



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

May 6, 2010

TO: Wayne Rew, Chair
Pat Modugno, Vice Chair
Esther L. Valadez, Commissioner
Leslie G. Bellamy, Commissioner
Harold V. Helsley, Commissioner

FROM: Gunnar Hand, AICP, Senior Regional Planning Assistant *GH*
Land Divisions Section

SUBJECT: **PROJECT NO. R2008-02125-(1)**
PARKING PERMIT CASE NO. 200800008

May 19, 2010; AGENDA ITEM NO. 8

PROJECT BACKGROUND

The Parking Permit ("PKP") would allow shared off-site parking for an existing 10,812 square foot office/warehouse building, to be converted into a church. The shared off-site parking is provided through a lease agreement on a private parking lot approximately 1,000 feet from the subject use (21007 Commerce Pointe Drive). The existing structure will be expanded to 12,506 square feet and converted into a church under a separate ministerial site plan review. Eighteen (18) parking spaces, including four handicapped parking spaces, are proposed on-site with 143 parking spaces on Saturday and 108 parking spaces on Sunday proposed to be leased at the off-site location. Ninety-one (91) of the 143 off-site parking spaces on Sunday and 56 of the off-site parking spaces on Saturday will be shared with the primary use at the off-site location. On Sundays, an additional 40 parking spaces are being leased to the Vineyard of Harvest Church (21167 Commerce Pointe Drive).

The project site is located at 21138 Commerce Pointe Drive in the unincorporated community of South Walnut, First Supervisorial District of Los Angeles County, Walnut Zoned District.

The project was found to be Categorically Exempt under the Class 3 Categorical Exemption-New Construction or Conversion of Small Structures pursuant to California Environmental Quality Act ("CEQA") reporting requirements.

PROJECT ISSUES

A duly noticed public hearing was held on March 31, 2010 before the Regional Planning

Commission ("RPC"). The project applicant, First Evangelical Church of Diamond Bar, requested more time to work through the issues of the surrounding property owners and businesses. The RPC granted the request for continuance and continued the hearing to May 5, 2010.

A duly noticed public hearing was held on May 5, 2010 before the RPC. At the May 5, 2010 RPC meeting, the applicant provided comments in support of the project. The applicant explained their efforts to reach out to adjacent property owners, how they complied with all requests from the Los Angeles County Department of Regional Planning staff, the support that they have received from the community, that they are providing more than required parking, and that they agree to all of the draft conditions and will comply with them accordingly. Four members of the public provided testimony in favor of the proposed project indicating the church's intention to work with the adjacent church to ensure traffic safety in the future, that there are no weekday programs offered by the church, and general support for the church's positive impact on the community. By a vote of four in favor and one abstaining, the RPC instructed staff to prepare findings of denial and continued the public hearing to May 19, 2010.

Since the May 5, 2010 RPC hearing, staff has prepared draft findings for denial (attached).

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 that the Regional Planning Commission deny the project.

Recommended Motion: "I move that the Regional Planning Commission close the public hearing, and deny Parking Permit Case No. 200800008."

Attachments:
Draft Findings

SMT:GHH
5/6/2010

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

**PROJECT NO. R2008-02125-(1)
PARKING PERMIT CASE NO. 200800008**

21138 Commerce Pointe Drive

HEARING DATES: March 31, 2010, May 5, 2010, and May 19, 2010.

REQUEST:

The Parking Permit ("PKP") would allow shared off-site parking for an existing 10,812 square foot office/warehouse building, to be converted into a church. The shared off-site parking is provided through a lease agreement on a private parking lot approximately 1,000 feet from the subject property (21007 Commerce Pointe Drive). The existing structure will be expanded to 12,506 square feet and converted into a church under a separate ministerial site plan review. Eighteen (18) parking spaces, including four handicapped parking spaces, are proposed on-site with 143 parking spaces on Saturday and 108 parking spaces on Sunday proposed to be leased at the off-site location. Ninety-one (91) of the 143 off-site parking spaces on Sunday and 56 of the off-site parking spaces on Saturday will be shared with the primary use at the off-site location. On Sundays, an additional 40 parking spaces are being leased to the Vineyard of Harvest Church (21167 Commerce Pointe Drive).

PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION:

A duly noticed public hearing was held on March 31, 2010 before the Regional Planning Commission ("RPC"). The project applicant, First Evangelical Church of Diamond Bar, requested more time to work through the issues of the surrounding property owners and businesses.

At the March 31, 2010 RPC meeting, the Vineyard of Harvest Church ("VOH"), an adjacent property owner, provided comments that were neither in support or opposition to the proposed project. The VOH addressed several concerns with the project, including traffic congestion and safety, and proposed the installation of traffic calming devices on Commerce Pointe Drive. The applicant addressed these concerns in his rebuttal remarks, and stated that the project will adhere to the proposed conditions of the project and provide shuttle service. The applicant also stated that as proposed, the project meets the County's Code requirements. The RPC directed staff to coordinate the efforts between the applicant and the adjacent church, and to come back in a cooperative fashion to address concerns regarding traffic congestion and safety. By vote of five in favor, the RPC continued the public hearing to May 5, 2010.

A duly noticed public hearing was held on May 5, 2010 before the RPC. At the May 5, 2010 RPC meeting, the applicant provided comments in support of the project. The applicant explained their efforts to reach out to adjacent property owners, how they

complied with all requests from the Los Angeles County Department of Regional Planning staff, the support that they have received from the community, that they are providing more than required parking, and that they agree to all of the draft conditions and will comply with them accordingly. Four members of the public provided testimony in favor of the proposed project indicating the church's intention to work with the adjacent church to ensure traffic safety in the future, that there are no weekday programs offered by the church, and general support for the church's positive impact on the community. By a vote of four in favor and one abstaining, the RPC instructed staff to prepare findings of denial and continued the public hearing to May 19, 2010.

A duly noticed public hearing was held on May 19, 2010 before the RPC. The RPC denied PKP 200800008.

Findings

1. The subject property is located at 21138 Commerce Pointe Drive in the unincorporated community of South Walnut within the Walnut Zoned District identified as Assessor Parcel Number 8760-026-037. The project site is a 0.48 acre (20,908.8 square foot) triangular shaped corner parcel.
2. The off-site parking lot is located at 21007 Commerce Pointe Drive in the unincorporated community of South Walnut within the Walnut Zoned District identified as Assessor Parcel Number 8760-026-030.
3. The applicant is requesting a Parking Permit ("PKP") to authorize off-site and shared parking approximately 1,000 feet from the subject use for the conversion of an office/warehouse to a church within the M-1.5-BE (Restricted Heavy Manufacturing-Billboard Exclusion) zone.
4. A PKP is required for off-site and shared parking facilities to be located more than 500 feet from the primary use as per Sections 22.52.1095 and 22.56.990 of the Los Angeles County Code ("County Code").
5. The subject property is within the Los Angeles Countywide General Plan ("General Plan"). The property is designated as Major Industrial ("I") in the General Plan. The I land use designation is defined as area which 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.
6. The subject property is currently zoned M-1.5-BE. A church is a permitted use within the M-1.5-BE zone.
7. The surrounding properties are zoned as follows:

North: M-1.5-BE, City of Walnut
East: M-1.5-BE
South: M-1.5-BE, City of Industry
West: M-1.5-BE

8. The project is located on a corner lot that fronts Commerce Pointe Drive and a publicly controlled drainage channel.
9. The project is accessed from Commerce Pointe Drive to the north via the site's parking lot located directly to the east and south of the structure.
10. The subject property is located in an industrial neighborhood. Surrounding land uses within 500 feet include:
North: Manufacturing, Warehouses, Church
East: Manufacturing, Warehouses, Drainage Channel
South: Drainage Channel
West: Manufacturing, Warehouses
11. Parcel Map No. 21001, which created 16 industrial lots on 12.07 acres, including the subject parcel, recorded on September 27, 1990. Other than the subject parking permit, no other cases exist for the subject property. For the off-site parking lot property, Plot Plan 39591 approved the construction of a warehouse building on March 22, 1998 that was expanded through Plot Plan 16847, which was approved on November 30, 2000. The M-1.5 zone was established on July 24, 1956 by Ordinance Number 6984. The BE (Billboard Exclusion) overlay zone was adopted on August 19, 1986 by Ordinance Number 86-0138Z.
12. There are no open zoning violation cases on the subject property.

