



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



June 16, 2010

Richard J. Bruckner
Director

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Fiedler Group
Attn: Erika Skeie
2322 W. Third St.
Los Angeles, CA 90057

Regarding: PROJECT NUMBER R2008-02217-(1)
LOCAL PLAN AMENDMENT NO. 200800011
ZONE CHANGE NO. 200800009
CONDITIONAL USE PERMIT NO. 200800181
3949 Dennison Street, East Los Angeles

Dear Applicant:

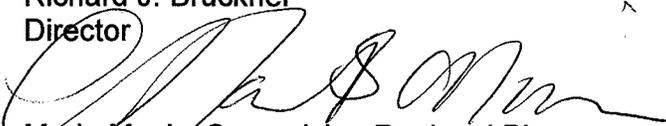
The Regional Planning Commission, by its action of June 16, 2010, is recommending APPROVAL of the above described legislative matters—the local plan amendment and zone change—to the Los Angeles County Board of Supervisors and approved the conditional use permit. The attached documents contain the Regional Planning Commission's findings and conditions relating to the this action.

Please be advised that all permits associated with the legislative matter(s) is/are automatically called up for review by the Board of Supervisors. Therefore, final action has not been taken on these matters and no appeal is available at this stage. The Executive Office of the Board of Supervisors will provide notice of a future public hearing on this matter. For further information on this scheduling, you may contact Sachi A. Hamai, Executive Officer, at (213) 974-1426, or write to: Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012.

For further information pertaining to these approvals and approval recommendation, please contact Tyler Montgomery in the Zoning Permits II Section at (213) 974-6435 or by e-mail at TMontgomery@planning.lacounty.gov.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner
Director


Maria Masis, Supervising Regional Planner
Zoning Permits II Section

Enclosures: Findings and Conditions, Resolutions (2), Affidavit (Permittee's Completion)
c: Commission Services, BOS, Testifiers
MM:TM

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

**PROJECT NUMBER R2008-02217-(1)
CONDITIONAL USE PERMIT NUMBER 200800181**

**REGIONAL PLANNING COMMISSION HEARING DATES:
MAY 5, 2010 and JUNE 16, 2010**

SYNOPSIS:

Pursuant to Section 22.56.195 of the Los Angeles County Planning and Zoning Code (Title 22), the applicant is requesting a conditional use permit to authorize the construction and operation of a convenience store and service station with the sale of beer and wine for off-site consumption within a C-1-DP (Restricted Business; Development Program) zone and the deviation from the maximum height, landscaping, and sign area requirements of the East Los Angeles Community Standards District (CSD).

PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION:

May 5, 2010 Public Hearing

A duly noticed public hearing was held before the Regional Planning Commission on May 5, 2010. Commissioners Rew, Valadez, Bellamy, and Helsley were present. The applicant's representative, Ms. Erika Skeie, was sworn in and testified in favor of the project. The Commission subsequently requested that the applicant explore redesigning the site layout so that it incorporated a five-foot-wide landscaped buffer along the entire length of its northern and western boundaries, as required by the East Los Angeles Community Standards District (CSD). The Commission also requested that the trash enclosure be relocated from the northern edge of the property, which borders single-family residences, to the western edge of the property. Finally, the Commission requested that the applicant consider rotating the convenience store 90 degrees and moving it from the western portion to the northern portion of the property in order to better facilitate the movement of the trash enclosure. A continuation of the hearing to June 16, 2010 was granted in order for the applicant to explore a redesign of the project site.

