

# Hearing Officer Transmittal Checklist

Hearing Date  
2/3/2015  
Agenda Item No.  
3

Project Number: R2009-00871-(2)  
Case(s): Conditional Use Permit Case No. 200900063  
Planner: Adrine Arakelian

- Project Summary
- Property Location Map
- Staff Analysis
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions
- Burden of Proof Statement(s)
- Environmental Documentation (ND / MND / EIR)
- Correspondence
- Photographs
- Aerial Image(s)
- Land Use/Zoning Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans

Reviewed By: 



Department of Regional Planning  
 320 West Temple Street  
 Los Angeles, California 90012

**PROJECT NUMBER**  
 R2009-00871

**HEARING DATE**  
 February 3, 2015

**REQUESTED ENTITLEMENTS**

Conditional Use Permit No. 200900063  
 Minor Parking Deviation

**PROJECT SUMMARY**

**OWNER / APPLICANT**

Gloria Garcia

**MAP/EXHIBIT DATE**

12/2/2013

**PROJECT OVERVIEW**

This project seeks to authorize the use of an auto body and auto painting business in the C-M (Commercial Manufacturing) zone in the West Athens-Westmont area. The project is also requesting a minor parking deviation for reduction of one required parking space. The use is an existing, unpermitted business which is seeking legal establishment. The site contains an existing 1,200 square foot building used as an office and frame shop, an existing 552 square foot building within which a 294 square foot paint booth is located, and an existing metal canopy structure, 1,455 square feet in area. The surrounding land uses include industrial, commercial, and residential uses. Residential uses abut the property to the north. The property is located in the West Athens-Westmont CSD.

**LOCATION**

1517 W. El Segundo Blvd., West Athens-Westmont

**ACCESS**

W. El Segundo Blvd.

**ASSESSORS PARCEL NUMBER(S)**

6090-003-016

**SITE AREA**

6,550 sf

**GENERAL PLAN / LOCAL PLAN**

West Athens-Westmont Community Plan

**ZONED DISTRICT**

Gardena Valley

**LAND USE DESIGNATION**

C.4 (Commercial Manufacturing)

**ZONE**

C-M (Commercial Manufacturing)

**PROPOSED UNITS**

N/A

**MAX DENSITY/UNITS**

N/A

**COMMUNITY STANDARDS DISTRICT**

West Athens-Westmont

**ENVIRONMENTAL DETERMINATION (CEQA)**

Class 1 Categorical Exemption – Existing Facilities

**KEY ISSUES**

- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
  - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
  - 22.44.120 (West Athens-Westmont CSD requirements)
  - 22.28.270 (C-M Zone Development Standards)
  - 22.56.1762 (Director's Review – Minor Deviations in Required Vehicle Parking)

