing, this condition (No. 3), and Condition Nos. 4, 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.
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 two 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 six months prior to such expiration date.
14. This grant shall terminate on **December 9, 2024**. Upon written application of the permittee made no less than six (6) months prior to December 9, 2024, the term of this grant shall be extended by the Director of Planning pursuant to Part 12 of Los Angeles County Code 22.56 for a period not to exceed five (15) years, as provided herein below. The Director shall grant such extension unless it finds one of the following: (1) that the permittee has failed to adhere to the conditions of approval and such failure has not been timely corrected upon written notice thereof, and (2) that the use is not in compliance with all applicable laws and regulations. If either of the foregoing findings is made by the Director, the extension may be denied.
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 **\$2,250.00**. 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 (15) annual (once 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. Prior to commencing operations a 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, or 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, part 20 and part 21 of chapter 22.52, 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 with a smart irrigation controller shall be installed for the landscaped area, in compliance with Section 22.52.2130 C.2.

A minimum of 75 percent of the total landscaped area shall contain plants from the drought-tolerant plant list maintained by the Department, in compliance with Section 22.52.2230 A.1.

Prior to the use of this grant, the property owner or permittee shall record a covenant in the office of the Los Angeles county register-Recorder/ County Clerk indicating that the owner of the subject project is aware of the drought-tolerant landscaping requirements of Part 21 of Chapter 22.52 of the County Code, and is also aware how said requirements apply to the owner's project.

25. Stored materials 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 such 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). Parking spaces shall be developed pursuant to the requirements in Part 11 of Section 22.52.
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.
29. Hours of operation for the facility shall be from 8:00 a.m. to 6:00 p.m., seven days a week.
30. The permittee shall file and record a covenant and agreement to hold the two parcels as one and submit a copy of the document to be recorded for review and approval. Upon recordation, an official copy of the recorded covenant and agreement shall be provided to the Director.

31. Within 3 days of the approval date of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination (NOD) for this project and its entitlements in compliance with Section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code, a fee of **\$2,068.00** (\$1993.00 plus \$75.00 processing fee) is required. No land use project subject to this requirement is final, vested or operative until the fee is paid.
32. Permittee shall comply with conditions request by the Los Angeles County Department of Public Works (DPW) as set out in letter dated March 6, 2009 and the Los Angeles County Fire Department as set out in a letters dated March 26, 2008.

Attachments:

Letter from County of Los Angeles, Department of Public Works, dated July 30, 2009.

Letter from County of Los Angeles, Fire Department, dated May 28, 2009.

MM:AS
November 23, 2009



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

JUL 30 2009

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

July 28, 2009

IN REPLY PLEASE
REFER TO FILE: **LD-1**

TO: Paul McCarthy
Impact Analysis
Department of Regional Planning

FROM: Steve Burger
Land Development Division
Department of Public Works

INITIAL STUDY/NEGATIVE DECLARATION
9113 SOUTH ALAMEDA STREET
PROJECT NO. R2008-01962-(5)
CASE NO. 200800163-(5)

As requested, we reviewed the Initial Study/Negative Declaration for the proposed project. The applicant is proposing to use the property as a scrap metal yard. We generally do not concur that a Negative Declaration is the appropriate determination. Since there are mitigations required for this project, a Mitigated Negative Declaration is a more appropriate determination.

The following comments are for your consideration and relate to the environmental document only:

Traffic/Access

We generally agree that the traffic generated by the project is not expected to have a significant impact at the County roadways and intersections. Consequently, the project will not be required to submit a traffic impact analysis for review and approval.

However, the project should include the following as mitigations or as Conditional Use Permit conditions:

1. Restrict the two project driveways to right-turn ingress and egress.
2. All driveway gates to remain open during business hours.

Paul McCarthy
July 28, 2009
Page 2

3. Prior to grading/building permit, detailed signing and striping plans shall be submitted to Public Works' Traffic and Lighting Division for review and approval.

If you have any questions regarding traffic comments above, please contact Isaac Wong at (626) 300-4796.

Road

The project impacts could be reduced to less than significant with mitigations. The Initial Study should disclose that approval of related road plans and permits will be required by Public Works prior to grading or building permit.

If you have any questions regarding road comment above, please contact Sam Richards at (626) 458-4921.

Geology/Soils

The site is located within a potentially liquefiable area per the State of California Seismic Hazard Zones Map—South Gate Quadrangle. The project could be significantly impacted by this geotechnical hazard; however, the impact could be reduced to less than significant with proper mitigation.

If you have any questions regarding geology/soils, please contact Jeremy Wan at (626) 458-4925.

If you have any questions or require additional information, please contact Toan Duong at (626) 458-4945.

MA:ca

P:\LDPUB\ICEQA\ICDM-TD\DRP - Project No.2008-01962_CUP 200800163_9113 Alameda Street_ND.doc



COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040-3027

DATE: May 28, 2009

TO: Department of Regional Planning
Permits and Variances

PROJECT #: CUP R2008-01962

LOCATION: 9113 S. Alameda Street, Los Angeles

- 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 hydrant, 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 IS NOT CLEARED FOR PUBLIC HEARING BY THE FIRE DEPARTMENT.
- Location: The Fire Flow performed on 01-23-09 by Golden Sate Water Company is inadequate. The water system shall be upgraded to achieve the minimum required Fire Flow of 1500 GPM @ 20 psi for 2 hours.
- Access: Access is adequate as indicated on the Site Plan dated 05-28-09.
- Special Requirements: All fire apparatus entry gates shall comply with LACoFD Regulation 5.

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: **SCOTT JAEGGI** 

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



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

(323) 890-4330

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

October 14, 2009

NOV - 4 2009

Mr. Andrew Svitek
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Svitek:

NEGATIVE DECLARATION: ENVIRONMENTAL REVIEW AND COMMENT, PROJECT NUMBER 20081962-(2), CASE(S): R200800163-(2), ADDRESS: 9113 S. ALAMEDA ST., LOS ANGELES (FFER #200900134)

The Forestry Negative Declaration has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department. The following are their comments:

PLANNING DIVISION:

1. We have no comments at this time.

LAND DEVELOPMENT UNIT:

1. We do not have comments at this time. Conditions will be addressed once official plans have been submitted for review.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

1. The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance.

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS	BRADBURY	CUDAHY	HAWTHORNE	LA MIRADA	MALIBU	POMONA	SIGNAL HILL
ARTESIA	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH EL MONTE
AZUSA	CARSON	DUARTE	HUNTINGTON PARK	LAKELWOOD	NORWALK	ROLLING HILLS	SOUTH GATE
BALDWIN PARK	CERRITOS	EL MONTE	INDUSTRY	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	TEMPLE CITY
BELL	CLAREMONT	GARDENA	INGLEWOOD	LAWNDALE	PALOS VERDES ESTATES	ROSEMEAD	WALNUT
BELL GARDENS	COMMERCE	GLENORA	IRVINDALE	LOMITA	PARAMOUNT	SAN DIMAS	WEST HOLLYWOOD
BELLFLOWER	COVINA	HAWAIIAN GARDENS	LA CANADA-FLINTRIDGE	LYNWOOD	PICO RIVERA	SANTA CLARITA	WESTLAKE VILLAGE
		LA HABRA					WHITTIER

Mr. Andrew Svitek
October 14, 2009
Page 2

2. The areas germane to the statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division have been addressed.

HEALTH HAZARDOUS MATERIALS DIVISION:

1. We have no comments at this time.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,



FRANK VIDALES, ACTING CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

FV:lj



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.)

A. That the requested use at the location 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.

No, because this area is located in a M-2 Zone Industrial Zone, located in 2 lots tied Parcel 1 and 2

in a corner lot, with two entrances, one in Alameda St. and other in 92nd. street and not be

materially detrimental, because we will comply with all the city requirements.

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.

Yes, this proposed site is adequate in size in shape to accommodate the yard, wall, fences, parking

and loading facilities, landscaping and other development features 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.

yes, because the Alameda St. and 92nd. street are improved streets to carry the kind and quantity of

traffic such use would generate, by other public or private service facilities as are required

STAFF USE ONLY

PROJECT NUMBER: R2008-01962-(2)
CASE: CUP200800163



**** INITIAL STUDY ****

COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING
GENERAL INFORMATION

Map Date: 10/17/08 Staff Member: Andrew Svitek
Thomas Guide: 704 H3 USGS Quad: 86 - Southgate
Location: The subject site consists of 2 parcels - APN 6045-020-013 and APN 6045-020-014 (APN 6045-020-015 is not a part of the subject site). The subject property is surrounded by East 92nd Street to the south and South Alameda Street to the east, unincorporated Los Angeles County.
Description of Project: The applicant is proposing to use the vacant property (measuring approximately 0.7 acres) as a scrap metal yard. The on-site activities will include loading, sorting and storage of scrap metals. The subject site has an existing office building which measures approximately 1,000 square feet. There are 8 parking spaces on the site, including 1 accessible parking space. Access to the subject property is from South Alameda St to the east and from West 92nd Street to the south. Scrap metals will be unloaded from trucks using a Bobcat loader and a ramp. Scrap metals will be loaded into a cargo shipping container using an excavator. The filled cargo shipping containers will be hauled by truck to the port. The operations are expected to involve 1 shift of no more than 5 employees.
Gross Acres: The subject site is 0.77 acres.
Environmental Setting: The subject property consists of two parcels measuring approximately 33,394 square feet which are vacant and contain an existing office building measuring approximately 1,031 square feet. The property is located between East 90th St. (to the north) and East 92nd St. (to the south) and between Juniper St. (to the west) and South Alameda St. (to the east). Surrounding land uses immediately to the north are power lines with a cactus farm, a warehouse in the City of Southgate to the east, an auto salvage facility to the south, and a recycling facility immediately to the west. The site is devoid of any vegetation.
Zoning: M-2 (Heavy Manufacturing)
Community Standards District: Florence - Firestone CSD
General Plan: Countywide Designation - I (Major Industrial)

Major projects in area:

<u>PROJECT NUMBER</u>	<u>DESCRIPTION & STATUS</u>
CUP 90272	APN 6045-020-004, 6045-020-005 – Conditional Use Permit to continue metal salvage & recycling on 1.45 acres in M-2 (Heavy Manufacturing) Zone. (Approved 11/13/90).
Plot Plan 200801300	APN 6045-021-001, 6045-021-003, 6045-021-004 – Plot Plan Application to legalize the outdoor storage as an accessory to the existing warehouse and office buildings. Submitting to correct open violation. (Pending)
CUP 200500129	APN 6045-021-003, 6045-021-004, 6045-021-007 -- Conditional Use Permit for auto parts storage and dismantling and additional use. (Approved 4/18/07).
Plot Plan 200400592	APN 6045-021-005 - Plot plan to establish car lot. (Approved 4/05/05).

NOTE: For EIRs, above projects are not sufficient for cumulative analysis.