As depicted on the site plan dated March 21, 2010, an existing 10,812 square feet industrial warehouse building will be expanded to 12,056 square feet and converted into a church. A total of 85 parking spaces are required; 18 parking spaces, including four handicapped parking spaces will be provided on-site, one hundred and forty-three (143) will be provided off-site on Saturday, and 108 will be provided off-site on Sundays, approximately 1,000 feet from the front entrance of the primary use. Ninety-one (91) of the 143 off-site parking spaces on Saturday and 126 of the off-site parking spaces on Sunday will be shared with a warehouse. On Sundays, an additional 40 parking spaces are being leased to the Vineyard of Harvest Church ("VOH") at the off-site location. Only 18 of the required 85 parking spaces are provided Monday through Friday.

13. A site investigation was conducted on April 2, 2009 to confirm the accuracy of the submitted site plan and land use map, dated October 29, 2008. The site plan was updated on April 16, 2009, March 24, 2010, April 21, 2010, and again on May 4, 2010 to address staff requests. The subject parcel is currently developed with an office/warehouse building and parking lot. The property is accessed from

14. Commerce Pointe Drive to the north. The off-site parking facility is located approximately 1,000 feet southwest of the subject property on a parcel developed with an office/warehouse building and parking lot at 21007 Commerce Pointe Drive. Staff reconfirmed the accuracy of the site plan on February 1, 2010 before the scheduled public hearing.
15. Twelve (12) letters of opposition for this project have been received. The letters express general concern about the conflicts of the existing industrial area and the new church, cumulative traffic impacts with the adjacent church, general congestion concerns on a dead end street, safety, excessive street parking, and the illegal parking on the parking lots of adjacent businesses. Staff received six calls from adjacent businesses. Four of the calls expressed opposition to the project indicating potential conflicts with summer school activities if the church were to provide them, safety concerns of children and church goes on an industrial street, congestion, illegal parking by church goes on private business lots and potential conflicts with the operations of existing businesses.
16. A total of eight letters of support for this project have been received. The letters of support indicated the total amount of proposed parking was more than required, that the church has addressed all the concerns raised by the public and staff, and that the services of the church are a benefit to the larger community.
17. A total of two comment letters, both from VOH, expressed neither support nor opposition to the project. Both letters addressed concerns about safety. Staff received one call from an adjacent property owner that neither supported nor opposed the project, but did ask several procedural questions about the public hearing. On March 25, 2010, staff had a meeting with VOH, where they expressed concerns about safety, congestion, and excessive street parking. Although they had concerns, the church expressed neither support nor opposition to the proposed project.
18. At the March 31, 2010 Regional Planning Commission ("RPC") meeting, the Los Angeles County Department of Regional Planning ("Regional Planning") staff gave a presentation on the project that recognized community opposition and the applicant's request for a continuance. Staff indicated that they will work with the applicant to address the concerns of adjacent property owners and businesses.
19. At the March 31, 2010 RPC meeting, the project applicant asked for more time to work through the issues of the surrounding property owners and businesses. The project applicant provided a brief overview of their project and its purpose, and was available to answer any questions.
20. At the March 31, 2010 RPC meeting, testimony was heard from two people representing the VOH provided comments that were neither in support or opposition to the proposed project. The VOH addressed several concerns they have with the project, including traffic congestion and safety, and proposed the

installation of traffic calming devices on Commerce Pointe Drive.