**CASE PLANNER:**

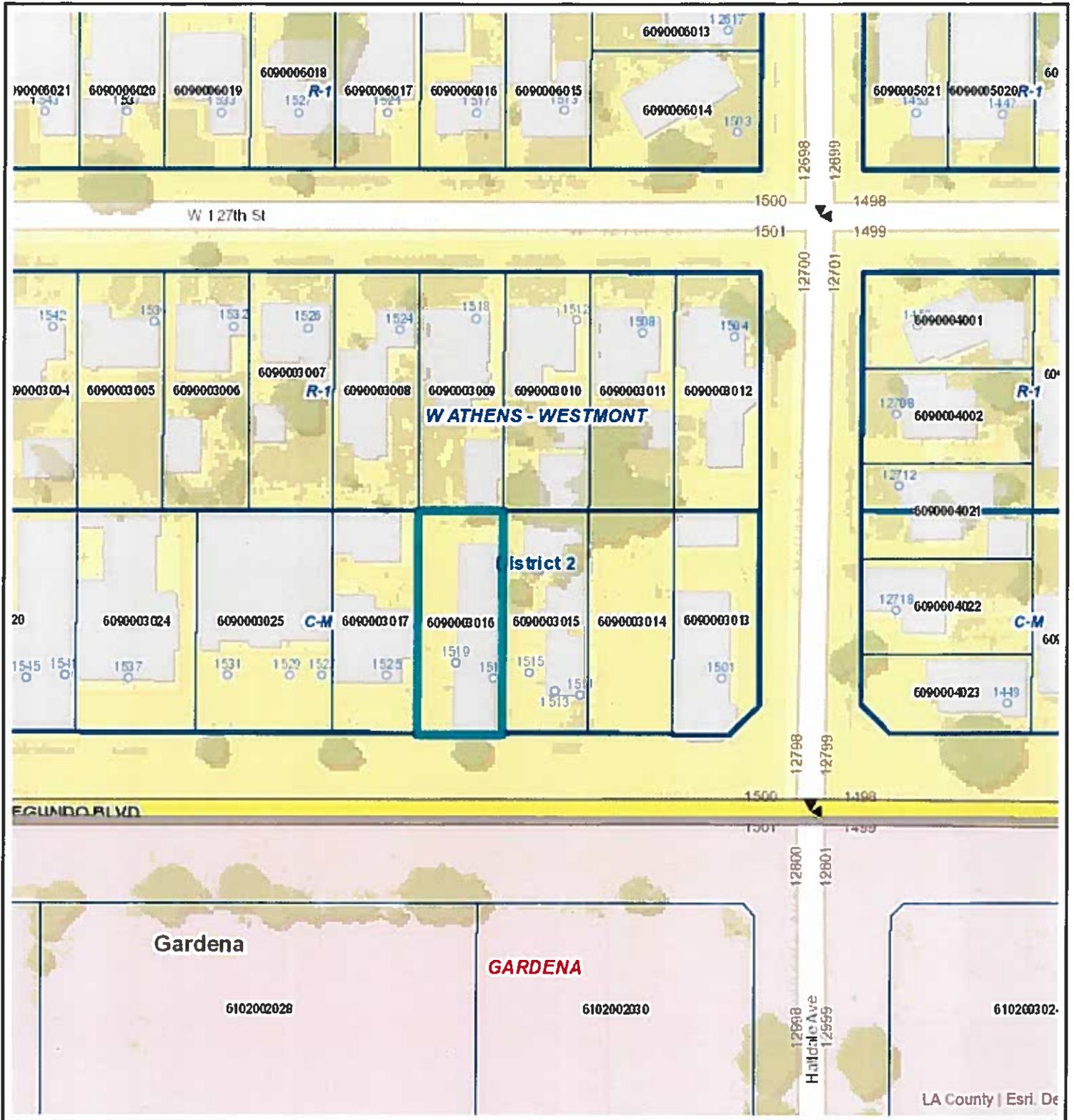
Adrine Arakelian

**PHONE NUMBER:**

(213) 974 - 6462

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**R2009-00871**

**Property Location Map**

Printed: Nov 04, 2014



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### **ENTITLEMENTS REQUESTED**

- Conditional Use Permit (CUP) to authorize an existing auto body and paint repair shop in the C-M (Commercial Manufacturing) Zone pursuant to County Code Section 22.28.260.
- Minor Parking Deviation to request a 15% reduction in required parking, equivalent to one parking space, pursuant to County Code Section 22.56.1762.

### **PROJECT DESCRIPTION**

This project seeks to authorize the use of an auto body and auto painting business in the C-M zone in the West Athens-Westmont area. The use is an existing, currently unpermitted business which is seeking legal establishment. The site contains an existing 1,200 square foot building to be used as an office and frame shop and an existing 552 square foot building within which a 294 square foot enclosed paint booth has been constructed. Six total parking spaces are provided. Five of the spaces are located under an existing metal canopy structure, 1,455 square foot in area, with the sixth space located at the rear of the property. The property is located in the West Athens-Westmont CSD.

### **EXISTING ZONING**

The subject property is zoned C-M.

Surrounding properties are zoned as follows:

- North: R-1 (Single-Family Residence)
- South: City of Gardena, M-1 (Light Manufacturing)
- East: C-M (Commercial Manufacturing)
- West: C-M (Commercial Manufacturing)

### **EXISTING LAND USES**

The subject property is developed with two buildings, a metal canopy structure, and an access drive with parking located along the rear of the access drive. The property has been used as an auto body and paint business, operating presently without permit authorization.

Surrounding properties are developed as follows:

- North: Single family residences
- South: Light industrial uses in the City of Gardena
- East: Commercial and manufacturing uses consisting of auto services, multifamily residences
- West: Commercial and manufacturing uses consisting of auto repair, auto body, auto parts and tire sales

### **PREVIOUS CASES/ZONING HISTORY**

This property was zoned M-1 (Light Manufacturing), but the zoning was changed in 1990 as part of the West Athens-Westmont Community Plan to the current C-M zone.

The buildings on site were constructed in 1954. No other previous permits were issued for this property.

## ENVIRONMENTAL DETERMINATION

### ***Categorical Exemption:***

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. This project is to authorize an existing land use in an existing structure within an urbanized area. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

## STAFF EVALUATION

### General Plan/Community Plan Consistency

The project site is located within the Commercial Manufacturing (C.4) land use category of the West Athens-Westmont Community Plan. This designation is intended for commercial uses/services with manufacturing or assembly on site. The auto body and painting business is consistent with the land use designation and is therefore consistent with the permitted uses of the underlying land use category.

The following policies of the Community Plan are applicable to the proposed project:

- *Economic Goals: Retain and expand the number of small businesses.*  
The project seeking authorization is a small, locally and family-owned business that would provide local employment.
- *Land Use Goals: To balance the area's social, cultural, and economic needs and environmental considerations in the allocation of its land resources.*  
The site, located along El Segundo Blvd, is adjacent to other commercial and manufacturing land uses, as well as residential land uses to the rear of the property. The area has historically had a mixture of different land uses in proximity to each other, addressing both social and economic needs in an already urbanized area.
- *Residential Neighborhood Goals: Ensure a sensitive transition between commercial and industrial uses and residential uses by means of techniques such as buffering, landscaping, and setbacks.*

While the buildings and site layout has been in existence since 1954 and in present ownership since 2001, improvements will be made to the site to buffer the adjacent residences from the activity of the auto body and painting business, including inserting a landscaped buffer to the rear of the property where the residences are located. The project locates the use and noise intensive repair activities in an enclosed building closer to El Segundo Boulevard, which is a heavily used and largely commercial/industrial corridor in this area. The rear of the property will be used for parking with the addition of a landscaped buffer along the rear property line.

Zoning Ordinance and Development Standards Compliance

Pursuant to Section 22.28.270 of the County Code, establishments in the C-M Zone are subject to the following development standards:

- The zoning requires a minimum of 10% landscaping and a maximum of 90% building lot coverage. The existing site layout is in conformance with the maximum lot coverage limit, however due to its existing buildings constructed in 1954, the property does not conform to the landscaping standard. It will partially satisfy the 10% landscaping requirement with the addition of a landscaped buffer at the rear of the property.

Pursuant to Section 22.44.120 of the County Code, establishments in the West Athens-Westmont Community Standards District (CSD) are subject to additional development standards. The CSD's height limit of 40 feet is applicable to this project.

- The site's building and structures are in conformance with the 40-foot height limit established for the area.