REVIEWING AGENCIES

Responsible Agencies

- | | |
|---|--|
| <input checked="" type="checkbox"/> LA Regional Water Quality Control Board | <input type="checkbox"/> Coastal Commission |
| <input type="checkbox"/> Lahontan Regional Water Quality Control Board
(Check RWQCB if septic system proposed) | <input type="checkbox"/> Army Corps of Engineers |
| | <input type="checkbox"/> Other |

Trustee Agencies

- | | |
|--|--------------------------------------|
| <input type="checkbox"/> State Fish and Game | <input type="checkbox"/> State Parks |
| <input type="checkbox"/> Other | <input type="checkbox"/> Other |

Special Reviewing Agencies

- | | |
|---|---|
| <input type="checkbox"/> National Parks | <input type="checkbox"/> Elementary School District |
| <input type="checkbox"/> National Forest | <input type="checkbox"/> High School District |
| <input type="checkbox"/> Edwards Air Force Base | <input type="checkbox"/> Local Native American Tribal Council |
| <input type="checkbox"/> Santa Monica Mountains Conservancy | <input checked="" type="checkbox"/> Water District |
| <input type="checkbox"/> Other | <input type="checkbox"/> City of Santa Clarita |

Regional Significance

- | | |
|--------------------------------|---|
| <input type="checkbox"/> SCAG | <input checked="" type="checkbox"/> Air Quality Management District |
| <input type="checkbox"/> Other | <input type="checkbox"/> Other |

County Reviewing Agencies

- | | |
|---|--------------------------------|
| <input checked="" type="checkbox"/> Sheriff Department | <input type="checkbox"/> Other |
| <input type="checkbox"/> Sanitation District (Check if sewers proposed) | <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> DPW: Land Development Division (Drainage/Grading), Geotechnical and Materials Engineering Division, Traffic & Lighting Division | |
| <input checked="" type="checkbox"/> Fire Dept.: | |

DPH Environmental Health:

- Environmental Hygiene (noise, air quality and vibration)**
- Solid Waste Management (landfills, trash trucks & transfer stations)**
- Land Use Program (septic systems & wells)**
- Cross Connection and Water Pollution Control Program (recycled and reclaimed water)**

IMPACT ANALYSIS MATRIX		ANALYSIS SUMMARY (See individual pages for details)				
		Pg	Less than Significant Impact/No Impact			
			Less than Significant Impact with Project Mitigation			Potentially Significant Impact
			Potential Concern			
CATEGORY	FACTOR					
HAZARDS	1. Geotechnical	5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>liquefaction zone</i>
	2. Flood	6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	3. Fire	7	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>inadequate water and pressure to meet fire flow standards; flammable liquids pose potentially dangerous fire hazard</i>
	4. Noise	8	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>project site located near a high noise source; project could increase ambient noise levels</i>
RESOURCES	1. Water Quality	9	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>potential storm water runoff</i>
	2. Air Quality	10	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>potential increase in traffic congestion; potential obnoxious odors, dust, and/or hazardous emissions</i>
	3. Biota	11	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	4. Cultural Resources	12	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	5. Mineral Resources	13	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	6. Agriculture Resources	14	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	7. Visual Qualities	15	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>visual impacts of materials stored on site; potential glare problems</i>
SERVICES	1. Traffic/Access	16	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>potential hazardous traffic conditions</i>
	2. Sewage Disposal	17	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	3. Education	18	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	4. Fire/Sheriff	19	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	5. Utilities	20	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Area known to have an inadequate water supply and pressure</i>
OTHER	1. General	21	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	2. Environmental Safety	22	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>hazardous materials and pressurized tanks; residences and school in vicinity; potential residual soil toxicity</i>
	3. Land Use	23	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	4. Pop/Hous./Emp./Rec.	24	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	5. Mandatory Findings	25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

ENVIRONMENTAL FINDING

FINAL DETERMINATION: On the basis of this Initial Study, the Department of Regional Planning finds that this project qualifies for the following environmental document:

- NEGATIVE DECLARATION**, inasmuch as the proposed project will not have a significant effect on the environment.

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/service factor and, as a result, will not have a significant effect on the physical environment.

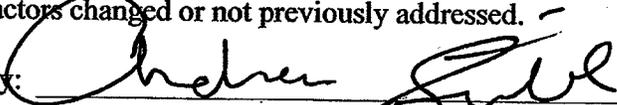
- MITIGATED NEGATIVE DECLARATION**, in as much as the changes required for the project will reduce impacts to insignificant levels (see attached discussion and/or conditions).

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 originally determined that the proposed project may exceed established threshold criteria. The applicant has agreed to modification of the project so that it can now be determined that the project will not have a significant effect on the physical environment. The modification to mitigate this impact(s) is identified on the Project Changes/Conditions Form included as part of this Initial Study.

- ENVIRONMENTAL IMPACT REPORT***, inasmuch as there is substantial evidence that the project may have a significant impact due to factors listed above as "significant".

- At least one factor has been adequately analyzed in an earlier document pursuant to legal standards, and has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets (see attached Form DRP/IA 101). The Addendum EIR is required to analyze only the factors changed or not previously addressed.

Reviewed by:



Date:

9/15/09

Approved by:



Date:

9/15/09

- Determination appealed – see attached sheet.

*NOTE: Findings for Environmental Impact Reports will be prepared as a separate document following the public hearing on the project.

HAZARDS - 1. Geotechnical

SETTING/IMPACTS

	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project located in an active or potentially active fault zone, Seismic Hazards Zone, or Alquist-Priolo Earthquake Fault Zone? <i>The nearest fault trace is located approximately 2 miles west of the site in the San West Rancho Dominguez – Victoria community.</i>
b.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located in an area containing a major landslide(s)? <i>The project site is not located in a Landslide Zone.</i>
c.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located in an area having high slope instability? <i>The project site is not located in a Landslide Zone.</i>
d.	<input type="checkbox"/>	<input type="checkbox"/>	Is the project site subject to high subsidence, high groundwater level, liquefaction, or hydrocompaction? <i>The site is located within a potentially liquefiable are per the State of California Seismic Hazard Zones Map-South Gate Quadrangle.</i>
e.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the proposed project considered a sensitive use (school, hospital, public assembly site) located in close proximity to a significant geotechnical hazard? <i>The proposed project is not considered a sensitive use.</i>
f.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project entail substantial grading and/or alteration of topography including slopes of over 25%? <i>The proposed project is on flat land and does not involve the construction of new structures. There will not be substantial grading and/or alteration of topography.</i>
g.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project be located on expansive soil, as defined in Table 18-1-B of Uniform Building Code (1994), creating substantial risks to life or property? <i>The proposed project is not located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994).</i>
h.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors? <i>N/A</i>

STANDARD CODE REQUIREMENTS

Building Code, Title 26 - Sections 110.2, 111 & 113
(Geotechnical Hazards, Engineering Geology and Soils Engineering Report, Earthquake Fault)

MITIGATION MEASURES

OTHER CONSIDERATIONS

Lot Size

Project Design

Approval of Geotechnical Report by DPW

The proposed project consists of a vacant lot and a small one-story office building. The vacant lot will be used for storage and the office building will be used as part of the scrap metal sorting operations. The site is located within a potentially liquefiable area per the State of California Seismic Hazard Zones Map-South Gate Quadrangle. The project could be significantly impacted by this geotechnical hazard, however the impact

could be reduced to less than significant with proper mitigation. The geotechnical factors will need to be addressed to the satisfaction of the Department of Public Works.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by, **geotechnical** factors?

Potentially Significant

Less than significant with project mitigation

Less than significant/No Impact

HAZARDS - 2. Flood

SETTING/IMPACTS

	No	Maybe	
a. <input checked="" type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the major drainage course, as identified on USGS quad sheets by a dashed line, located on the project site? <i>There is no major drainage course indicated on the USGS quad sheet on the project site or near the project site.</i>
b. <input checked="" type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located within or does it contain a floodway, floodplain, or designated flood hazard zone? <i>According to the FEMA Q3 Flood data, the project site does not contain a floodway, floodplain or designated flood hazard zone.</i>
c. <input checked="" type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located in or subject to high mudflow conditions? <i>The project site is flat and is not near any slopes which could subject it to high mudflow conditions.</i>
d. <input checked="" type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project contribute or be subject to high erosion and debris deposition from run-off? <i>The project is located in a flat area and would neither contribute nor be subject to high erosion or debris deposition from runoff.</i>
e. <input checked="" type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project substantially alter the existing drainage pattern of the site or area? <i>The project site is flat. There is no new construction proposed so the project will not substantially alter the existing drainage pattern of the site or the area.</i>
f. <input checked="" type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors (e.g., dam failure)?

STANDARD CODE REQUIREMENTS

- Building Code, Title 26 – Section 110.1 (Flood Hazard)
- Health and Safety Code, Title 11 – Chapter 11.60 (Floodways)

MITIGATION MEASURES

OTHER CONSIDERATIONS

Lot Size

Project Design

Approval of Drainage Concept by DPW

The site is not near a drainage course. The site is not in a flood area. The project site/surrounding area is flat. No new construction is being proposed. The proposed project is expected to create minimal runoff. The proposed project will have less than significant impact on hydrological factors.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively)

on, or be impacted by flood (hydrological) factors?



Less than significant with project mitigation

Less than significant/No Impact

HAZARDS - 3. Fire

SETTING/IMPACTS

- | | | No | Maybe | |
|----|-------------------------------------|-------------------------------------|-------------------------------------|--|
| a. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <p>Is the project site located in a Very High Fire Hazard Severity Zone (Fire Zone 4)?</p> <p><i>The project site is in an urban industrial area. According to data provided by the Los Angeles County Fire Department, the project site is not located in a Very High Fire Hazard Severity Zone.</i></p> |
| b. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <p>Is the project site in a high fire hazard area and served by inadequate access due to lengths, width, surface materials, turnarounds or grade?</p> <p><i>The project site is in an urban industrial area and it is not in a high fire hazard area and has adequate access from major streets.</i></p> |
| c. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <p>Does the project site have more than 75 dwelling units on a single access in a high fire hazard area?</p> <p><i>The project site is vacant land with an office building measuring approximately 1,000 square feet – there are no dwelling units located or proposed on the project site.</i></p> |
| d. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <p>Is the project site located in an area having inadequate water and pressure to meet fire flow standards?</p> <p><i>The project site is in an area having inadequate water and pressure to meet fire flow standards. However, the applicant will be required to comply with the requirements of the Fire Department prior to use of the property.</i></p> |
| e. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <p>Is the project located in close proximity to potential dangerous fire hazard conditions/uses (such as refineries, flammables, explosives manufacturing)?</p> <p><i>The project site is in an industrial area near the Alameda Corridor. Other industrial uses in the general vicinity may have flammable materials on site. The nearby Alameda Corridor has freight trains which transport flammable materials.</i></p> |
| f. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <p>Does the proposed use constitute a potentially dangerous fire hazard?</p> <p><i>The proposed use involving the sorting and storage of scrap metals. It is possible that flammable liquids will be present on the scrap metals in small quantities.</i></p> |
| g. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <p>Other factors?</p> <p><i>None.</i></p> |

STANDARD CODE REQUIREMENTS

- Utilities Code, Title 20 – Section 20.16.060 (Fire Flow & Fire Hydrants Requirements)
- Fire Code, Title 32 – Sections 902.2.1 & 902.2.2.1 (Access & Dimensions)
- Fire Code, Title 32 – Sections 1117.2.1 (Fuel Modification Plan, Landscape Plan & Irrigation Plan)

MITIGATION MEASURES

- Project Design

OTHER CONSIDERATIONS

- Compatible Use

The proposed project is scrap metal sorting and storage. It does not propose the storage or manufacture of any hazardous or flammable materials on the site. The project will be conditioned to require the applicant to operate the facility according to all applicable fire codes related to industrial uses to prevent fires as determined by the County of Los Angeles, Fire Department, Fire Prevention Division.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by **fire hazard** factors?

