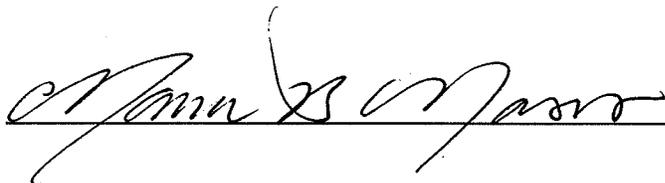


# Hearing Officer Transmittal Checklist

Hearing Date  
December 6, 2011  
Agenda Item No.  
6.

Project Number: R2010-01390 – (1)  
Case(s): Parking Permit Case No. 201000009  
Planner: Jeantine Nazar

- Factual
- Property Location Map
- Staff Report
- 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 Radius Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans
- Occupancy Load
- Parking Permit 99-039 Approval

Reviewed By: 



Los Angeles County Department of Regional Planning  
 320 West Temple Street  
 Los Angeles, California 90012  
 Telephone (213) 974-6435  
**PROJECT NUMBER R 2010-01390**  
**PARKING PERMIT RPKP 201000009**

<b>PUBLIC HEARING DATE</b> 12/6/2011	<b>AGENDA ITEM</b>
<b>RPC CONSENT DATE</b>	<b>CONTINUE TO</b>

<b>APPLICANT</b> Barrio Planners Incorporated/Luz Maria Chavez	<b>OWNER</b> Carlos Guerra	<b>REPRESENTATIVE</b> None
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**PROJECT DESCRIPTION**  
 To renew Parking Permit 99-039 authorizing a reduction from 80 to 37 parking spaces for the existing mortuary located in the C-3 zone.

**REQUIRED ENTITLEMENTS**  
 The applicant is requesting a parking permit pursuant to County Code Section 22.56.990 to continue the previously approved parking permit authorizing less than required parking for an existing mortuary in the C-3 zone.

**LOCATION/ADDRESS**  
 5800 E. BEVERLY BLVD.

**SITE DESCRIPTION**  
 The site plan depicts a rectangular shaped parcel at the corner of Beverly Boulevard and Gerhart Street. The subject property contains a two-story mortuary building with two parking lots providing 18 and 19 parking spaces on each side of the mortuary for a total of 37 parking spaces.

<b>ACCESS</b> Beverly Blvd, Gerhart Street and an alley	<b>ZONED DISTRICT</b> EASTSIDE UNIT No. 2
<b>ASSESSORS PARCEL NUMBER</b> 6342-003-040	<b>COMMUNITY</b> East Los Angeles
<b>SIZE</b> 0.65 Acres	<b>COMMUNITY STANDARDS DISTRICT</b> East Los Angeles

	<b>EXISTING LAND USE</b>	<b>EXISTING ZONING</b>
Project Site	Mortuary	C-3 (Unlimited Commercial)
North	Medical Office/City of Montebello	C-3 (Unlimited Commercial)
East	Vacant/Parking	C-3 (Unlimited Commercial)
South	Residential	R-2 (Two Family Residence)
West	Liquor Store	C-3 (Unlimited Commercial)

<b>GENERAL PLAN/COMMUNITY PLAN</b> East Los Angeles Community Plan	<b>LAND USE DESIGNATION</b> Major Commercial	<b>MAXIMUM DENSITY</b>
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**ENVIRONMENTAL DETERMINATION**  
 Class 1 Categorical Exemption-Existing Facilities