June 16, 2010 Public Hearing

A continued public hearing was held before the Regional Planning Commission on June 16, 2010. Commissioners Rew, Valadez, Bellamy, and Helsley were present. The applicant's representatives, Ms. Erika Skeie and Mr. Jose Sanchez, were sworn in and testified in favor of the project. An updated site plan and landscape plan was submitted depicting the trash enclosure at the western edge of the property and a five-foot-wide landscaped buffer running the length of its northern and western boundaries, although there was a 14-foot discontinuance wherein the trash enclosure had been located. The applicant stated that, due to circulation and space issues, it was not feasible to relocate the convenience store building to the northern portion of the property. The applicant's

representatives also agreed to modify the submitted landscape plan to comply with the County's Drought Tolerant Landscaping Ordinance and to depict all plantings as five gallons or greater. Subsequently, the Commission closed the public hearing, adopted the Negative Declaration, and approved the conditional use permit. They also recommended that the Board of Supervisors approve the applications for a Local Plan Amendment and Zone Change.

Findings

1. Pursuant to Section 22.56.195 of the Los Angeles County Planning and Zoning Code (Title 22), the applicant is requesting a conditional use permit to authorize the construction and operation of a convenience store and service station with the sale of beer and wine for off-site consumption within a C-1-DP (Restricted Business; Development Program) zone and the deviation from the maximum height, landscaping, and sign area requirements of the East Los Angeles Community Standards District (CSD).
2. The granting of this conditional use permit is contingent upon the approval of Local Plan Amendment No. 200800011 and Zone Change No. 200800009 by the Los Angeles County Board of Supervisors.
3. The subject property is located at 3949 Dennison Street, East Los Angeles, in the Eastside Unit No. 1 Zoned District and within the East Los Angeles Community Standards District (CSD).
4. The site is approximately one-half acre and developed with an existing ARCO service station. The property is level and paved, except for 540 square feet of landscaping. It is located at the northwest corner of Dennison Street and South Ditman Avenue in East Los Angeles, and an on/off ramp for the northbound Santa Ana Freeway (Interstate 5) connects to this intersection from the south. The subject property is accessed via four (4) driveways: two (2) from Ditman Avenue to the east and two (2) from Dennison Street to the south.
5. The subject property is proposed to be zoned C-1-DP (Restricted Business; Development Program).
6. Surrounding properties within the 500-foot radius of the project are zoned as follows:
 - North: R-3 (Limited Multiple Residence)
 - South: Santa Ana (5) Freeway
 - East: C-1-DP (Restricted Business; Development Program)
 - West: R-3 (Limited Multiple Residence)
7. Land uses within 500 feet of the subject property consist of the following:
 - North: Single-family and multiple-family residences
 - South: Santa Ana (5) Freeway
 - East: Service station and convenience store

West: Single-family and multiple-family residences

8. Zone Exception Case No. 9050 authorized the establishment of a service station at the subject property. The permit was approved in 1970, and the use amortized in 1991. Nonconforming Review No. 92-255 allowed the continued operation of the service station. The permit was approved in 1993 and expired in 2008.
9. The subject property is proposed to be designated as Major Commercial within the East Los Angeles Community Plan. The purpose of this land use classification is to provide for a variety of both large and small businesses. The establishment of a service station and convenience store is consistent with this designation.
10. The applicant proposes to demolish an existing 1,625 square-foot convenience store and auto service center and replace it with a new 2,120 square-foot AM/PM convenience store on the northwestern portion of the half-acre property. The new building would have a maximum height of 20 feet. The project would add 1,569 square feet of landscaping, for a total of 2,109 square feet, and nine (9) on-site parking spaces would be provided, one of which would be reserved for the handicapped. Two (2) gas pump canopies of 650 square feet and 1,378 square feet, respectively, with a total of six (6) gas pumps would remain, although they would be refurbished. The property is level and paved, with two driveways accessing Dennison Street to the south and two driveways accessing Ditman Avenue to the east. A new 25-foot-high monument sign is proposed for the southeastern corner of the property, and an existing 55-foot-high pole sign is proposed to remain. A trash enclosure would be located on the southwestern portion of the property.
11. Pursuant to Section 22.28.100 of the Los Angeles County Planning and Zoning Code (Title 22), premises in zone C-1 may be used for the sale of alcoholic beverages, for either on-site or off-site consumption, provided a conditional use permit has first been obtained and conforms to the conditions of said permit. A conditional use permit is also necessary for the establishment of a new use at the property, due to the -DP zoning overlay.
12. Less than 90 percent (2,120 sq. ft., or 11 percent) of the applicant's site plan is occupied by the proposed convenience store. This adheres to the development standards for the C-1 zone. Exactly 10 percent of the lot area (1,945 sq. ft.) is proposed to be landscaped, which also conforms to the C-1 development standards.
13. Per Section 22.52.1110 of the County Code, every structure used for amusement, assembly, drinking, eating or entertainment shall provide one or more automobile parking spaces for each three persons based on the occupant load as determined by the county engineer. All other uses other than business or professional offices shall provide an area of sufficient size so that it contains one automobile parking space plus adequate access thereto for each 250 square feet of floor area of any building or structure so used. The subject convenience store has a floor area of 2,120 square feet