Potentially significant

Less than significant with project mitigation

Less than significant/No Impact

HAZARDS - 4. Noise

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Is the project site located near a high noise source (airports, railroads, freeways, industry)?</p> <p><i>The project site is surrounded by major industrial uses and high-capacity transportation corridors. The site is located to the east of a recycling center, west of Alameda Street and the Alameda Corridor (freight railway below grade), south of an auto wrecking yard and overhead electrical transmission lines, and north of an auto parts facility. South Alameda Street and East 92nd Street are 4-lane highways classified as Secondary Highways in the Master Plan of Highways.</i></p>
b.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Is the proposed use considered sensitive (school, hospital, senior citizen facility) or are there other sensitive uses in close proximity?</p> <p><i>The proposed use is an industrial scrap metal sorting and storage facility. The project is not a residential or community use and would not be considered a sensitive use. However, the project is within 300 feet of residential uses.</i></p>
c.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Could the project substantially increase ambient noise levels including those associated with special equipment (such as amplified sound systems) or parking areas associated with the project?</p> <p><i>The proposed project is a scrap metal yard that will have industrial vehicles on site. The proposed use will include the use of 1 Bobcat loader and 1 excavator. Trucks will bring materials to and from the subject site. The sorting and loading of metals from trucks and around the site will create noise due to impact of metals on other metals, on the ground, or on the storage container. The noise created by equipment will be similar in character to noise in the area. The materials will also be stored on the site and the noise created by the loading and sorting of materials would be intermittent. The proposed use is not likely to create significant ambient noise level increases the intermittent noise generated will be in character with the noise of the surrounding area.</i></p>
d.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project?</p> <p><i>The proposed scrap metal processing yard is not likely to substantially increase ambient noise levels in the project vicinity as the ambient noise levels of the area are consistent with the existing industrial activities. The subject site is surrounded on two sides by 4-lane roads and it is in close proximity to the Alameda Corridor (freight railway).</i></p>
e.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Other factors?</p> <p><i>None.</i></p>

STANDARD CODE REQUIREMENTS

Environmental Protection Code, Title 12 – Chapter 12.08 (Noise Control)

Building Code, Title 26 – Sections 1208A (Interior Environment – Noise)

MITIGATION MEASURES

OTHER CONSIDERATIONS

Lot Size

Project Design

Compatible Use

The proposed use is located in a high noise sources but it is an industrial use which is compatible with high noise levels. The proposed use will generate intermittent noise due to the sorting and loading of metals and the operation of standard industrial equipment, typical for this area. The applicant will be required to comply with code provisions related to noise, and as a result the increases in noise levels will not be significant. The project will be required to comply with the requirements imposed by the County of Los Angeles, Department of Public Health (DPH), Environmental Hygiene Section.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by noise?



Less than significant with project mitigation

Less than significant/No Impact

RESOURCES - 1. Water Quality

SETTING/IMPACTS

	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Is the project site located in an area having known water quality problems and proposing the use of individual water wells? <i>The proposed use is industrial and the project site is in an industrial area. The proposed site has service from a local water company and the project does not propose use of water wells. If the area has water quality problems, it would not significantly impact this industrial use. A consultation will be made with the appropriate water quality regulation agency to determine water quality issues.</i></p>
b.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Will the proposed project require the use of a private sewage disposal system? <i>The project site contains an existing office building measuring approximately 1,000 square feet. The existing building is connected to the local sewage disposal system provided by Los Angeles County Sanitation District No. 1</i></p>
	<input type="checkbox"/>	<input type="checkbox"/>	<p>If the answer is yes, is the project site located in an area having known septic tank limitations due to high groundwater or other geotechnical limitations or is the project proposing on-site systems located in close proximity to a drainage course? <i>N/A</i></p>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Could the project's associated construction activities significantly impact the quality of groundwater and/or storm water runoff to the storm water conveyance system and/or receiving water bodies? <i>Applicant shall comply with National Pollutant Discharge Elimination System requirements.</i></p>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Could the project's post-development activities potentially degrade the quality of storm water runoff and/or could post-development non-storm water discharges contribute potential pollutants to the storm water conveyance system and/or receiving bodies? <i>Applicant shall comply with National Pollutant Discharge Elimination System requirements.</i></p>
e.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Other factors? <i>None.</i></p>

STANDARD CODE REQUIREMENTS

- Health & Safety Code, Title 11 – Chapter 11.38 (Water & Sewers)
- Environmental Protection, Title 12 – Chapter 12.80 (Storm-water & Runoff Pollution Control)
- Plumbing Code, Title 28 – Chapter 7; Appendices G (a), J & K (Sewers & Septic Systems)

MITIGATION MEASURES

- Lot Size
- Project Design
- Industrial Waste Permit
- Study Permit

OTHER CONSIDERATIONS

- Compatible Use
- Septic Feasibility
- National Pollutant Discharge Elimination System (NPDES)

The proposed project will be conditioned to comply with the National Pollutant Discharge Elimination System requirements and any other requirements by DPW and RWQCB in order to prevent water pollution. The office building on the proposed site is currently connected to the local water and sewage district and will not require any additional utilities. A consultation is being requested with the County of Los Angeles, Department of Public Works (DPW) and with the California Regional Water Quality Control Board (RWQCB).

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by, water quality problems?



Less than significant with project mitigation

Less than significant/No Impact

RESOURCES - 2. Air Quality

SETTING/IMPACTS

- | | No | Maybe | |
|----|-------------------------------------|-------------------------------------|---|
| a. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <p>Will the proposed project exceed the State's criteria for regional significance (generally (a) 500 dwelling units for residential users or (b) 40 gross acres, 650,000 square feet of floor area or 1,000 employees for non-residential uses)?</p> <p><i>The project is an exclusively industrial use and it does not have any dwelling units. The project site is approximately 0.75 acres in size. The proposed use for the currently vacant parcel is storage and sorting of scrap metals. The proposed use will employ 5 persons or less.</i></p> |
| b. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <p>Is the proposal considered a sensitive use (schools, hospitals, parks) and located near a freeway or heavy industrial use?</p> <p><i>The proposal is an industrial use and therefore it would not be considered a sensitive use. The proposed project is approximately 300 feet from the nearest residence which is located across a major 4-lane street. The proposed project is located approximately 1/4 mile to the east of 92nd St Elementary School.</i></p> |
| c. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <p>Will the project increase local emissions to a significant extent due to increased traffic congestion or use of a parking structure or exceed AQMD thresholds of potential significance?</p> <p><i>The project will generate vehicle trips from trucks carrying cargo to and from the site and from employees traveling to and from the site. The project may also increase congestion on Alameda Street from trucks turning onto the site in the southbound lane. There is no parking structure. The increase in local emissions is not likely to be significant and will not exceed AQMD thresholds of potential significance.</i></p> |
| d. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <p>Will the project generate or is the site in close proximity to sources that create obnoxious odors, dust, and/or hazardous emissions?</p> <p><i>The proposed scrap metal yard will involve the loading and sorting of scrap metals and may generate obnoxious odors, dust, and hazardous emissions. The site is also in close proximity to other significant sources of obnoxious odors, dust, and hazardous emissions, which include the Alameda Corridor railway, vehicles traveling on 92nd and Alameda Streets, and other industrial uses in the area.</i></p> |
| e. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <p>Would the project conflict with or obstruct implementation of the applicable air quality plan?</p> <p><i>The project would not conflict with or obstruct implementation of the applicable air quality plan as it is in a location that has been designated in the General Plan for major industrial activities. The project will involve the storage and on-site sorting of scrap metals and does not involve manufacturing. The sources of air pollution will be from equipment operating on the site used for the sorting and loading of scrap metals and emissions from vehicles traveling to and from the site.</i></p> |
| f. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <p>Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p> |

The proposed project is a scrap metal yard for the sorting and storage of scrap metals. This use is not a significant source of air pollution. The proposed use will not violate any air quality standard or contribute substantially to an existing or projected air quality violation.

g.

Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standard (including releasing emission which would exceed quantitative thresholds for ozone precursors)?

The proposed use will not generate a significant level of air pollution. It is unlikely that this use will result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standard.

h.

Other factors?

None.

STANDARD CODE REQUIREMENTS

State of California Health and Safety Code – Section 40506 (Air Quality Management District Permit)

MITIGATION MEASURES

OTHER CONSIDERATIONS

Project Design

Air Quality Report

The proposed use will generate a minor air pollution from the use of industrial equipment for sorting and loading of metals on the site. The proposed use will also generate trips from vehicles traveling to and from the site for the purposes of transporting scrap metal materials and from vehicles used by approximately 10 employees to travel to the site. A consultation was requested with South Coast Air Quality Management District (SCAQMD).

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by, air quality?

Less than significant with project mitigation

Less than significant/No Impact

RESOURCES - 3. Biota

SETTING/IMPACTS

- | | No | Maybe | |
|----|-------------------------------------|--------------------------|---|
| a. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project site located within a Significant Ecological Area (SEA), SEA Buffer, or coastal Sensitive Environmental Resource (ESHA, etc.), or is the site relatively undisturbed and natural?

<i>The proposed use is industrial and the project site is in an industrial area.</i> |
| b. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Will grading, fire clearance, or flood related improvements remove substantial natural habitat areas?

<i>The proposed use is industrial and the project site is in an industrial area.</i> |
| c. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is a drainage course located on the project site that is depicted on USGS quad sheets by a dashed blue line or that may contain a bed, channel, or bank of any perennial, intermittent or ephemeral river, stream, or lake?

<i>The proposed use is industrial and the project site is in an industrial area.</i> |
| d. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Does the project site contain a major riparian or other sensitive habitat (e.g. coastal sage scrub, oak woodland, sycamore riparian, woodland, wetland, etc.)?

<i>The proposed use is industrial and the project site is in an industrial area.</i> |
| e. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Does the project site contain oak or other unique native trees (specify kinds of trees)?

<i>The proposed use is industrial and the project site is in an industrial area.</i> |
| f. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project site habitat for any known sensitive species (federal or state listed endangered, etc.)?

<i>The proposed use is industrial and the project site is in an industrial area.</i> |
| g. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Other factors (e.g., wildlife corridor, adjacent open space linkage)?