Pursuant to Section 22.52.1100 of the County Code, establishments in commercial areas are subject to the following development standards applicable to parking:

- The standard requires parking be provided at a ratio of one parking space per each 250 square feet of floor area provided. The project is requesting a minor parking deviation for a reduction of 15% in the required parking, equivalent to one parking space. The project has three employees working on-site. Six spaces are provided, satisfying parking for employees and providing spaces for customer pick up/drop off of vehicles. In addition, the 552 square foot building on-site houses a storage area and an enclosed auto paint booth. The enclosed paint booth is approximately the equivalent of one parking space in area and will be occupied by a vehicle when in use.

Site Visit

A site visit was conducted on September 18, 2014. Improvements were being made to the property to conform to the standards for the use. However, a few inoperable vehicles remained on-site. Staff has worked steadily with the applicants over the period of their application to clear out inoperable vehicles and maintain clear access to the site. The applicant stated that they are in the process of removing the few remaining inoperable vehicles and moving all repair operations into the main structure, so that no repair work is conducted outside of an enclosed building. The applicants have demonstrated a willingness to comply with the stated regulations and proposed conditions.

**Burden of Proof**

The applicant is required to substantiate all facts identified by Section 22.56.040 of the County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

**Neighborhood Impact/Land Use Compatibility**

Legalization of the existing use would be compatible with the land uses located on El Segundo Blvd in its immediate context. Several repair shops are located in its vicinity, including the adjacent lawnmower repair shop. The use does not propose any additional square footage to the buildings. Legalization and operation of the repair business with conditions and oversight of operations would render it compatible with the residential zoning to the north. The C-M zoning is intended for commercial/industrial uses of this nature. As such, the proposed project is compatible with the zoning and the existing building is compatible with the character and scale of the community.

**COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

The Department of Public Health recommends approval with the note that the business must operate in compliance with the County Noise Control Ordinance, Chapter 12.08 of Title 12.

The Department of Public Works recommends approval with the conditions for improvement to the access and on site drainage to comply with ADA and water quality requirements.

The Fire Department recommends approval with the requirement that the project be subject to Chapter 15 of Title 32, of the Fire Code during architectural plan review for future improvements to the structures.

**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.

**PUBLIC COMMENTS**

Staff received one letter of correspondence stating concerns about the Project, in regards to noise, hours of operation, and parking of vehicles on public streets. Conditions have been added to address these concerns, such as requiring all auto repair activity to be enclosed, limiting hours of operation to 8:30 to 5:30 Monday through Saturday, ensuring that parking be provided on site for employees and patrons, and requiring the removal of all inoperable vehicles to create more space for keeping cars on site.

**FEES/DEPOSITS**

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

**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 R2009-00871, Conditional Use Permit Number 200900063 subject to the attached conditions.

**SUGGESTED APPROVAL MOTION:**

**I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING, FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES, AND APPROVE CONDITIONAL USE PERMIT NUMBER 200900063 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.**

Prepared by Adrine Arakelian, RPA II, Zoning Permits West Section  
Reviewed by Mi Kim, Supervising Regional Planner, Zoning Permits West Section

**Attachments:**

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

MKK:AA  
1/12/15

**DRAFT FINDINGS OF THE HEARING OFFICER  
AND ORDER  
COUNTY OF LOS ANGELES  
PROJECT NO. R2009-00871-(2)  
CONDITIONAL USE PERMIT NO. 200900063**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Project No. R2009-00871, consisting of Conditional Use Permit No. 200900063 ("CUP") and Minor Parking Deviation on February 3, 2014. (The Conditional Use Permit and Minor Parking Deviation are referred to collectively as the "Project Permits.") The Hearing Officer previously conducted a duly-noticed hearing on CUP No. 200900063 on December 16, 2014.
2. The permittee, Gloria Garcia ("permittee"), requests the Project Permits to authorize the operation of an auto body and paint repair establishment within existing structures on site ("Project") inclusive of six parking spaces on a property located at 1517 W. El Segundo Boulevard in the unincorporated community of West Athens-Westmont ("Project Site").
3. The CUP is a request to authorize the operation of an auto body, paint, and repair establishment in the C-M (Commercial Manufacturing) zone pursuant to Los Angeles County Code ("County Code") section 22.28.260.
4. The Minor Parking Deviation is a related request to authorize a 15 percent reduction in the required parking, equivalent to one parking space, pursuant to County Code sections 22.52.1100 and 22.56.1762.
5. The Project Site is 0.15 gross acres in size and consists of one legal lot. The Project Site is rectangular in shape with relatively flat topography and is developed with a 1,200 square foot building to be used as an office and frame shop, a 552 square foot building with a 294 square foot enclosed paint booth, and an existing 1,455 square foot metal canopy structure for parking.
6. The Project Site is located in the Gardena Valley Zoned District and is currently zoned C-M (Commercial Manufacturing).
7. The Project Site is located within the Commercial Manufacturing (C.4) land use category of the West Athens-Westmont Community Plan.
8. Surrounding Zoning within a 500-foot radius includes:
  - North: R-1(Single-Family Residence)
  - South: City of Gardena, M-1(Light Manufacturing)
  - East: C-M (Commercial Manufacturing)
  - West: C-M (Commercial Manufacturing)

9. Surrounding land uses within a 500-foot radius include:

North: Single family residences

South: Light industrial uses in the City of Gardena

East: Commercial and manufacturing uses consisting of auto services, multifamily residences

West: Commercial and manufacturing uses consisting of auto body, auto parts and tire sales

10. The Project site was rezoned in 1990 from M-1 to C-M as part of the West Athens-Westmont Community Plan. The buildings on site were constructed in 1954. No other previous permits were issued for this property.