and thus would require eight (8) parking spaces. Nine (9) parking spaces would be provided, one of which would be reserved for the handicapped.

14. The East Los Angeles CSD requires a five-foot-wide landscaped buffer along the northern and western property lines. This is not provided for approximately 14 feet along the western boundary, where the trash enclosure would be located. A five-foot buffer would not be practical for this area, as the additional space in front of the enclosure is required to maintain traffic circulation throughout the site.
15. Under the requirements of the East Los Angeles CSD, the 2,109 square feet of landscaping proposed for the project site would require the installation of 42 trees. Because adequate spaces for trees on the site are limited, a minimum of 10 trees will be planted within the proposed landscaping.
16. The requirements of the CSD would normally allow a total sign area of 114 square feet for the proposed project. The project would deviate from CSD standards by maintaining approximately 502.3 square feet of signage. The gasoline pricing monument sign is not included in this calculation, per Section 22.52.970(D) of the County Code.
17. The project would deviate from CSD height standards, as the existing pole sign would exceed the 40-foot height limit by 15 feet.
18. The Commission finds that the above requested deviations from the CSD are necessary, as it would be impractical to compel the removal of the pre-existing pole sign, for which the deviations are required.
19. Staff has determined that a Negative Declaration is the appropriate environmental document under California Environmental Quality Act (CEQA) reporting requirements. The project design and/or imposed conditions would mitigate the project's environmental impact to a level of no significance.
20. Statistical data from the California Department of Alcoholic Beverage Control (ABC) report that the site of the subject request is located within a high crime reporting district and is within a census tract with an over-concentration of alcohol sales.
21. The East Los Angeles Station of the Los Angeles County Sheriff's Department was consulted regarding the project. No comments were provided.
22. As per the requirements of the Los Angeles County Code, the public hearing was adequately noticed through mailings, newspapers advertisement, and on-site posting. Case-related materials were also posted at the local library and on the Regional Planning web page. No comments were received from the public regarding the project proposal.

17. There is one sensitive use within 600 feet of the project site—Ruben Salazar Park. The impact of the project would be mitigated by the fact that the applicant has agreed to purchase an existing liquor license within the East Los Angeles area. Therefore, no new licenses would be added.
18. The granting of this conditional use permit to sell beer and wine for off-site consumption at a new convenience store would serve as a public convenience, as there are no other markets selling beer and wine within the immediate area.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. The proposed use is consistent with the adopted general plan for the area; and
- B. The requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare; and
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features; and
- D. The proposed site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate and by other public or private facilities as are required; and
- E. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600' radius; and
- F. The requested use at the proposed location result in an undue concentration of similar premises; however, the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500' radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, and the shelf space devoted to alcoholic beverages shall be limited to not more than 5% of the total shelf space in the establishment; and
- G. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and
- H. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction

within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings and burden of proof for a Conditional Use Permit as set forth in Sections 22.56.090 and 22.56.195 of the Los Angeles County Code.