<i>The project is bordered to the north by property owned by LA City DWP containing power lines and currently being used as a cactus farm.</i> |

MITIGATION MEASURES

OTHER CONSIDERATIONS

Lot Size

Project Design

Oak Tree Permit

ERB/SEATAC Review

Biological Constraints Analysis

The proposed use is industrial and the project site is in an industrial area which is devoid of vegetation. The proposed use will not have a significant impact on biota resources.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively)

on, biotic resources? *The site is industrial and is devoid of any vegetation. The proposed industrial use is appropriate for the existing industrial area.*

Potentially
significant

Less than significant with project
mitigation

Less than significant/No
Impact

RESOURCES - 4. Archaeological/Historical/Paleontological

SETTING/IMPACTS

	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site in or near an area containing known archaeological resources or containing features (drainage course, spring, knoll, rock outcroppings, or oak trees) that indicate potential archaeological sensitivity? <i>The proposed project site is not in or near an area containing known archeological resources of features.</i>
b.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the project site contain rock formations indicating potential paleontological resources? <i>The proposed site is flat and does not contain rock formations.</i>
c.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the project site contain known historic structures or sites? <i>The project site is industrial and does not contain known historical structures or sites.</i>
d.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project cause a substantial adverse change in the significance of a historical or archaeological resource as defined in 15064.5? <i>The project will not cause a substantial adverse change in significance of a historical or archeological resource.</i>
e.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? <i>The project will not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.</i>
f.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors? <i>None.</i>

MITIGATION MEASURES

OTHER CONSIDERATIONS

Lot Size

Project Design

Cultural Resources Records Search (Quick Check)

Phase 1 Archaeology Report

The project is being proposed for a site that has been used for industrial purposes for several decades. The project site is in a major industrial area. The proposed use will not affect any known archaeological, historical, paleontological resource. The project will be conditioned such that if any unknown resources are subsequently found that the applicant will be required to consult with appropriate agencies to protect those resources.

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on archaeological, historical, or paleontological resources?

Potentially
significant

Less than significant with project mitigation

Less than significant/No Impact

RESOURCES - 5. Mineral Resources

SETTING/IMPACTS

	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? <u>There is no known mineral resource on the project site.</u>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project result in the loss of availability of a locally important mineral resource discovery site delineated on a local general plan, specific plan or other land use plan? <u>There is no locally important mineral resource discovery site delineated on a local general plan, specific plan, or other land use plan that would include the project site.</u>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors? <u>None.</u>

MITIGATION MEASURES

OTHER CONSIDERATIONS

Lot Size

Project Design

There are no known mineral resources on the project site and there are no mineral resource discovery sites delineated that include the project site. There is no impact to mineral resources by the proposed project.

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **mineral** resources?

Potentially significant

Less than significant with project mitigation

Less than significant/No Impact

RESOURCES - 6. Agriculture Resources

SETTING/IMPACTS

	<input type="checkbox"/> Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?
b.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>The proposed project is in a large urban area and is not near an agricultural use.</u> Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?
c.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>The proposed project is in a large urban area and is not near an agricultural use.</u> Would the project involve other changes in the existing environment that due to their location or nature could result in conversion of Farmland, to non-agricultural use?
d.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>The proposed project is in a large urban area and is not near an agricultural use.</u> Other factors? <u>None.</u>

MITIGATION MEASURES

OTHER CONSIDERATIONS

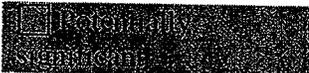
Lot Size

Project Design

The proposed project is in a large urban area and is not near an agricultural use. There are no impacts on agricultural resources by the proposed project.

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on agriculture resources?



Less than significant with project mitigation

Less than significant/No Impact

RESOURCES - 7. Visual Qualities

SETTING/IMPACTS

	<input type="checkbox"/> No	<input type="checkbox"/> Maybe	
a.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site substantially visible from or will it obstruct views along a scenic highway (as shown on the Scenic Highway Element), or is it located within a scenic corridor or will it otherwise impact the viewshed? <u>The project site is not near a scenic highway, scenic corridor, or a viewshed.</u>
b.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project substantially visible from or will it obstruct views from a regional riding or hiking trail? <u>The project site is not visible from and is not near a regional riding or hiking trail.</u>
c.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located in an undeveloped or undisturbed area that contains unique aesthetic features? <u>The project site is in a heavily industrial area in a larger urban area.</u>
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is the proposed use out-of-character in comparison to adjacent uses because of height, bulk, or other features? <u>The proposed use is the sorting and storing of scrap metals. The property will remain largely vacant except for stored piles of metals and a shipping container. The storage of metals is consistent with adjacent uses. The project will require with code requirements regarding the screening of storage and the height of storage piles.</u>
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is the project likely to create substantial sun shadow, light or glare problems? <u>The proposed project is not proposing any new structures that would create a substantial shadow and the storage piles will be restricted in height. Any potential glare problems from light reflecting off metal will be minimized by the screening effect of a 10-foot high solid perimeter fence.</u>
f.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors (e.g., grading or landform alteration)? <u>None.</u>

MITIGATION MEASURES

OTHER CONSIDERATIONS

Lot Size

Project Design

Visual Simulation

Compatible Use

The proposed use is not aesthetically pleasing but it is consistent with the heavily industrial area. The project will be required to compile with zoning code requirements restricting the height of storage piles and will be required to be screened by a solid fence. The negative aesthetic impacts and glare problems will be reduced through screening.

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on scenic qualities?

Potentially
Significant

Less than significant with project mitigation

Less than significant/No Impact

SERVICES - 1. Traffic/Access

SETTING/IMPACTS

	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the project contain 25 dwelling units or more and is it located in an area with known congestion problems (roadway or intersections)? <i>The proposed use is industrial and does not contain any dwelling units. However, the project may intermittently increase congestion on Alameda Street and/or at the Alameda Street/92st Street intersection if trucks are waiting to turn into the subject property.</i>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Will the project result in any hazardous traffic conditions? <i>The proposed use will increase truck traffic in the area and may require trucks to enter and exit to and from the property unto Alameda Street and 92st Street.</i>
c.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project result in parking problems with a subsequent impact on traffic conditions? <i>Parking is not permitted along Alameda Street or 92st Street.</i>
d.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will inadequate access during an emergency (other than fire hazards) result in problems for emergency vehicles or residents/employees in the area? <i>The subject property has two entrances from two sides. The property to the north and west are open without structures along the border. There will be no more than 5 employees on the 0.7 acre site.</i>
e.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the congestion management program (CMP) Transportation Impact Analysis thresholds of 50 peak hour vehicles added by project traffic to a CMP highway system intersection or 150 peak hour trips added by project traffic to a mainline freeway link be exceeded? <i>The proposed use will create truck traffic to the site, but such traffic will be sporadic and not frequent enough to impact a highway system intersection or mainline freeway link.</i>
f.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project conflict with adopted policies, plans, or program supporting alternative transportation (e.g., bus, turnouts, bicycle racks)? <i>The proposed project is in an industrial area and will not conflict with adopted policies, plans, or programs supporting alternative transportation.</i>
g.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors? <i>None.</i>

MITIGATION MEASURES

OTHER CONSIDERATIONS

Project Design

Traffic Report

Consultation with DPW Traffic & Lighting Division

County of Los Angeles Department of Public Works was consulted and stated that the traffic generated by the project is not expected to have a significant impact at the County roadways and intersections. Consequently,

the project will not be required to submit a traffic impact analysis for review and approval. However, the project should include the following as Conditional Use Permit conditions: (1) Restrict two project driveways to right-turn ingress and egress; (2) All driveway gates to remain open during business hours; (3) Prior to grading/building permit, detailed signing and striping plans shall be submitted to Public Works' Traffic and Lighting Division for review and approval.

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on traffic/access factors?



Less than significant with project mitigation

Less than significant/No Impact

SERVICES - 2. Sewage Disposal

SETTING/IMPACTS

	<input checked="" type="checkbox"/> Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If served by a community sewage system, could the project create capacity problems at the treatment plant? <i>The proposed project is served by a community sewage system. The proposed use is a scrap metal yard which will employ no more than 5 employees on the site. This type of use will not overburden the community sewage system.</i>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create capacity problems in the sewer lines serving the project site? <i>The proposed use is a scrap metal yard with less than 5 employees. This will not create a capacity problem for the sewer lines serving the project site.</i>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors? <i>None.</i>

STANDARD CODE REQUIREMENTS

- Utilities Code, Title 20 – Division 2 (Sanitary Sewers and Industrial Waste)
- Plumbing Code, Title 28 – Chapter 7 (Sanitary Drainage)
- California Health Safety Code – Section 5474 (Sewer connection mitigation fee)

MITIGATION MEASURES OTHER CONSIDERATIONS

The proposed project is a scrap metal processing yard which will have no more than 5 employees. This type of use will not create problems for the community sewage system.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **sewage disposal** facilities?

<input checked="" type="checkbox"/> Potentially Significant	<input type="checkbox"/> Less than significant with project mitigation	<input checked="" type="checkbox"/> Less than significant/No Impact
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SERVICES - 3: Education

SETTING/IMPACTS

	No	Maybe	
a. <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create capacity problems at the district level? <i>The proposed use is industrial and will not create any additional housing stock. Therefore, there will be no impact on educational resources.</i>
b. <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create capacity problems at individual schools that will serve the project site? <i>The proposed use is industrial and will not create any additional housing stock. Therefore, there will be no impact on educational resources.</i>
c. <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create student transportation problems? <i>The proposed use is industrial and will not create any additional housing stock. Therefore, there will be no impact on educational resources.</i>
d. <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create substantial library impacts due to increased population and demand? <i>The proposed use is industrial and will not create any additional housing stock. Therefore, there will be no impact on educational resources.</i>
e. <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors? <i>None.</i>

STANDARD CODE REQUIREMENTS

- State of California Government Code – Section 53080 (School Facilities Fee)
- Planning & Zoning Code, Title 22 - Chapter 22.72 (Library Facilities Mitigation Fee)

MITIGATION MEASURES

OTHER CONSIDERATIONS

- Site Dedication

The proposed use is industrial and will not create any additional housing stock. Therefore, there will be no impact on educational resources.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to educational facilities/services?

Potentially Significant

Less than significant with project mitigation

Less than significant/No Impact

SERVICES - 4. Fire/Sheriff Services

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Could the project create staffing or response time problems at the fire station or sheriff's substation serving the project site?</p> <p><i>The project does not create staffing or response time problems at the fire station or sheriff's substation serving the project site. Los Angeles County Fire Station No. 16 is located at 8010 S. Compton Ave, which is 2.2 miles from the subject site. Los Angeles County Sheriff's Department, Century Station, is located at 11703 Alameda St., Lynwood, which is 1.8 mi from the subject site.</i></p>
b.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Are there any special fire or law enforcement problems associated with the project or the general area?</p> <p><i>The previous tenants of the subject property operated an unpermitted use and have been charged with criminal activities involving fraudulent redemption of recycling materials. The general area is industrial and has a large concentration of recycling facilities. Metal sorting facilities are regulated.</i></p>
c.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Other factors?</p> <p><i>None.</i></p>

STANDARD CODE REQUIREMENTS

Revenue & Finance Code, Title 4 – Chapter 4.92 (Fire Protection Facilities Fee)

MITIGATION MEASURES

OTHER CONSIDERATIONS

The proposed use will not create significant additional burdens on the fire and sheriff services, and the subject site is adequately served by those services. The applicant will be required to operate the facility according to any requirements imposed by the Los Angeles County Sheriff's Department.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to fire/sheriff services?