11. The site plan for the Project depicts the Project site with two existing one-story buildings and a metal canopy structure. The office and frame repair work will take place in the 1,200 square foot building measuring 48 feet by 25 feet. A 552 square foot building, measuring 24 feet by 21 feet, will be used for materials storage and within which will be located a 294 square foot enclosed paint booth. Five parking spaces will be located under an existing 1,455 square foot metal canopy structure, measuring 58 feet by 24 feet with a sixth parking space located at the rear of the property. Additionally, a narrow landscape buffer will be located at the rear of the property. Ingress and egress to the Project site is provided by an existing driveway to be expanded to 21 feet in width.

12. The Project Site is accessible via El Segundo Boulevard to the south. The main and only access to the Project Site will be via an entrance/exit on El Segundo Boulevard.

13. The Project will provide a total of 6 parking spaces, one of which will be handicap accessible. Five of the spaces are located under the metal canopy at the rear of the site. One space is located at the end of the driveway to the rear of the property. The provided parking is a 15 percent reduction from that required pursuant to Chapter 22.52 of Title 22.

14. The County Department of Public Works ("Public Works") recommends approval of this Project and has recommended conditions of approval, which are included in the Project's conditions. The County Fire Department ("Fire Department") recommends approval of this Project. The Project will provide adequate fire access, water flow, and will submit tenant improvements to the Fire Department for review and approval. The County Department of Public Health ("Public Health") recommends approval of the Project with recommended conditions pertaining to maintaining public water and sewer connections and adherence to County Noise Control measures.

15. Prior to the Hearing Officer's public hearing on the Project, Regional Planning staff determined that the Project qualifies for a Class 1, Existing Facilities, categorical exemption from 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 for the County, because the Project involves the authorization of an existing auto body and paint

repair business within existing structures on a developed site with no expansion of operation or additional square footage.

16. Pursuant to the provisions of sections 22.60.174, 22.60.175, and 22.56.1762 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
17. Prior to the public hearing held on December 16, 2014, the Department of Regional Planning staff received one letter stating concerns about the Project, in regards to hours of operation, noise, and parking of vehicles on public streets. Conditions have been added to address these concerns, such as requiring all auto repair activity to be enclosed, limiting hours of operation to 8:30 to 5:30 Monday through Saturday, ensuring that parking is provided on site for employees and patrons, and requiring the removal of all inoperable vehicles which creates more space for keeping vehicles on site.
18. The Hearing Officer finds that the Project is consistent with the Community Plan designation, Commercial Manufacturing (C.4), land use category of the West Athens-Westmont Community Plan. This designation is intended for the industrial nature of the businesses along El Segundo Boulevard.
19. The Hearing Officer finds that the project is consistent with the zoning designation for the site. The C-M zone is intended for uses of a mixed nature that include heavier commercial and manufacturing type uses. An auto body and paint repair establishment fits the category of use.
20. The Hearing Officer finds that the applicant has met the burden of proof.
21. The Hearing Officer finds that the Project is compatible with the surrounding land uses and the built form of the area. The use is a commercial-manufacturing use located on a major thoroughfare adjacent to other similar type uses. It is compatible with the adjacent residential uses as landscaping has been added as a buffer to the rear of the site. All repair operations will take place within an enclosed building located nearer to El Segundo Boulevard. The surrounding area largely consists of one-story structures, therefore the existing one-story building is also compatible with the built form of the surrounding area and no new development is proposed.
22. The Hearing Officer finds that pursuant to Section 22.56.1762 of Title 22 the required parking reduction requested is less than 30 percent in the number of vehicle parking spaces required by this Title 22 and that the principles and standards of Section 22.56.1690 have been met.
23. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the Conditional Use Permit to 20 years.
24. The Hearing Officer finds that pursuant to sections 22.60.174, 22.60.175, and 22.56.1762 of the County Code, the community was properly notified of the public

hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of West Athens-Westmont community. On November 6, 2014, a total of 82 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as 4 notices to those on the courtesy mailing list for the Gardena Valley Zoned District and to any additional interested parties. For the continued February 3, 2015 hearing date, on December 23, 2014, a total of 82 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as 4 notices to those on the courtesy mailing list for the Gardena Valley Zoned District and to any additional interested parties in accordance with the requirements as previously stated.

25. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits West Section, Department of Regional Planning.

**BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:**

- A. The proposed use with the attached conditions will be consistent with the adopted West Athens-Westmont Community Plan.
- B. The proposed use at the site 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.
- C. 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.
- D. 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.
- E. The proposed reduction of required parking spaces is less than 30 percent.
- F. The use, development of land and/or application of development standards, when considered on the basis of the suitability of the site for the particular use or development intended, is so arranged as to avoid traffic congestion, insure the protection of public health, safety and general welfare, prevent adverse effects on neighboring property and is in conformity with good zoning practice.

- G. The use, development of land and/or application of development standards is suitable from the standpoint of functional developmental design.

**THEREFORE, THE HEARING OFFICER:**

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15301 of the State CEQA Guidelines (Class 1, Existing Facilities categorical exemption); and
2. Approves Conditional Use Permit 200900063 and Minor Parking Deviation, subject to the attached conditions.

**ACTION DATE: February 3, 2015**

MKK:AA

December 18, 2014

c: Hearing Officer, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO.R2009-00871-(2)  
CONDITIONAL USE PERMIT NO. 200900063  
MINOR PARKING DEVIATION**

**PROJECT DESCRIPTION**

The project is to authorize the use of an existing auto body and auto painting business with an existing 1,200 square foot building to be used as an office and frame shop, an existing 552 square foot building with a 294 square foot enclosed paint booth, and an existing 1,455 square foot metal canopy structure subject to the following conditions of approval:

**GENERAL CONDITIONS**

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose 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 ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
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 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate 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 reasonably 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 make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the

costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses 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 \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on February 3, 2035.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued operation of the auto body and paint repair business and satisfaction of Condition No. 2 shall be considered use of this grant.
10. 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. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$2600.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **13 inspections, 1 inspection per year for the first 4 years, thereafter 1 biennial (one every other year)** inspection. 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 one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. 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 ("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, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code, inclusive of signage requirements, and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.