REGIONAL PLANNING COMMISSION ACTION:

1. The Commission adopts the Negative Declaration associated with Environmental Assessment No. 200900025.
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 200800181 is **APPROVED** subject to the attached conditions.

VOTE: 4-0

Concurring: Rew, Valadez, Bellamy, Helsley

Dissenting: None

Abstaining: None

Absent: Modugno

Action Date: 06/16/10

c: Commission Services, BOS

MM:TM
06/16/10

1. This grant authorizes the construction, operation, and maintenance of a service station and convenience store with the sale of beer and wine for off-site consumption within the C-1-DP (Restricted Business; Development Program) zone, and the deviation from the maximum height, landscaping, and sign area requirements of the East Los Angeles Community Standards District (CSD), as depicted on the approved Exhibit "A", subject to all of the following conditions of approval.
2. 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.
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 until all required fees have been paid pursuant to Condition Nos. 10 and 11. Notwithstanding the foregoing, this condition (No. 3), and Condition Nos. 4 [indemnification], 5 [litigation deposit], and 6 [expiration date] 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 notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
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 to County Code Section 2.170.010.

6. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested, in writing with payment of the applicable fee, before the expiration date.
7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. 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 subject 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.
9. **This grant shall terminate on June 16, 2020.** Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue the sale of beer and wine after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six months prior to the expiration of this permit, whether or not any modification of the use is requested at that time. The expiration of this grant shall not apply to the continued use of the service station and/or convenience store without any beer or wine sales.
10. Within five (5) days of the approval date of this grant, the permittee shall remit processing fees (**currently \$2,085.25**) payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the California Public Resources Code and to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game pursuant to Section 711.4 of the California Fish and Game Code.
11. 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. **The permittee shall deposit with the County of Los Angeles the sum of \$1,000.00.** 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. These funds provide for **five (5) biennial** inspections. Inspections shall be unannounced.

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 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.

Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost, whichever is greater.

12. 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 health or safety or so as to be a nuisance.
13. 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.
14. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works, the Forester and Fire Warden, and the Department of Public Health.
15. 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. Within thirty (30) days of the approval of this grant, any illegal signage shall be removed from the subject property. Any new or additional signage shall be in compliance with Part 10, Title 22 of Los Angeles County Code.
16. In the event such extraneous markings occur, 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.
17. The subject property shall be developed and maintained in substantial compliance with the plans on file marked Exhibit "A". In the event that subsequent plans are submitted, the written authorization of the property owner is necessary.
18. The grant shall not be valid without the subsequent approval of Plan Amendment No. 200800011 and Zone Change No. 200800009 by the Los Angeles County Board of Supervisors. Both cases were heard by the Regional Planning Commission concurrently with this grant and were recommended for approval and adoption to the Board of Supervisors.
19. The maximum height of the pole sign on the southwestern corner of the property shall