Potentially Significant

Less than significant with project mitigation

Less than significant/No Impact

SERVICES - 5. Utilities/Other Services

SETTING/IMPACTS

	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site in an area known to have an inadequate public water supply to meet domestic needs or to have an inadequate ground water supply and proposes water wells? <i>The area is not known to have an inadequate public water supply.</i>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is the project site in an area known to have an inadequate water supply and/or pressure to meet fire fighting needs? <i>A consultation was requested with the Los Angeles County Fire Department to determine compliance regarding water supply and pressure near the site.</i>
c.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create problems with providing utility services, such as electricity, gas, or propane? <i>The proposed use is a scrap metal processing yard. This use will not create problems for utility services such as electricity or gas.</i>
d.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are there any other known service problem areas (e.g., solid waste)? <i>There no other known service problem areas such as solid waste in this area.</i>
e.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services or facilities (e.g., fire protection, police protection, schools, parks, roads)? <i>The project will not result in substantial adverse physical impacts associated with the provision of new government services, as the subject site is small in size, the proposed use is compatible with the surrounding area, and the project will have less than 5 employees.</i>
f.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors? <i>None.</i>

STANDARD CODE REQUIREMENTS

- Plumbing Code, Title 28 – Chapters 3, 6 & 12
- Utilities Code, Title 20 – Divisions 1, 4 & 4a (Water, Solid Waste, Garbage Disposal Districts)
- MITIGATION MEASURES
- OTHER CONSIDERATIONS
- Lot Size
- Project Design
- Water Purveyor Will-serve Letter

The proposed use will not create issues for the provision of any utilities or services and the project is

compatible with the surrounding area.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **utilities** services?

Potentially
Significant

Less than significant with project
mitigation

Less than significant/No
Impact

OTHER FACTORS - 1. General

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Will the project result in an inefficient use of energy resources?</p> <p><i>The proposed use is a scrap metal processing yard and does not propose new construction. The metals will be unloaded from individual trucks and loaded into a shipping container. Sorting and loading of scrap metals using a Bobcat loader and an excavator will not result in an inefficient use of energy resources.</i></p>
b.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Will the project result in a major change in the patterns, scale, or character of the general area or community?</p> <p><i>The project will not result in major change in the patterns, scale, or character of the general area as the surrounding uses are also scrap metal processing yards and auto-related uses.</i></p>
c.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Will the project result in a significant reduction in the amount of agricultural land?</p> <p><i>The project is not near any agricultural land. The project will use existing industrial land in an urban area.</i></p>
d.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Other factors?</p> <p><i>None.</i></p>

STANDARD CODE REQUIREMENTS

California State Administrative Code, Title 24, Part 5, T-20 (Energy Conservation)

MITIGATION MEASURES

OTHER CONSIDERATIONS

Lot Size

Project Design

Compatible Use

The proposed industrial use is compatible with the general industrial area.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to any of the above factors?

Potentially Significant

Less than significant with project mitigation

Less than significant/No Impact

OTHER FACTORS - 2. Environmental Safety

SETTING/IMPACTS

		No	Maybe	
a.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are any hazardous materials used, transported, produced, handled, or stored on-site? <i>The proposed use is a scrap metal yard, and there oil and gas may be stored and handled on the site for the use of equipment. There may be hazardous materials mixed in with the scrap metals that are transported, handled or stored on the site. No hazardous materials will be produced on the site.</i>
b.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are any pressurized tanks to be used or any hazardous wastes stored on-site? <i>Pressurized tanks may be used at the project site.</i>
c.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are any residential units, schools, or hospitals located within 500 feet and potentially adversely affected? <i>The nearest residences are approximately 300-ft. from the southwest corner of the property. The nearest school is located at West 92nd Street at a distance of 1,620 feet to the west.</i>
d.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Have there been previous uses that indicate residual soil toxicity of the site or are the site located within two miles downstream of a known groundwater contamination source within the same watershed? <i>The site has been historically used for industrial uses. The previous salvage and auto-related uses may indicate residual soil toxicity of the site.</i>
e.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Would the project create a significant hazard to the public or the environment involving the accidental release of hazardous materials into the environment?
f.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Would the project emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? <i>The project is located 1,620 feet from 92nd Street School which is to the west.</i>
g.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>The project site is not listed in the Department of Toxic Substances Control EnviroStor Database.</i>
h.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Would the project result in a safety hazard for people in a project area located within an airport land use plan, within two miles of a public or public use airport, or within the vicinity of a private airstrip?
i.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
j.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other factors?

MITIGATION MEASURES

OTHER CONSIDERATIONS

Phase 1 Environmental Assessment

Toxic Clean-up Plan

CONCLUSION

Considering the above information, could the project have a significant impact relative to **public safety**?

Potentially
significant

Less than significant with project
mitigation

Less than significant/No
Impact

OTHER FACTORS - 3. Land Use

SETTING/IMPACTS

- | | No | Maybe | |
|----|-------------------------------------|--------------------------|---|
| a. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Can the project be found to be inconsistent with the plan designation(s) of the subject property?
<i>The proposed use is a scrap metal processing yard, which is the type of heavy industrial use that is considered compatible with the "major industrial" designation.</i> |
| b. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Can the project be found to be inconsistent with the zoning designation of the subject property?
<i>The proposed project is allowed in the M-2 (Heavy manufacturing) with a Conditional Use Permit. 22.32.190(A)(1).</i> |
| c. | | | Can the project be found to be inconsistent with the following applicable land use criteria: |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Hillside Management Criteria? |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | SEA Conformance Criteria? |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Other? |
| | | | <i>None.</i> |
| d. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project physically divide an established community?
<i>No, the proposed project is not proposing new construction and will occupy a corner property of an existing street block containing all industrial uses.</i> |
| e. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Other factors?
<i>None.</i> |

MITIGATION MEASURES

OTHER CONSIDERATIONS

The proposed use is compatible and consistent with the zoning, plan designation and other land use considerations.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to land use factors?

Potentially Significant

Less than significant with project mitigation

Less than significant/No Impact

OTHER FACTORS - 4. Population/Housing/Employment/Recreation

SETTING/IMPACTS

	<input type="checkbox"/> YES	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Could the project cumulatively exceed official regional or local population projections? <i>The proposed use is an industrial scrap yard and will not increase population.</i>
b.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Could the project induce substantial direct or indirect growth in an area (e.g., through projects in an undeveloped area or extension of major infrastructure)? <i>The proposed use will not induce substantial direct or indirect growth in an area because it is an infill project in an already established industrial area. No new construction is proposed.</i>
c.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Could the project displace existing housing, especially affordable housing? <i>The project is in an existing industrial area with no housing on the site.</i>
d.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Could the project result in substantial job/housing imbalance or substantial increase in Vehicle Miles Traveled (VMT)? <i>The project will not result in a substantial job/housing imbalance because it is in an existing industrial area with existing infrastructure to support this type of use.</i>
e.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Could the project require new or expanded recreational facilities for future residents? <i>The project is industrial and will not affect the need for recreational facilities.</i>
f.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? <i>The project is on a currently vacant industrial site and will not displace any residents.</i>
g.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Other factors? <i>None.</i>

MITIGATION MEASURES

OTHER CONSIDERATIONS

The proposed project is industrial and will not have impacts on population, housing, and recreational resources. The project creates employment opportunities for industrial jobs in an area where the recycling industry is clustered.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **population, housing, employment, or recreational factors?**

Primarily
significant

Less than significant with project
mitigation

Less than significant/No
Impact

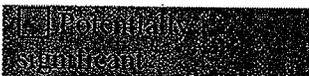
MANDATORY FINDINGS OF SIGNIFICANCE

Based on this Initial Study, the following findings are made:

	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?</p> <p><i>No. The industrial project will not have these effects as it is in an existing industrial area.</i></p>
b.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Does the project have possible environmental effects that are individually limited but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.</p> <p><i>No. The project will not have cumulatively considerable environmental effects as the proposed use is limited to the sorting and storage of scrap metals.</i></p>
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Will the environmental effects of the project cause substantial adverse effects on human beings, either directly or indirectly?</p> <p><i>The environmental effects of the proposed use could cause substantial adverse effects on human beings if the operations are not properly regulated.</i></p>

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the environment?



Less than significant with project mitigation

Less than significant/No Impact

LAW OFFICES OF

Robert David Ciaccio

also Admitted in New York

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April 8, 2009

Our File No. 10000.05

Planning Department
Attn: Andrew Svitek
320 W. Temple
Los Angeles, CA 90012

In Re: Project #R2008-01962

Dear Mr. Svitek:

Your name has been provided by Phil Chung in connection with an applicant seeking a Conditional Use Permit ("CUP") for 9101 Alameda Street.

I have been consulted by Williams Recycling, Inc., ("WRI") who maintain a scrape & recycling business located near the adjacent property. It has come to my attention that a CUP application has been filed along with a request for an expedited hearing to which WRI objects. There has been a pronounced presence of operations in the area without proper compliance.

Of grave concern is what appears to be a lack of required submissions for the CUP, including but not limited to site assessments, environmental impact studies for tier 3 emissions, contamination in the form of soil and/or water, as well as details as to the operation of the proposed business, a noise study assessment, and a traffic study assessment. The CUP application should also show proof of compliance with the Storm Water Act and the proposed site appears inadequate in size to operate or otherwise turn a semi-truck.

There is on going business operations at the location which appear to lack permits and in addition there has been the pouring of concrete (with out permits) which will impede any further environmental studies.

Please forward to my attention the aforementioned studies from your file if you have them.

Lastly, I am enclosing for your review a felony complaint case #BAZ255379 which may contain persons of interest involving the prior use of the property.

Please contact the undersigned to discuss the aforementioned and in the event a hearing on the CUP application is scheduled please advise.

Very truly yours,

LAW OFFICES OF ROBERT DAVID CIACCIO

A handwritten signature in black ink, appearing to read 'Robert David Ciaccio', with a long horizontal flourish extending to the right.

Robert David Ciaccio
RDC/blc

LAW OFFICES OF

Robert David Ciaccio

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November 12, 2009

Our File No.10005.01

City of Los Angeles
Department of Regional Planning
Attn: Phillip Chung
320 W. Temple Street, 13th Floor
Los Angeles, CA 90012

**OBJECTION TO ADOPTION OF
NEGATIVE DECLARATION**

City of Los Angeles
Department of Regional Planning
Attn: Andrew Svitek
320 W. Temple Street, 1348
Los Angeles, CA 90012

NOV 16 2009

Re: CUP Application No.R2008-01463
Date of Hearing: December 9, 2009

Dear Messrs. Svitek and Chung:

I am in receipt of the Notice of Public Hearing and Notice of Intent to Adopt Negative Declaration in connection with the above-referenced property. This letter shall serve as an objection by Williams Recycling, Inc., an adjacent property owner. I note that the files provided do not contain any environmental reports necessary for approval of the negative declaration. I call your attention to the enclosed email correspondence from Lisa Eckert to Mr. Wu dated March 2, 2009, and to the January 27, 2009 entry on the Building and Safety drainage and grading and plan check from Mr. Knolls to Ms. Eckert regarding the pouring of concrete and the need for soil testing to determine contamination. You will note that there is nothing in the files provided to date which indicates any response to the March 2, 2009, email from Ms. Eckert to Mr. Wu.