16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. 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.

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 notification 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 conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by April 3, 2015.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

#### PROJECT SITE SPECIFIC CONDITIONS

19. This grant shall authorize the use of an existing auto body and painting business with an existing 1,200 square foot building to be used as an office and frame shop, an existing 552 square foot building with a 294 square foot enclosed paint booth, and an existing 1,455 square foot metal canopy structure for parking, customer pick-up/drop-off of vehicles, and incidental washing of vehicles.
20. Six (6) parking spaces shall be provided on the subject property as depicted on the approved site plan in lieu of the required seven (7) parking spaces per the County Code. If the permittee changes the operation of auto body and paint repair operation so as to require less parking than the minimum requirement, the permittee may submit an application for a Revised Exhibit "A" within 90 days of such occurrence.

If the auto body repair substantially changes its mode or character of operation or if the permittee changes the use or occupancy or otherwise modifies the subject property so as to require parking beyond the minimum requirement, the permittee shall submit an application for a minor parking deviation, parking permit, variance,

or other applicable permit, as determined by the Director, within 90 days of such occurrence.

21. The permittee shall maintain the subject property in a neat and orderly fashion and free of litter on all areas of the premises under which the permittee has control.
22. The hours of operation shall be Monday through Saturday, from 8:30 am to 5:30 pm and shall be closed on Sunday.
23. All repair activities shall be conducted in an enclosed building. All auto painting shall be conducted within the enclosed auto painting booth.
24. Vehicles shall not be placed so as to block access to the required parking areas.
25. The driveway access shall remain accessible at all times. Vehicles shall not be placed so as to block the driveway access.
26. The required parking area shall be maintained free of inoperable vehicles.
27. The permittee shall maintain the landscape buffer at the rear of the property in a neat, clean, and healthy condition, and shall properly prune, weed, remove litter, and replace plants when necessary.
28. Within 60 days of the approval of this Project, April 3, 2015, all inoperable vehicles shall be removed from the site. Any inoperable vehicles arriving on site thereafter shall be removed within 7 days of arrival on site.
29. The permittee shall comply with all the conditions set forth in the attached County Public Health Department letter dated June 12, 2014 to the satisfaction of the said department.
30. The permittee shall comply with all conditions set forth in the attached County Public Works Department letter dated May 27, 2014 to the satisfaction of the said department.
31. The permittee shall comply with all the conditions set forth in the attached County Fire Department letter dated November 13, 2014 to the satisfaction of the said department.

**Attachments:**

Fire Department Letter dated November 13, 2014

Public Works Department Letter dated May 27, 2014

Public Health Department Letter dated June 12, 2014



**COUNTY OF LOS ANGELES FIRE DEPARTMENT  
FIRE PREVENTION DIVISION**

Land Development Unit  
5823 Rickenbacker Road  
Commerce, CA 90040  
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: CUP R2009-00871

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**THE FIRE DEPARTMENT RECOMMENDS APPROVAL OF THIS PROJECT AS PRESENTLY SUBMITTED WITH THE FOLLOWING CONDITIONS OF APPROVAL.**

**CONDITIONS OF APPROVAL**

1. Access as noted on the Site Plan is in compliance with Section 503 of the Title 32 (County of Los Angeles Fire Code), which requires an all-weather access surface to be clear to sky.
2. Per the fire flow test performed by Golden State Water Company dated 05-18-11, the existing water system meets current Fire Department requirements.
3. Submit architectural plans to the Fire Department Building Plan Check office in Hawthorne for review and approval of the new spray booth and carport. Contact (310) 263-2732 for submittal information.
4. All proposed gates, both vehicular and pedestrian gates, shall comply with the County of Los Angeles Fire Code and the Fire Department's Regulation 5. Compliance required prior to operation of the new spray booth.
5. The project is subject to compliance with Chapter 24 of Title 32, County of Los Angeles Fire Code, during the architectural plan review for future tenant improvement/building remodel or during the annual inspections by the jurisdictional fire station.

For any questions regarding the report, please contact Juan Padilla at (323) 890-4243 or [Juan.Padilla@fire.lacounty.gov](mailto:Juan.Padilla@fire.lacounty.gov).



# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

GAIL FARBER, Director

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

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

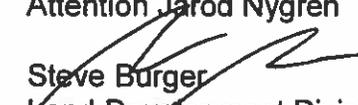
May 27, 2014

IN REPLY PLEASE

REFER TO FILE LD-2

TO: Mi Kim  
Zoning Permits West Section  
Department of Regional Planning

Attention Jarod Nygren

FROM:   
Steve Burger  
Land Development Division  
Department of Public Works

**CONDITIONAL USE PERMIT (CUP) NO. 200900063**  
**PROJECT NO. R2009-00871(2)**  
**1517 EL SEGUNDO BOULEVARD**  
**ASSESSOR'S MAP BOOK NO. 6090, PAGE NO. 3, PARCEL NO. 16**  
**UNINCORPORATED COUNTY AREA OF ATHENS**

We reviewed the revised site plan for CUP No. 200900063 in the unincorporated County area of Athens, located at 1517 El Segundo Boulevard. The proposed project seeks to legalize the operation of an auto body and paint shop in a commercial manufacturing zone. There are two existing buildings (1,200 square foot and 552 square foot) with a proposed 294-square-foot, enclosed paint booth within the existing 552-square-foot building and 1,008-square-foot, metal canopy structure. The applicant never obtained the appropriate approval from Regional Planning for the operation. Regional Planning has advised Public Works to treat this as a new project.