- be 55 feet, and the maximum area of all sign faces thereon shall be 375 square feet. The maximum height of all other structures shall be 40 feet.
20. The maximum sign area for the facility shall be 502.3 square feet. This does not include the gasoline pricing monument sign, the maximum sign area of which shall be 120 square feet.
21. A minimum of 2,109 square feet of landscaping shall be maintained on the project site. Within 30 days of final approval of this grant, the permittee shall submit a landscaping plan containing no fewer than 10 trees to the Director of Planning for review and approval. Landscaping shall comply with the drought-tolerant landscaping requirements of Section 22.52.2230 of the County Code. A minimum of seventy-five (75) percent of such total landscaped area shall contain plants from the drought-tolerant plant list of the Department of Regional Planning. Watering facilities shall consist of a permanent water-efficient irrigation system, such as "bubblers" or drip irrigation, for irrigation of all landscaped areas except where there is turf or other ground cover. All plantings shall have a minimum volume of five (5) gallons. Throughout the term of this grant, the permittee shall maintain all landscaping in a neat, clean and healthful condition, including proper pruning, weeding, litter removal, fertilizing and replacement of plants when necessary.
22. All construction machinery shall be with suitable exhaust and air-intake silencers/mufflers, idling shall be minimized, and machinery shall be turned off when not in use and placed as far as possible from nearby residences. Construction activity shall be prohibited between 7 p.m. and 7 a.m., and all day on Sundays and legal holidays. Noise from compressors, air conditioners, and/or refrigeration units shall be limited to 55 dBA at the adjacent residential property lines. Such equipment shall also be shielded by an acoustical barrier or structure to cover the line of sight from adjacent residential units.
23. Before a building or grading permit is issued, the project will be required to obtain an approved NPDES permit from the Los Angeles County Department of Public Works. All development and redevelopment projects which fall into one of the Standard Urban Stormwater Mitigation Plan (SUSMP) project types must obtain SUSMP approval by the appropriate agency
24. The permittee shall suspend construction in the vicinity of a cultural or paleontological resource encountered during ground-disturbing activities at the site, and leave the resource in place until a qualified archaeologist or paleontologist can examine them and determine appropriate mitigation measures.
25. The project will comply with SCQAMD Rule 403—Fugitive Dust control measures. The project will incorporate all right-of-way improvements required by the Department of Public Works. The project shall comply with all EVR Phase II vapor recovery standards.

26. Before the issuance of building permits, the project will be required to obtain approval from the Department of Public Works regarding right-of-way improvements. Existing driveway aprons and curb ramps along the project site frontage shall be reconstructed to ADA standards.
27. Should any future operation within the project site include the construction, modification, removal, or excavation of underground storage tanks, industrial waste treatment or disposal facilities, and/or stormwater treatment facilities, Public Works' Environmental Programs Division shall be contacted for required approvals and operating permits.
28. Prior to the demolition of the existing building, a statistically valid number of soil samples and accompanying analysis shall be obtained from the project site and submitted to the Los Angeles County Fire Department Health Hazardous Materials Division, to the satisfaction of said division.
29. This grant allows for the construction, operation, and maintenance of a service station and convenience store with the sale of beer and wine for off-site consumption, located at 3949 Dennison Street, East Los Angeles, in the Eastside Unit No. 1 Zoned District of Los Angeles County, subject to the following conditions:
 - a. The sale of beer and wine for off-site consumption shall be permitted only between the hours of 10:00 am – midnight, Sunday through Thursday, and between the hours of 10:00 am – 1:00 am Friday and Saturday;
 - b. No beer or wine shall be displayed within five feet of the cash register or the front door, as required by Section 22.56.245 of the County Code;
 - c. No sale of alcoholic beverages shall be made from a drive-in window, as required by Section 22.56.245 of the County Code;
 - d. No display or sale of beer or wine shall be made from an ice tub, as required by Section 22.56.245 of the County Code;
 - e. No self-illuminating advertising for beer or wine shall be located on buildings or windows;
 - f. Telephone numbers of local law enforcement shall be posted adjacent to the cashier's area;
 - g. The permittee shall not advertise alcoholic beverages on the exterior walls or windows of the subject convenience store or at any exterior location on the subject property, including pump islands, as required by Section 22.56.245 of the County Code;

- h. The permittee shall post the following signs on the premises (in English and Spanish) to the satisfaction of the Director of Planning:
 - i. Prohibiting the consumption of alcoholic beverages on site and prohibiting loitering;
 - ii. Notifying patrons that it is a violation of the California State Vehicle Code to transport open containers of alcoholic beverages within the passenger compartment of a motor vehicle;
 - iii. Stating that the cash register contains \$100.00 or less in cash and that the drop safe is not accessible to employees, and;
- i. The permittee shall not sell beer in individual containers of less than 48 ounces or multiple containers in less than six-pack quantities;
- j. The permittee shall not sell wine, with the exception of wine coolers, in containers of less than 750 milliliters. No miniatures of any type may be sold. Wine coolers shall not be sold in less than four-pack quantities;
- k. The permittee shall provide adequate lighting above the entrance of the premises. This lighting shall be of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons entering or exiting the premises;
- l. The permittee shall maintain a video camera mounted inside the premises in such a position as to be visible to patrons yet not accessible by reach;
- m. The permittee shall instruct all employees in the regulations regarding no loitering and no consumption of beer and wine on site. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary;
- n. All sellers of alcoholic beverages must be at least 18 years old. Between the hours of 10:00 pm and 1:00 am, all sellers of alcoholic beverages must be at least 21 years old. The licensee (or designated representative thereof), all managers, and employees of the establishment 18 years of age or older shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by the California Department of Alcoholic Beverage Control, or an equivalent program as determined by the Director of Planning. This training shall be ongoing and all new employees shall be required to attend. The licensee shall display a certificate or plaque in a public area of the establishment indicating they have participated in this program;