It is my belief that the issuance of the negative declaration totally disregards the necessary Environmental Noise, Traffic, Safety Studies that need to be performed and appear to have not been adequately addressed.

I have yet to review any documentation evidencing that a soil contamination test was performed or Environmental Impact Report prepared. It has been alleged that paving was performed without permits or core testing.

It would further appear upon review of the initial study ("Study or Report") that the Report is unsupported with appropriate data and other statistical findings and is both speculative and conclusory. I also call your attention to the July 28, 2009, correspondence to Paul McCarthy from Steve Berger wherein the proposed negative declaration is requested and objected to. In addition, the October 14, 2009, correspondence from Frank Vidales, acting Chief Forestry Division Prevention Services, declines to comment on the appropriateness of the negative declaration. You will note that at page 30 of the initial study requests a consultation with the fire department regarding low water pressure in the county area. There has been no followup otherwise addressing the issue.

Page 34 of the report makes reference to hazardous materials, tanks, soil toxicity and emissions possibly being present on the site, however, there is proffered no evidence to support a finding of less than significant impact. No study was requested to determine the scope of any hazardous substances currently existing on the site.

In addition, although all existing businesses are currently required to comply with noise ordinances and subject to rigorous tests, the applicant has not been required to submit any type of noise study to determine whether the proposed use would contribute significantly to the additional noise or noise abatement efforts. Please see page 12, section 4 entitled "Hazards."

Paragraph 26 of section 1 references traffic and access. The study indicates that the proposed use will increase truck traffic in the area and may require trucks to enter and exit to and from the property onto Alameda Street and 92nd Street. The report then goes on to state that less than significant impact will be experienced. There has been no traffic study performed on the project addressing the effect on traffic for both trucks and automobiles at peak and non-peak hours. No traffic assessment has been provided to support this conclusion. Although the study indicates that various trucks will be entering and exiting the property there has been no report to determine whether or not the trucks can maneuver properly on the site plan without causing a backup in traffic during peak hours. Clearly a traffic assessment report should be required and prepared.

Also, page 30, section 4 "services" indicates that previous tenants of the subject property operated an un-permitted use and have been charged with criminal activities involving fraudulent redemption of recyclable materials. No investigation regarding the previous un-permitted uses, ownership of the property at that time of the violation, any relationship with the current tenant and/or applicant, if any, has been conducted to ensure that previous parties responsible are not involved in any way with the proposed use. Absolutely no report or investigation was provided.

Hazardous substances referenced on page 34, indicate residual of soil toxicity of the site and a significant hazard should there be an accidental release of hazardous materials. However, there has been no environmental impact report submitted to otherwise address the environmental safety.

Lastly, with respect to geotechnical hazards, page 6 of the report indicates "The site is located within a potentially liquefiable area per the State of California Seismic Hazard Zones Map-SouthGate Quadrangle. The project could be significantly impacted by this geotechnical hazard,...." A conclusion was then reached that the risk could be reduced with proper mitigation. The applicant shall be required to submit a soils report to determine the appropriateness of the liquefaction for the proposed site. It should be noted that the area was paved prior to application for the CUP.

Based upon the aforementioned, it is requested that a negative declaration be denied and that the matter be resubmitted to DPW and Planning for followup addressing the above issues. The bond is required to weigh the health, safety and welfare of the community in rendering said findings.