- Public Works recommends approval of this site plan.
- Public Works does **NOT** recommend approval of this site plan.

**Upon approval of the site plan, we recommend the following conditions:**

### Road

1. Permission is granted to waive the additional one foot of right of way on El Segundo Boulevard, along the property frontage, due to title limitations (the existing building is built up to the existing right-of-way line located at 49 feet from the centerline of El Segundo Boulevard).

2. Reconstruct the displaced sidewalk fronting the property located approximately 16 feet from the westerly edge of the body shop building to the satisfaction of Public Works.
3. Reconstruct the existing driveway approach at the site to extend it in the easterly direction to align with the western edge of the 1,200-square-foot building to achieve an on-site drive aisle width of minimum 20 foot. The driveway reconstruction must meet current Americans with Disabilities Act (ADA) guidelines and be to the satisfaction of Public Works. Driveways may need to be depressed. Relocate any affected utilities/catch basins. Adjust on-site grades accordingly.
4. All gates shall open inward or slide.
5. Construct drainage devices at the site (parkway drains/curb drains) to the satisfaction of Public Works. Execute a maintenance covenant for the ongoing maintenance of said drains to the satisfaction of Public Works.
6. Provide a construction letter from the property owner of the property located immediately west (APN 6090-003-017) to enter and reconstruct the existing shared driveway apron to the satisfaction of Public Works. The existing driveway apron will need to be reconstructed to extend it in the easterly direction to align with the western edge of the 1,200-square-foot building. On-site and off-site (into the neighboring property to the west) grading adjustments may be necessary.
7. Repair any improvements damaged during construction to the satisfaction of Public Works.
8. Submit street improvement plans and acquire street plan approval or direct check status before obtaining a grading permit.
9. Execute an Agreement to Improve for the street improvement prior to issuance of a building permit.

For questions regarding the road conditions, please contact Juan Sarda, [jsarda@dpw.lacounty.gov](mailto:jsarda@dpw.lacounty.gov), or Matthew Dubiel, [mdubiel@dpw.lacounty.gov](mailto:mdubiel@dpw.lacounty.gov), of Public Works' Land Development Division at (626) 458-4921.

### **Grading**

1. Submit a drainage and grading plan for review and approval. The plans must show and call out the constriction of at least all drainage devices and details, paved driveways, elevation and drainage of all pads, and all water quality devices, if applicable. The applicant is required to show and call out all existing easements on the grading plan and obtain the easement holder(s) approvals.
2. Obtain and submit drainage acceptance letters from the impacted off-site owners if determined to be necessary at the detailed plan review stage. The project is proposing to capture the flow within the lot through a driveway trench drain, treat it, and then outlet it through a curb drain/parkway on the west side of the shared driveway (fronting the neighboring property to the west).
3. A maintenance agreement may be required prior to grading plan approval for privately maintained drainage devices including any on-site water quality devices.
4. Obtain Public Works' Geotechnical and Materials Engineering Division, Soils and Geology, approval (if applicable) of the grading plan.

For questions regarding the grading conditions, please contact Mr. Sarda, or Mr. Dubiel, at (626) 458-4921.

### **Drainage**

1. Prior to issuance of a building permit, a drainage and grading plan must be approved to provide for the proper distribution of drainage to comply with water quality requirements.

For questions regarding the drainage comment, please contact Toan Duong of Land Development Division at (626) 458-4921 or [tduong@dpw.lacounty.gov](mailto:tduong@dpw.lacounty.gov).

If you have any other questions or require additional information, please contact Mr. Sarda at (626) 458-4921 or [jsarda@dpw.lacounty.gov](mailto:jsarda@dpw.lacounty.gov).

JS:tb



JONATHAN E. FIELDING, M.D., M.P.H.  
Director and Health Officer

CYNTHIA A. HARDING, M.P.H.  
Chief Deputy Director

ANGELO J. BELLOMO, REHS  
Director of Environmental Health

TERRI S. WILLIAMS, REHS  
Assistant Director of Environmental Health

5050 Commerce Drive  
Baldwin Park, California 91706  
TEL (626) 430-5100 • FAX (626) 813-3000

[www.publichealth.lacounty.gov](http://www.publichealth.lacounty.gov)

BOARD OF SUPERVISORS

- Gloria Molina  
First District
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- Don Knabe  
Fourth District
- Michael D. Antonovich  
Fifth District

June 12, 2014

TO: Adrine Arakelian  
Regional Planning Assistant II  
Department of Regional Planning

FROM: Michelle Tsiebos, MPA, REHS (MT)  
Environmental Health Division  
Department of Public Health

SUBJECT: CUP CONSULTATION  
PROJECT NO. R2009-00871/ RCUP 200900063  
Auto Body & Paint Shop  
1517 W. El Segundo Blvd., West Athens-Westmont

- Public Health recommends approval of this CUP.
- Public Health does **NOT** recommend approval of this CUP.

The Department of Public Health – Environmental Health Division has reviewed the information provided for the project identified above. The CUP is for the operation of an existing auto body and paint shop in the C-M zone. The facility was established without Regional Planning approval.

The Department recommends approval of the CUP with the following conditions:

1. The project shall remain connected to public water and public sewer.
2. The project shall comply with the requirements of the Los Angeles County Noise Control Ordinance as found in Chapter 12.08 of the Los Angeles County Code, Title 12.

For any questions regarding this report, please contact me at (626) 430-5382 or [mtsiebos@ph.lacounty.gov](mailto:mtsiebos@ph.lacounty.gov).



Los Angeles County  
Department of Regional Planning  
Planning for the Challenges Ahead

09 0871



# 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.

Applicant has engaged the services of Vickers Construction Company, who is a licensed contractor who will construct the necessary changes to the applicant's auto body/paint shop which is located on El Segundo Boulevard.