- o. 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;
- p. The permittee shall place at least one 13-gallon trash receptacle inside the business and one 32-gallon trash receptacle outside the business for use by customers;
- q. Outside storage is expressly prohibited;
- r. Off-site signs are prohibited;
- s. The placement of portable signs on sidewalks adjacent to the subject property and temporary signs on walls and poles is prohibited;
- t. Temporary window signs shall not exceed 25 percent of the area of any single window or of adjoining windows on the same frontage
- u. The licensed premises shall have no other coin operated amusements at any time, other than official State Lottery machines;
- v. No ice in quantities of less than two pounds shall be sold, furnished, or given away;
- w. There shall be no cups, glasses, or similar receptacles commonly used for the drinking of beverages sold, furnished, or given away in quantities of less than 24 in their original multi-container package;
- x. Public telephones located in front of the premises shall be for outgoing calls only;
- y. The conditions of this grant shall be retained on the premises at all times and be immediately produced upon request of any County Sheriff, Zoning Enforcement Inspector or ABC investigator. The convenience store manager and all employees of the convenience store shall be knowledgeable of the conditions herein;
- z. A minimum of nine (9) off-street parking spaces, including one space reserved for the handicapped, shall be provided on site.

**RESOLUTION OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
LOCAL PLAN AMENDMENT NO. 200900011**

WHEREAS, Article 6 of Chapter 3 of Division 1 of Title 7 of the Government Code of the State of California (commencing with Section 65350) provides for the adoption of amendments to county general plans; and

WHEREAS, the applicant, BP West Coast Products, LLC, has requested an amendment to the East Los Angeles Community Plan; and

WHEREAS, the Regional Planning Commission of the County of Los Angeles conducted concurrent public hearings regarding Plan Amendment No. 200900011, Zone Change No. 200800009, and Conditional Use Permit No. 200800181 on May 5, 2010 and on June 16, 2010; and

WHEREAS, the Regional Planning Commission finds as follows:

1. The applicant is requesting a change of land use designation from MD (Medium Density Residential) to MC (Major Commercial) on 0.45 gross acres within the East Los Angeles Community Plan.
2. The subject property consists of approximately 0.45 gross acres, located at 3949 Dennison Street in the Eastside Unit No. 1 Zoned District and within the East Los Angeles Community Standards District (CSD).
3. The Plan Amendment request was heard concurrently with Conditional Use Permit No. 200800181 and Zone Change No. 200800009 at the May 5, 2010 public hearing.
4. Conditional Use Permit No. 200800181 is a related request to authorize the construction, operation and maintenance of a new 2,120 square-foot convenience store with the sale of beer and wine for off-site consumption.
5. Zone Change No. 200800009 is a related request to authorize the change in the zoning of the subject property from R-3 (Limited Multiple Residence) to C-1-DP (Restricted Business – Development Program).
6. The 200800181 conditional use permit site plan, labeled Exhibit "A", depicts the 2,120 square-foot convenience store and service station, which includes two (2) gasoline pump canopies of 650 and 1,378 square feet, respectively. One contiguous parking area with a total of nine (9) parking spaces is shown. Access to the site is shown from Dennison Street to the south and from Ditman Avenue to the east. An entrance/exit ramp from the Santa Ana (5) Freeway connects to the southern end Dennison/Ditman intersection, which is located adjacent to the

subject property.