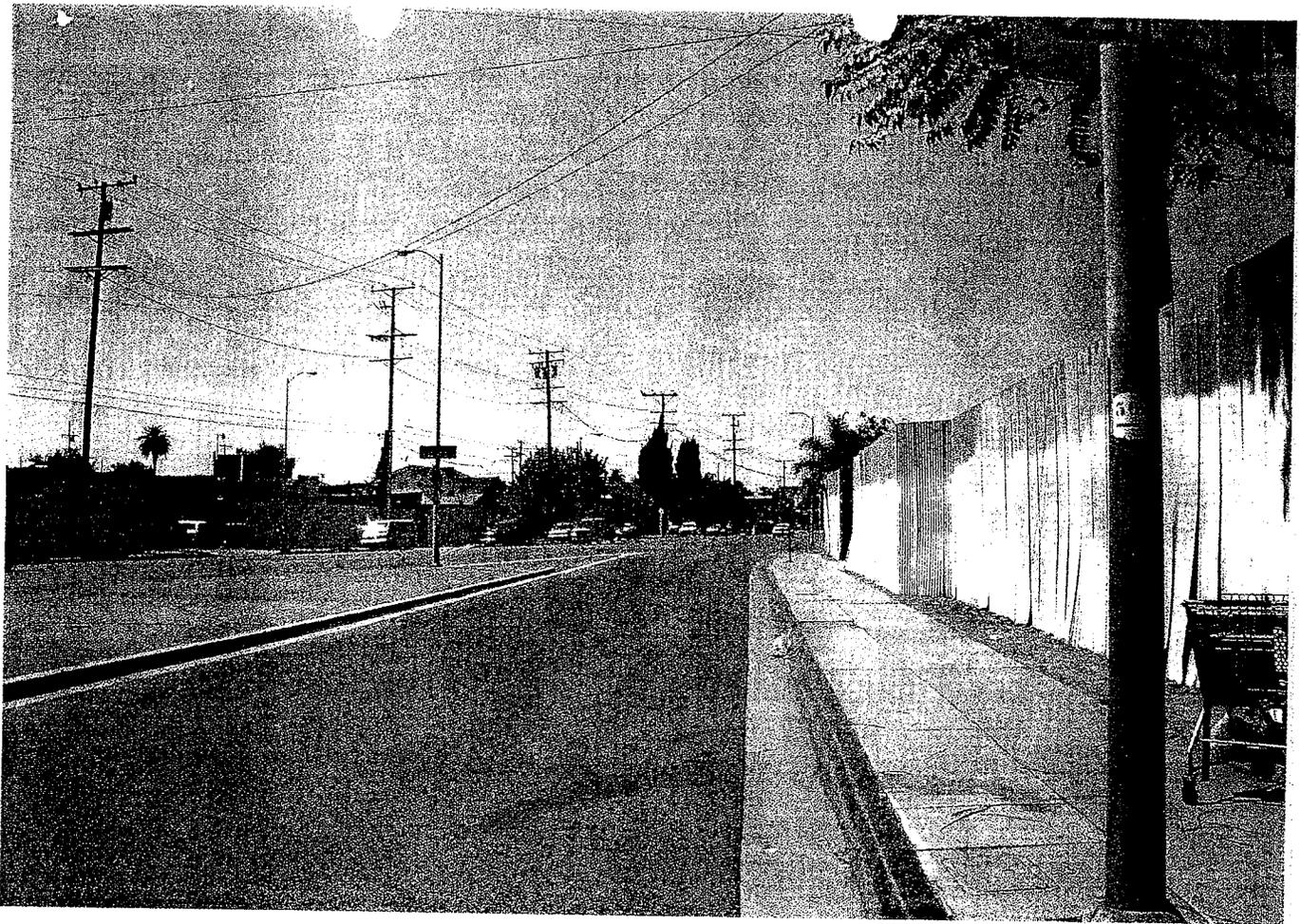
Very truly yours,

LAW OFFICES OF ROBERT DAVID CIACCIO

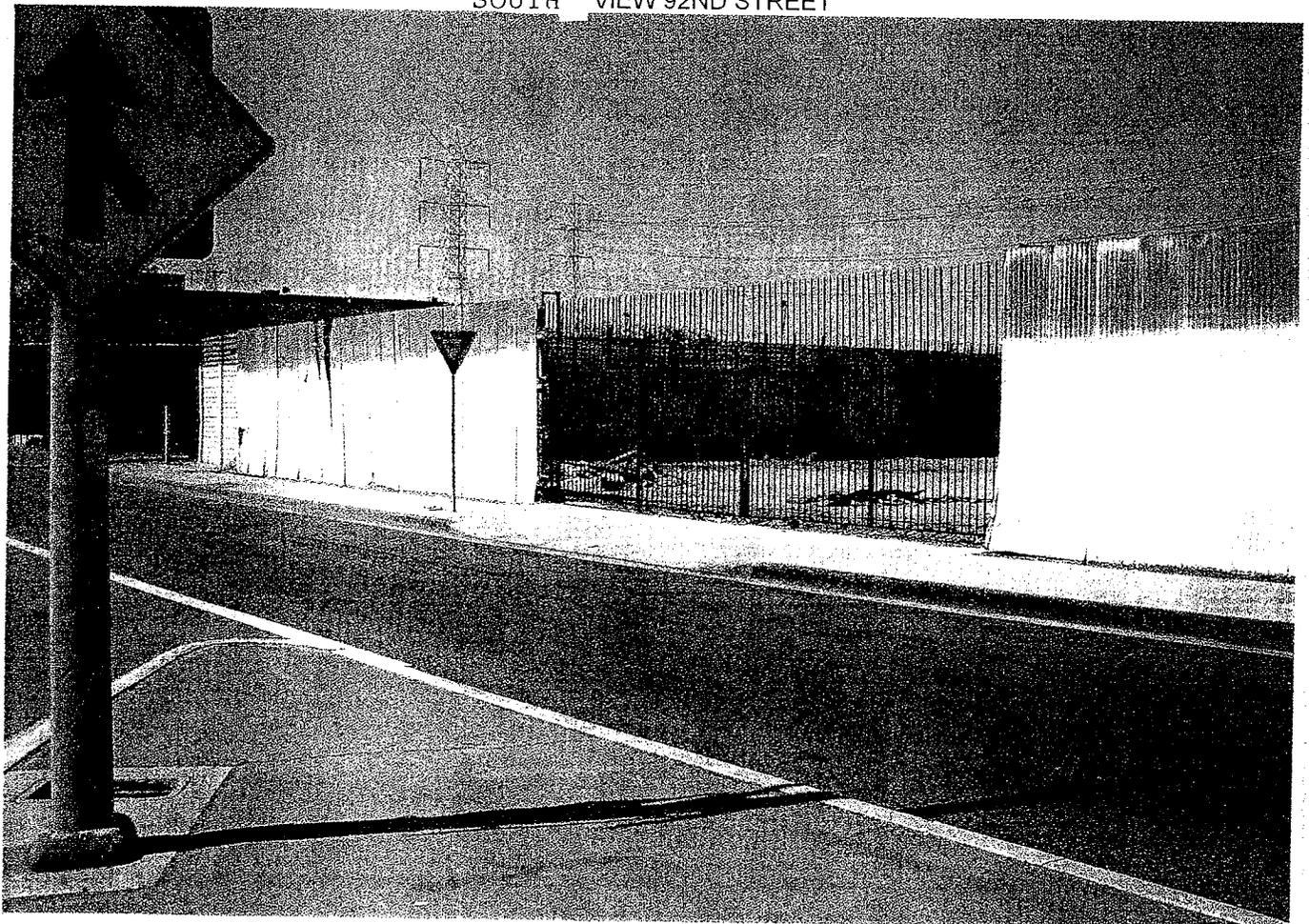


Robert David Ciaccio

RDC:djn



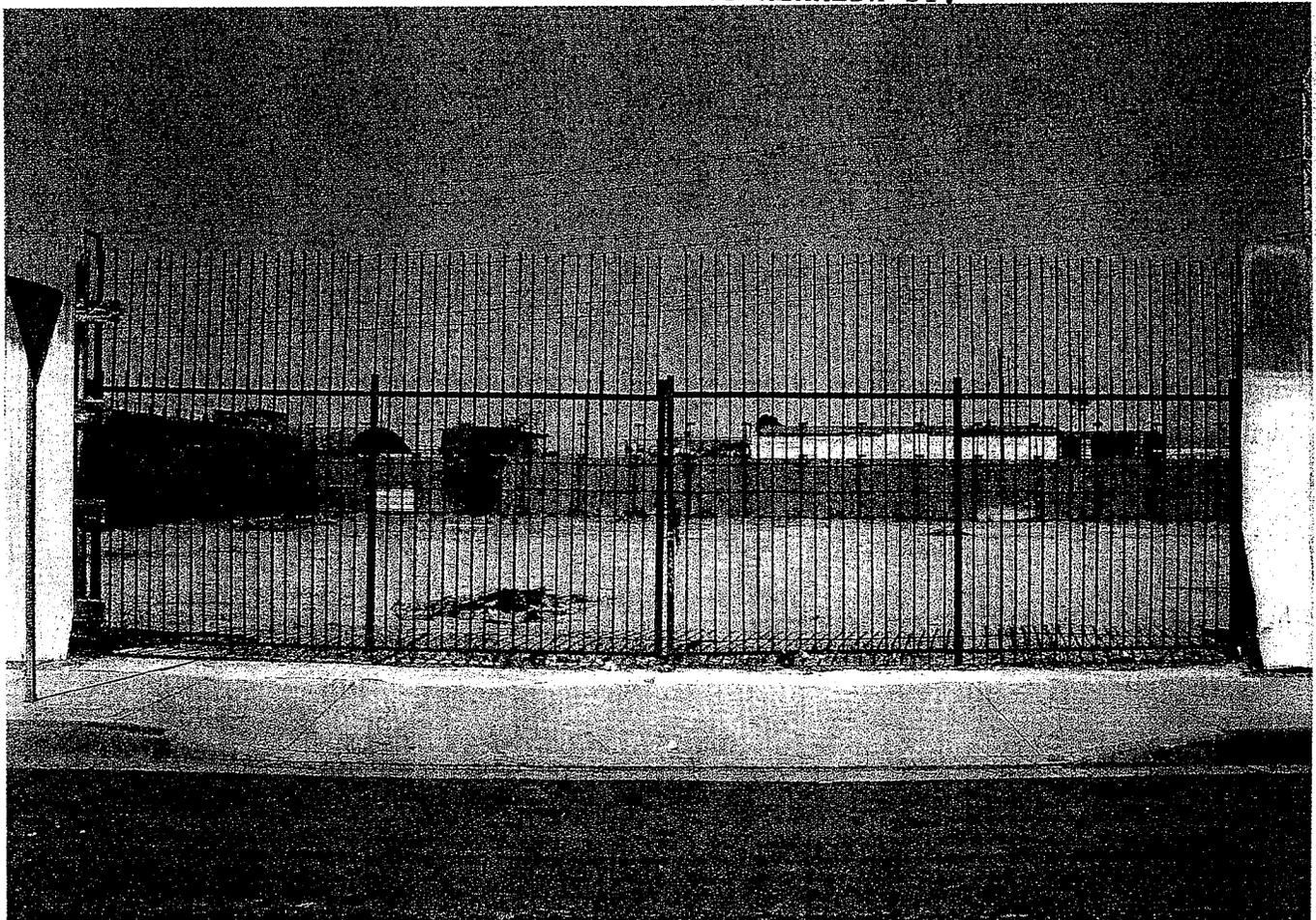
SOUTH VIEW 92ND STREET



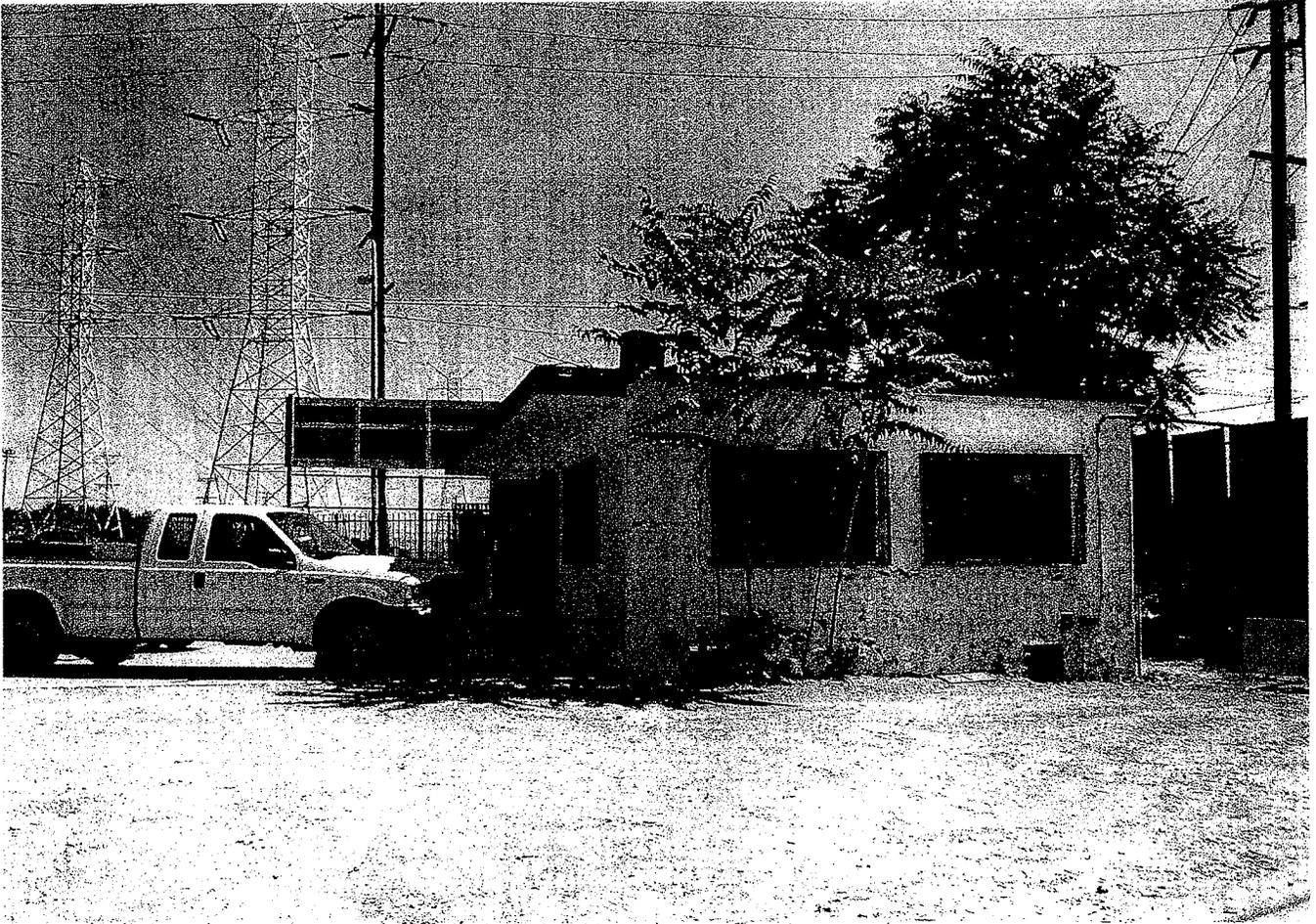
SOUTH ENTRANCE 92ND ST.



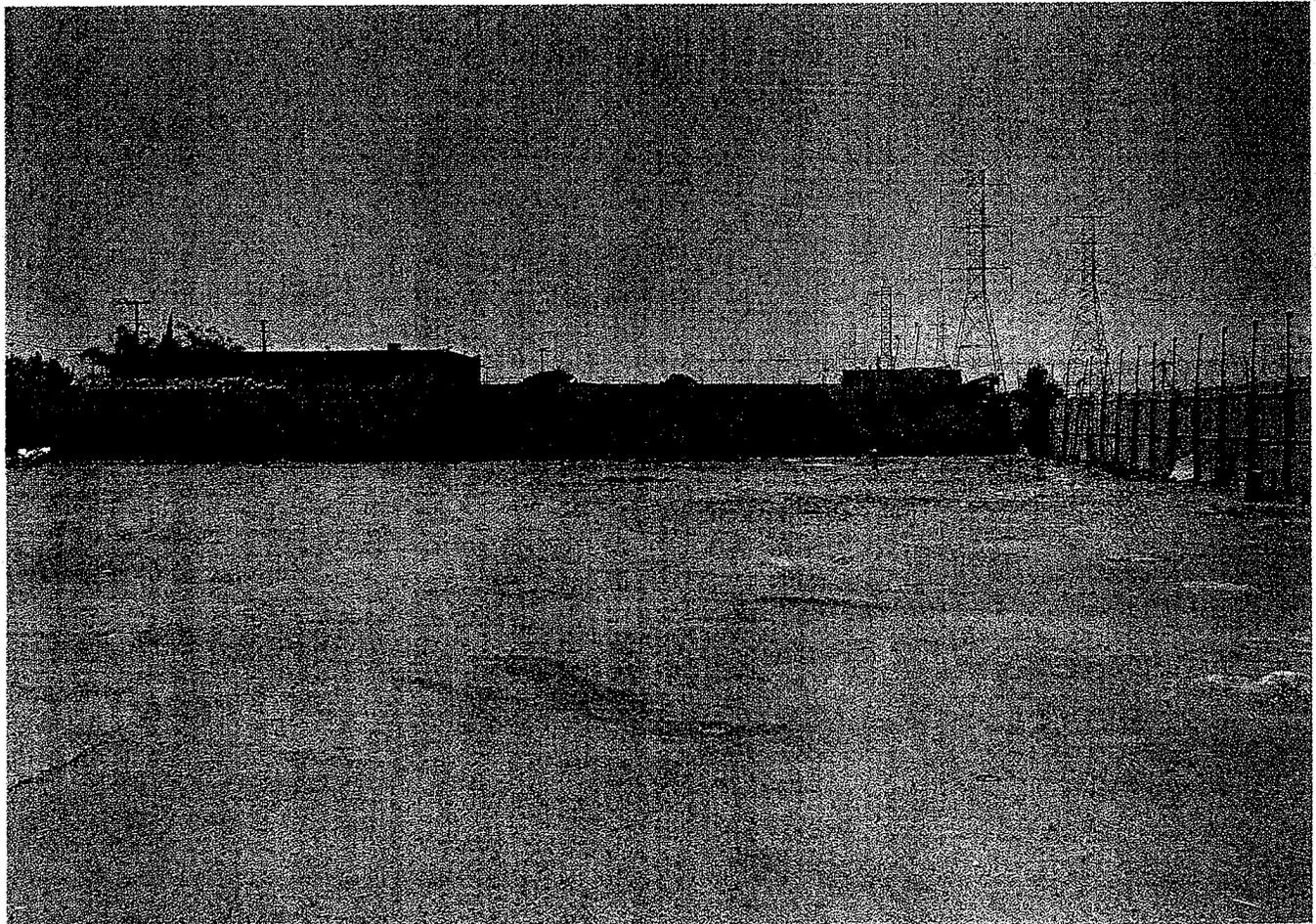
EAST ENTRANCE BY ALAMEDA ST.