**Answer to A:**

1. Applicant has owned and operated a body shop (cont'd on next page)

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.

**Answer to B:**

The enclosed site plans and drawings were constructed by Vickers Construction Company and meets all of the requirements necessary to comply with the Los Angeles County Department of Regional Planning's rules. El Rincon Auto Body & Paint Shop will be fully enclosed. A paint booth and other activities of the body shop will be properly covered.

- 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.

cont'd on next page

**ADDENDUM TO CONDITIONAL USE PERMIT BURDEN OF PROOF****Cont'd. Answer to A:**

1. at this location for in excess of five years without problems or complaints. It has not adversely affected the health, peace, comfort or welfare of persons residing or working in the surrounding area.
2. It will not be materially detrimental to the use, enjoyment or valuation of property of other businesses located nearby. There are no residents adjacent to this business on El Segundo Boulevard. There are residents to the north and behind the property. They are occupied by transients and renters.
3. This property as it exists and will be changed, does not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

**Answer to C:**

1. El Segundo Boulevard is a major east-west thoroughfare with six travel lanes plus parking lanes. Traffic will not be adversely affected. Traffic into this body shop in relation to the traffic on El Segundo Boulevard is minimal.
2. No other public or private service facilities are required.



## MINOR PARKING DEVIATION BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.1690, the applicant shall substantiate the following:

*(Do not provide one word or Yes/No responses. If necessary, attach additional pages.)*

**A. That the use, development of land and/or application of development standards is in compliance with all applicable provisions of this Title 22.**

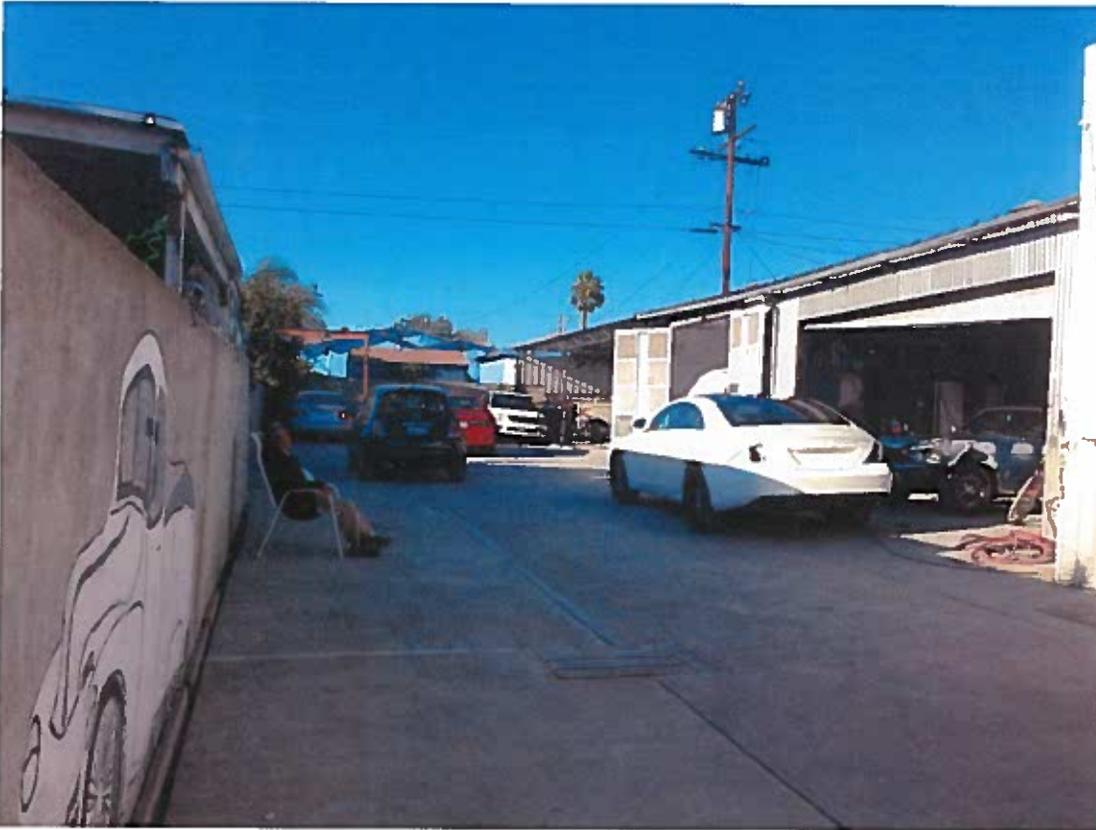
The current operation has only three employees and has parking for the drop-off and pick-up of cars by customers. Due to the nature of the operation, space is made available to move around vehicles on the site according to what repair work is being done at that point. The site has the flexibility and space to allow for the necessary movement of vehicles and repair operations. The use is in compliance with standards and regulations that were in effect at the time of its construction. A landscape buffer has been added to the property line that abuts the residential aspect.

**B. That the use, development of land and/or application of development standards, when considered on the basis of the suitability of this site for the particular use or development intended, is arranged as to avoid traffic congestion, insure the protection of public health, safety and general welfare, prevent adverse effects on neighboring property and is in conformity with good zoning practice.**

The operation is located on El Segundo Boulevard, a major east-west thoroughfare, with six travel lanes plus parking lanes. Traffic will not be adversely affected. Traffic into the operation in relation to the traffic on El Segundo Boulevard is minimal. The site plans submitted meet all requirements necessary to comply with the Los Angeles County Department of Regional Planning's rules without adversely affecting the neighboring businesses, rather, as proposed will further avoid traffic congestion.