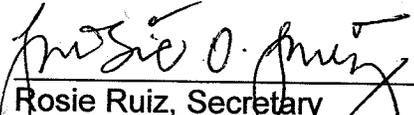
7. The subject property is currently zoned R-3 (Limited Multiple Residence). The subject property is developed with a service station.
8. Modified conditions warrant a revision in the land use designation of the subject property to foster implementation of planning goals and policies listed in the East Los Angeles Community Plan. One of the Plan's Physical Environment Goals is to encourage high standards of development and improve the aesthetic qualities of the community. Plan Policies include maintaining consistency between the Land Use Element, zoning ordinance, and all applicable County regulations and standards, maintaining and enhancing the quality of healthy and stable residential neighborhoods, and encouraging the renovation of buildings to meet present seismic safety standards.
9. A need exists for the proposed change from Medium Density Residential to Major Commercial to achieve greater consistency between land use classification and actual land use patterns in the East Los Angeles community. The expansion and renovation of the pre-existing business requires that the land use classification be changed.
10. The subject property is a proper location for the proposed Major Commercial designation and placement of the proposed designation at such location will be in the interest of public health, safety and general welfare, and in conformity with good zoning practice. The subject property is located immediately adjacent to a similar use within the Major Commercial land use classification and is also adjacent to a freeway entrance and exit, where auto-oriented services are needed.
11. The proposed plan amendment is consistent with the goals and objectives of the East Los Angeles Community Plan.
12. An Initial Study was prepared for the proposed project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study determined that a Negative Declaration would be required. The initial study showed that the design of the project would mitigate the environmental impact of the project to a level of no significance.
13. The Commission approves the Negative Declaration prepared for the project and presented to the Commission; certifies that it has reviewed and considered the environmental information contained in the document; certifies that the Negative Declaration has been completed in compliance with CEQA, the CEQA

Guidelines, and County CEQA Guidelines and reflects the independent judgment of the Commission.

THEREFORE, BE IT RESOLVED, THAT the Regional Planning Commission recommend to the Board of Supervisors of the County of Los Angeles as follows:

1. That the Board of Supervisors hold a public hearing to consider the recommended change of land use classification of the subject property within the East Los Angeles Community Plan from MD (Medium Density Residential) to MC (Major Commercial) with development restrictions as provided by the related Conditional Use Permit No. 200800181; and
2. That the Board of Supervisors certify completion of and approve the attached Negative Declaration; and
3. That the Board of Supervisors find that there is a need for the proposed Local Plan Amendment; and
4. That the Board of Supervisors find that the particular amendment proposed is appropriate and proper; and
5. That the Board of Supervisors find that modified conditions warrant a revision to the County of Los Angeles East Los Angeles Community Plan; and
6. That the Board of Supervisors find that approval of the proposed Local Plan Amendment will be in the interest of public health, safety and general welfare and in conformity with good planning practice; and
7. That the Board of Supervisors adopt the above recommended Plan Amendment.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission in the County of Los Angeles on June 16, 2010.


Rosie Ruiz, Secretary
Regional Planning Commission
County of Los Angeles

**RESOLUTION OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
ZONE CHANGE CASE NO. 200800009**

WHEREAS, the Regional Planning Commission of the County of Los Angeles has conducted public hearings in the matter of Zone Change Case No. 200800009 on May 5, 2010 and June 16, 2010; and,

WHEREAS, the Regional Planning Commission finds as follows:

1. The applicant is requesting a change of zone from R-3 (Limited Multiple Residence) to C-1-DP (Restricted Business – Development Program) on 0.45 gross acres.
2. The subject property consists of approximately 0.45 gross acres, located at 3949 Dennison Street in the Eastside Unit No. 1 Zoned District and within the East Los Angeles Community Standards District (CSD).
3. The Zone Change request was heard concurrently with Conditional Use Permit No. 200800181 and Local Plan Amendment No. 200800011 at the May 5, 2010 public hearing.
4. Conditional Use Permit No. 200800181 is a related request to authorize the construction, operation and maintenance of a new 2,120 square-foot convenience store with the sale of beer and wine for off-site consumption.
5. Local Plan Amendment No. 200800011 is a related request to authorize the change in the land use designation from Medium Density Residential to Major Commercial within the East Los Angeles Community Plan.
6. The 200800181 conditional use permit site plan, labeled Exhibit "A", depicts the 2,120 square-foot convenience store and service station, which includes two (2) gasoline pump canopies of 650 and 1,378 square feet, respectively. One contiguous parking area with a total of nine (9) parking spaces is shown. Access to the site is shown from Dennison Street to the south and from Ditman Avenue to the east. An entrance/exit ramp from the Santa Ana (5) Freeway connects to the southern end Dennison/Ditman intersection, which is located adjacent to the subject property.
7. The subject property is currently zoned R-3 (Limited Multiple Residence). The subject property is developed with a service station.
8. Modified conditions warrant a revision in the zoning of the subject property to foster implementation of planning goals and policies listed in the East Los Angeles Community Plan. One of the Plan's Physical Environment Goals is to

encourage high standards of development and improve the aesthetic qualities of the community. Plan Policies include maintaining consistency between the Land Use Element, zoning ordinance, and all applicable County regulations and standards, maintaining and enhancing the quality of healthy and stable residential neighborhoods, and encouraging the renovation of buildings to meet present seismic safety standards.

9. A need exists for the proposed Zone Change from R-3 to C-1-DP to achieve greater consistency between zoning and actual land use patterns in the East Los Angeles community. The expansion and renovation of the pre-existing business requires that the zoning be changed.
10. The subject property is a proper location for the proposed C-1-DP zoning classification and placement of the proposed zone at such location will be in the interest of public health, safety and general welfare, and in conformity with good zoning practice. The subject property is located immediately adjacent to a similar use within the C-1-DP zone and is also adjacent to a freeway entrance and exit, where auto-oriented services are needed.
11. The proposed Zone Change from R-3 to C-1-DP is consistent with the goals and objectives of the East Los Angeles Community Plan.
12. An Initial Study was prepared for the proposed project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study determined that a Negative Declaration would be required. The initial study showed that the design of the project would mitigate the environmental impact of the project to a level of no significance.
13. The Commission adopts the Negative Declaration prepared for the project and presented to the Commission; certifies that it has reviewed and considered the environmental information contained in the document; certifies that the Negative Declaration has been completed in compliance with CEQA, the CEQA Guidelines, and County CEQA Guidelines and reflects the independent judgment of the Commission.

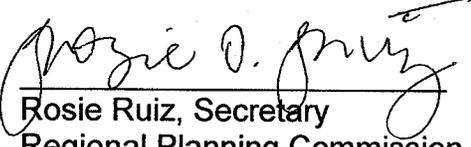
THEREFORE, BE IT RESOLVED, THAT the Regional Planning Commission recommend to the Board of Supervisors of the County of Los Angeles as follows:

1. That the Board of Supervisors hold a public hearing to consider the recommended change of zone from R-3 to C-1-DP with development restrictions

as provided by the related Conditional Use Permit No. 200800181; and

2. That the Board of Supervisors certify completion of and approve the attached Negative Declaration; and
3. That the Board of Supervisors find the recommended zoning is consistent with the Los Angeles County General Plan;
4. That the Board of Supervisors find that the public convenience, the general welfare and good zoning practice justify the recommended change of zone; and
5. That the Board of Supervisors adopt the above recommended change of zone.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission in the County of Los Angeles on June 16, 2010.


Rosie Ruiz, Secretary
Regional Planning Commission
County of Los Angeles