21. At the March 31, 2010 RPC meeting, the RPC questioned how to regulate where each church's guest parking at the off-site parking lot and how to regulate the use of the proposed shuttle by parishioners of each church using the shared off-site parking lot, and discussed how to prevent parishioners walking down an industrial street and the outdated parking requirements of the County Code in regards to churches, as well as the recent trend of "mega-churches".
22. At the March 31, 2010 RPC meeting, the RPC directed staff to coordinate the efforts between the applicant and the adjacent church, and to come back in a cooperative fashion to address concerns regarding traffic congestion and safety. The RPC voted unanimously to continue the project to May 5, 2010.
23. The First Evangelical Church of Diamond Bar ("FECDB") has had two meetings with the adjacent Vineyard of Harvest Church ("VOH") to discuss working collaboratively on their traffic, parking, and safety impacts on the existing community. The meetings occurred on March 7, 2010 and March 24, 2010. Since the March 31, 2010 Regional Planning Commission meeting, the FECDB attempted to set up a follow-up meeting with the VOH, but was unable to coordinate their schedules.
24. On April 13, 2010, Regional Planning Staff met with the Los Angeles County Department of Public Works and the Los Angeles County Fire Department to discuss the feasibility of using traffic calming devices (speed bumps, pedestrian crossing, etc...) on an industrial street, the effects of a sidewalk on the public right-of-way, including whether or what requirements are necessary to construct such a sidewalk, the route, stops, and type of shuttle service proposed to be provided, the need for a traffic study considering the cumulative impacts with the existing church across the street, and the use of a traffic attendant or temporary signage on the public right-of-way during church services.
25. At the May 5, 2010 RPC meeting, staff gave a presentation on the project with the relevant updates that had occurred including new and revised hearing materials. Those materials included the revision of the on and off-site site plan, the provision of a new shuttle schedule, a parking matrix for Commerce Pointe Drive, and a detailed parking matrix for the off-site parking lot. Staff also discussed their meeting with the Los Angeles County Department of Public Works and the Los Angeles County Fire Department that addressed issues regarding traffic calming devices, public right-of-way, the shuttle service, the potential need of a traffic study, and the use of traffic attendants as they relate to this project.
26. At the May 5, 2010 RPC meeting, the applicant provided comments in support of the project. The applicant explained their efforts to reach out to adjacent property owners, how they complied with all requests from the Los Angeles County Department of Regional Planning staff, the support that they have received from

the community, that they are providing more than required parking, and that they agree to all of the draft conditions and will comply with them accordingly.

27. At the May 5, 2010 RPC meeting, four members of the public provided testimony in favor of the proposed project indicating the church's intention to work with the adjacent church to ensure traffic safety in the future, that there are no weekday programs offered by the church, and general support for the church's positive impact on the community.
28. At the May 5, 2010 RPC meeting, by a vote of four in favor and one abstaining, the RPC instructed staff to prepare findings of denial and continued the public hearing to May 19, 2010.
29. The RPC finds that the off-site parking location, which provides more than 85 percent of the total parking on Saturday and Sunday is not convenient as it is over 1,000 feet from the primary use and no sidewalk improvements exist to ensure safe pedestrian traffic.
30. The RPC finds that the shared component of the parking adversely affects neighboring properties as the distance from the primary use to the off-site location and the lack of sidewalk improvements encourages the use of the parking lots of adjacent businesses and the use of on-street parking.
31. A public hearing for PKP 200800008 was conducted by the RPC on Wednesday, May 19, 2010 at 9:00 a.m. in Room 150, Hall of Records, 320 West Temple Street, Los Angeles, California 90012.
32. The Los Angeles County Department of Regional Planning ("Regional Planning") has determined this project to be categorically exempt under Class 3- New Construction or Conversion of Small Structures under the California Environmental Quality Act ("CEQA") and Los Angeles County environmental guidelines.
33. 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 Regional Planning website posting.
34. The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based in this matter is at Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits I Section, Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

As required by Section 22.56.1020 of the County Code, in addition to the information required in the Parking Permit application, the applicant shall substantiate to the satisfaction of the Regional Planning Commission, the following facts:

- A. That there will be no conflicts arising from special parking arrangements allowing shared facilities, tandem spaces or compact spaces because uses sharing parking facilities operate at different times of the day or days of the week.
- B. That off-site facilities, leases of less than 20 years, rear lot transitional parking lots and uncovered residential parking spaces will provide the required parking for uses because such off-site facilities are controlled through ownership, leasing or other arrangement by the owner of the use for which the site serves and are conveniently accessible to the main use; or
- C. That the requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property;
- D. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping and other development features prescribed in this Title 22.

REGIONAL PLANNING COMMISSION ACTION:

1. In view of the findings of fact presented above, Parking Permit No. 200800008 Project No. 2008-02125-(1) is DENIED, subject to the attached conditions.

SMT:GHH
May 6, 2010

c: Zoning Enforcement, Building and Safety