**C. That the use, development of land and/or application of development standards is suitable from the standpoint of functional developmental design.**

This operation will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area. It will not be materially detrimental to the use, enjoyment or valuation of property of other businesses located nearby. There is a landscape installation to the northern aspect that abuts the residential zone. This property as it exists today, and will be changed, does not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.



**This image shows the access drive into the site, the repair area, paint booth, and parking spaces under the metal canopy at the rear of the site.**



**This image shows the access drive to the property from El Segundo Blvd and the frame repair building located at the front of the driveway.**

# LAND USE

# LAND USE 500 FOOT RADIUS MAP

Proj. R2009-00871 (2)  
RCUP 2009-00063

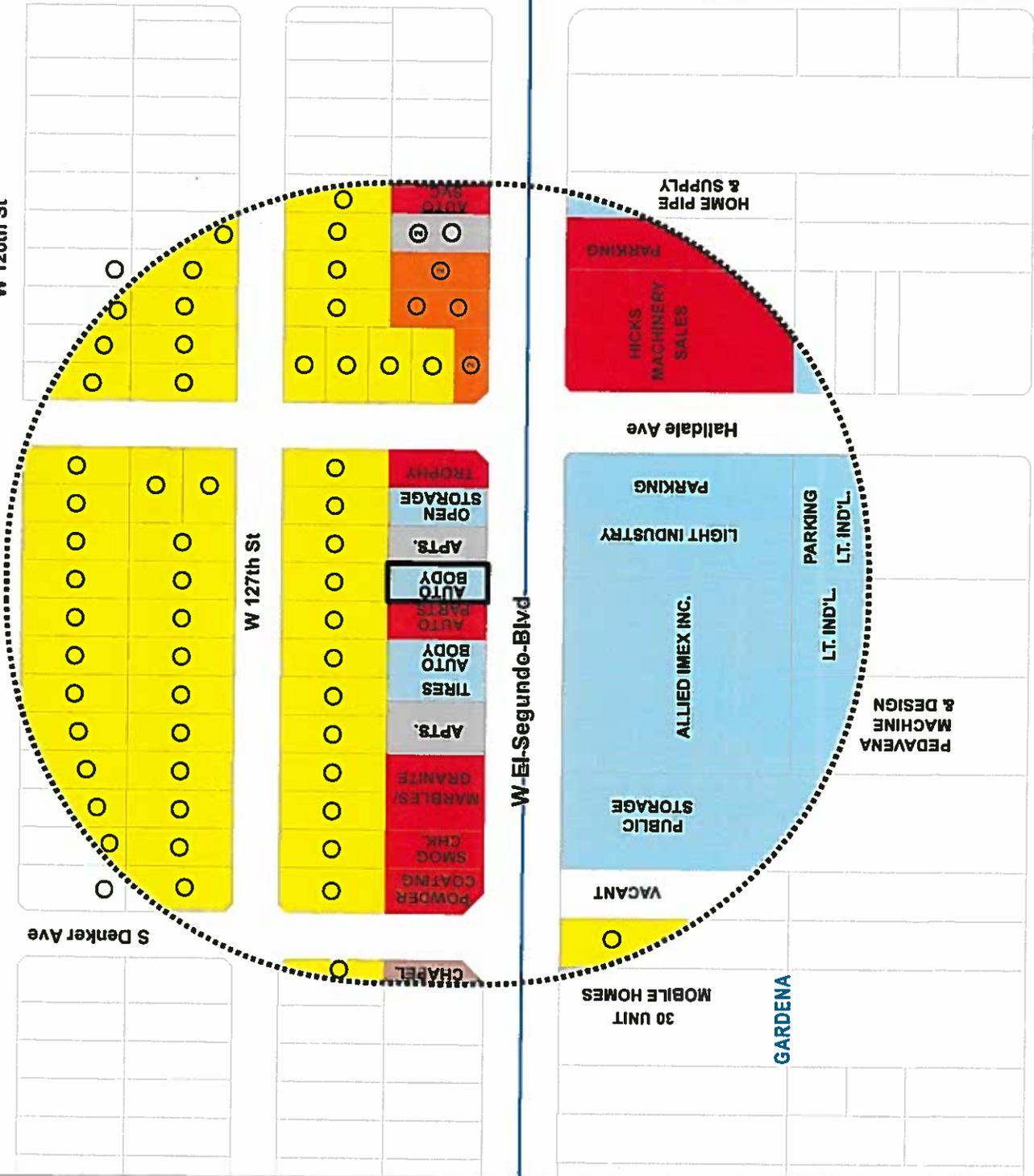
S Denker Ave

W 126th St

W 127th St

W El Segundo Blvd

GARDENA



## Legend

- SINGLE-FAMILY RESIDENCE
- ② MULTI-FAMILY RESIDENCE
- SINGLE-FAMILY RESIDENCE
- TWO-FAMILY RESIDENCE
- MULTI-FAMILY RESIDENCE
- INSTITUTION (NON-PROFIT)
- COMMERCIAL
- LIGHT INDUSTRY
- VACANT

## VICINITY MAP



LOS ANGELES COUNTY  
Department of Regional Planning  
320 W. Temple St.  
Los Angeles, CA 90012

# ZONING

## ZONING 500 FOOT RADIUS MAP

Proj. R2009-00871 (2)  
RCUP 2009-00063

S Denker Ave

W 126th St

R-1

R-1

W 127th St

R-1

R-1

R-1

R-1

R-1

C-M

C-M

C-M

W El Segundo Blvd

Halldale Ave

GARDENA

### Legend

-  R-1 - SINGLE-FAMILY RESIDENCE
-  C-M - COMMERCIAL MANUFACTURING

### VICINITY MAP



LOS ANGELES COUNTY  
Department of Regional Planning  
320 W. Temple St  
Los Angeles, CA 90012