SOUTH ENTRANCE BY 92ND. ST.



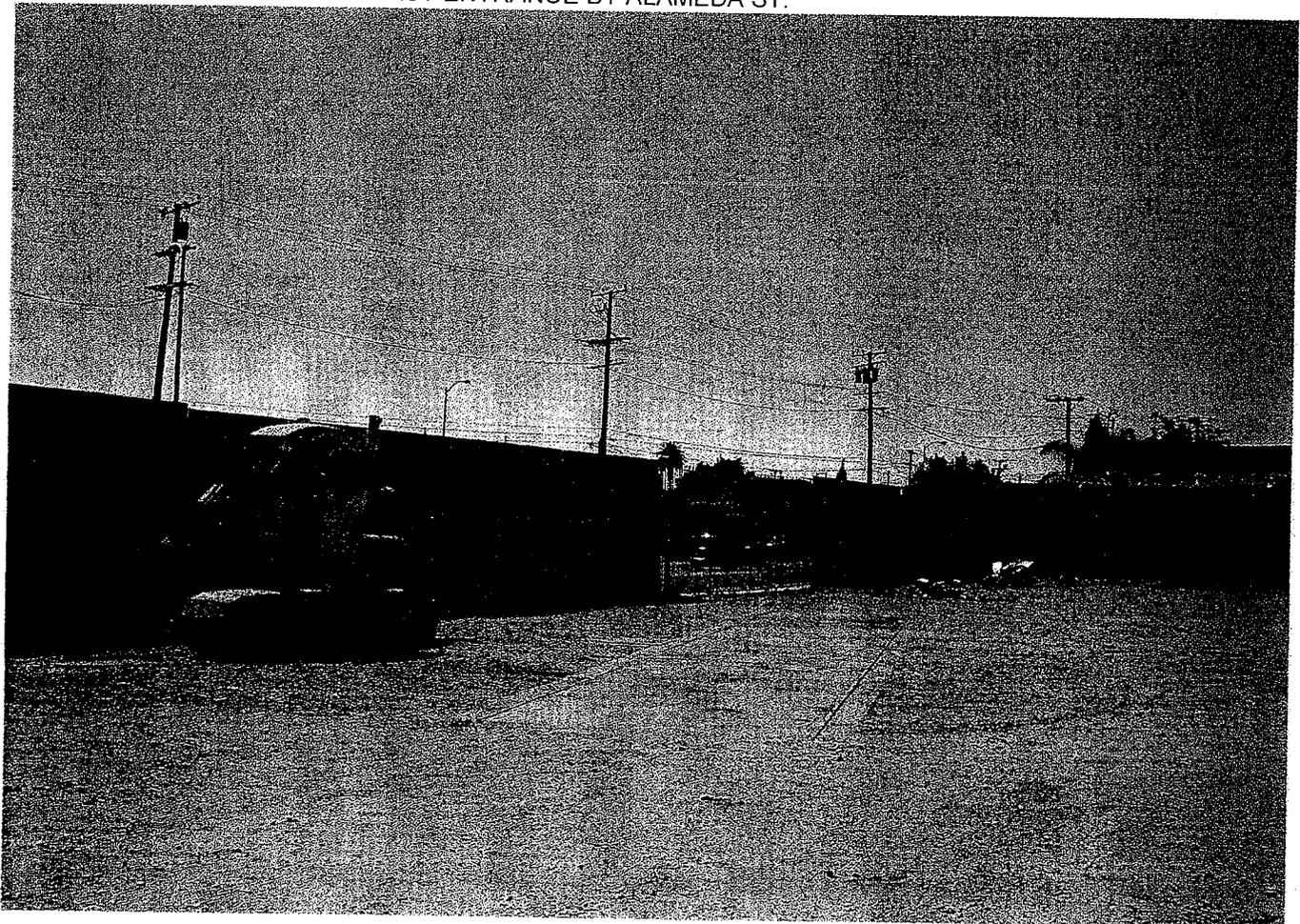
WEST VIEW EXISTING OFFICE



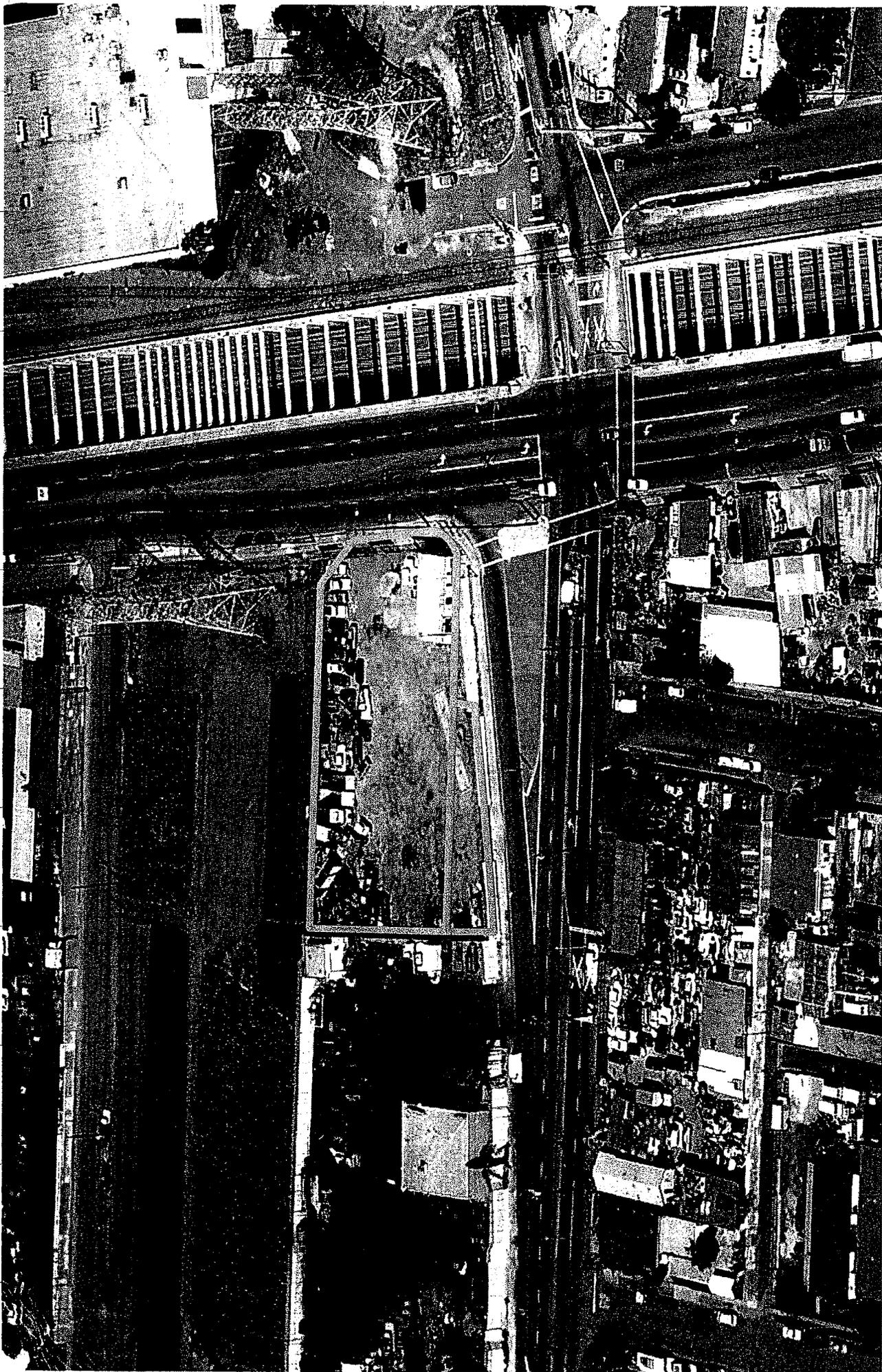
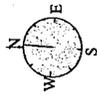
ENCLOSE WEST SIDE BY BLOCK WALL AND NORTH SIDE BY SOLID SHEET METAL FENCE



EAST ENTRANCE BY ALAMEDA ST.



INTERIOR VIEW PROPOSED SCRAP METAL LAND USE



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Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



April 14, 2009

Jon Sanabria
Acting Director of Planning

Fred Schwartz Trust
1906 Bagley Avenue
Los Angeles, CA 90035

Dear Ms. Schwartz:

I am in receipt of your letter concerning the property located at 9113 S. Alameda Street, in the unincorporated community of Florence-Firestone. In your letter, you request that the "Clean Hands" provision of the Los Angeles County Code be waived to allow for a Conditional Use Permit (CUP) to be processed for a scrap metal / recycling yard.

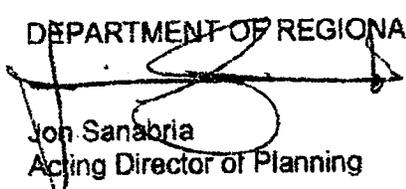
In response, I must advise you that I am denying your request. Research into the land use history of the subject property disclosed a previous land use approval from the Department of Regional Planning to establish and operate a junk yard. In 1957, the said land use approval became void due to the discontinuance of the operation. In addition, the property has been owned by the same family, who obtained the said previous approval. In consideration of this information, I find it difficult to conclude that the existing scrap metal yard began its operation without understanding the need to satisfy the Department's entitlement requirements.

Thus, I do not believe it to be in the public's best interest to allow for the continued operation of the scrap metal / recycling yard while a CUP is being processed and scheduled for public hearing. Our directive is for you to discontinue the recycling business on the subject property upon receipt of this letter until such time as the CUP has been approved on the property.

If you have any further questions on this matter, please contact the zoning enforcement inspector, **Phil Chung**, at (213) 974-6453 or pchung@planning.lacounty.gov, Monday through Thursday between 7:30 a.m. and 6:00 p.m. Our offices are closed on Fridays.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING


Jon Sanabria
Acting Director of Planning

JS:PH:pc

c: Mr. Bahram Bakhshi, 9113 S. Alameda Street, Los Angeles, CA 90002