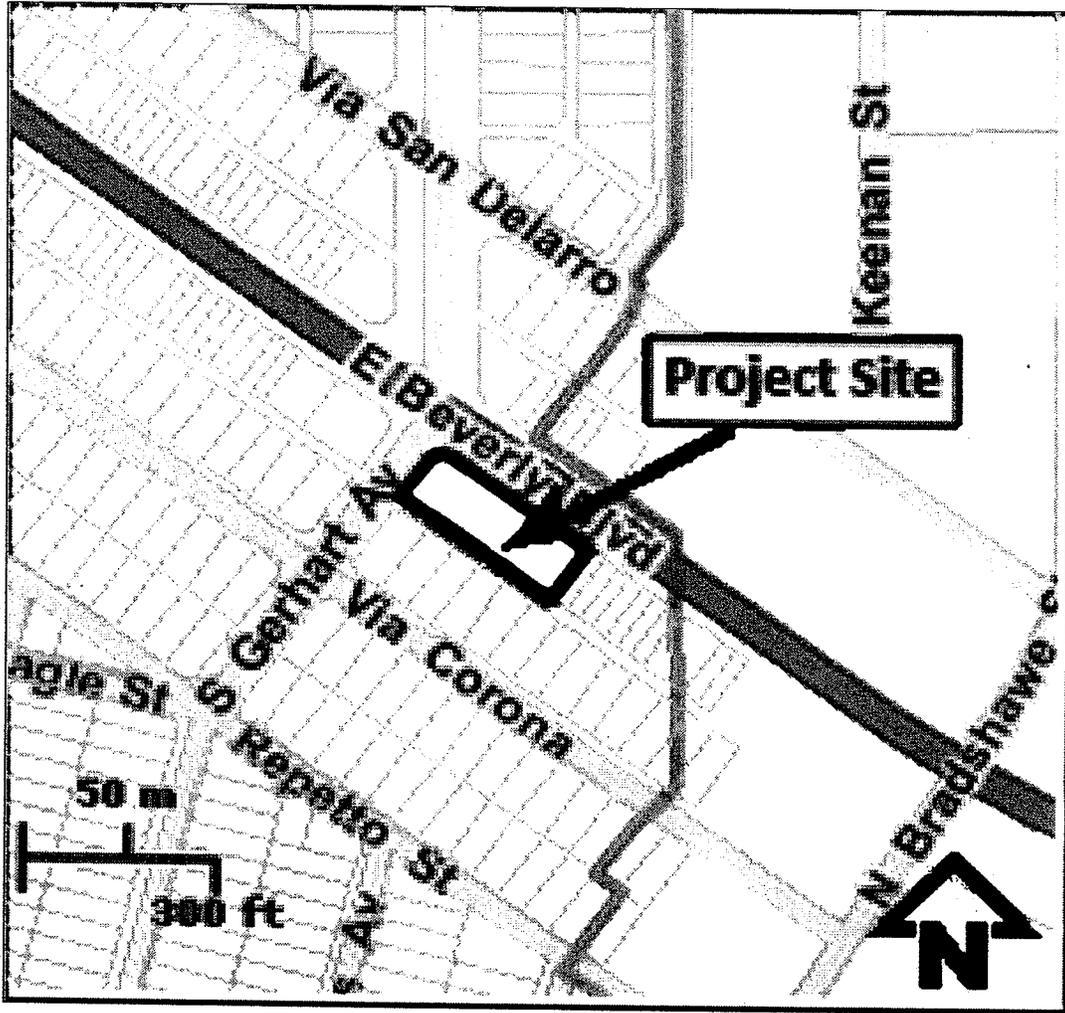
**RPC LAST MEETING ACTION SUMMARY**

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

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

<b>STAFF CONTACT PERSON:</b> Jeantine Nazar		
<b>RPC HEARING DATE(S)</b>	<b>RPC ACTION DATE</b>	<b>RPC RECOMMENDATION</b>
<b>MEMBERS VOTING AYE</b>	<b>MEMBERS VOTING NO</b>	<b>MEMBERS ABSTAINING</b>
<b>STAFF RECOMMENDATION (PRIOR TO HEARING):</b>		
<b>SPEAKERS*</b> (O) 0 (F) 0	<b>PETITIONS</b> (O) 0 (F) 0	<b>LETTERS</b> (O) 0 (F) 0

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



**STAFF ANALYSIS**  
**PROJECT NUMBER R2010-01390 – (1)**  
**PARKING PERMIT 201000009**

**REQUIRED ENTITLEMENTS**

The applicant is requesting a parking permit to authorize a reduction in the number of required parking spaces, pursuant to Code Sections 22.56.990 and 22.52.1110.

**PROJECT DESCRIPTION**

The proposed project is a request for a parking permit renewal to authorize a reduction in the required number of parking spaces for an existing mortuary facility. The parking permit was originally approved under Parking Permit Number 99-039 authorizing a reduction in the number of parking spaces from 80 required to 37 provided, a reduction of 43 parking spaces based on a 239 person occupancy load. There are no changes or alterations to the project and this application is identical to the prior approval.

**LOCATION**

The project is located at 5800 East Beverly Blvd in the East Side Unit No. 2 Zoned District within the unincorporated community of East Los Angeles. The mortuary is within an urbanized area and is surrounded by commercial and residential uses.

**PHYSICAL FEATURES**

The subject property is approximately 28,314 square-foot level lot developed with a two-story 13,284 square-foot commercial building. There are two rectangular parking lots on each side of the mortuary each providing 18 and 19 parking spaces. The subject property is located at the intersection of E. Beverly Blvd and S Gerhart Avenue. An alley separates the subject mortuary from the adjacent residential area on the south side. The property access is via Beverly Blvd. and the rear alley via Gerhart Avenue.

**EXISTING ZONING**

**Subject Property**

The subject property is zoned C-3 – (Unlimited Commercial), surrounded by commercial and residential zones within a 500-foot radius. The project site is also located within the East Los Angeles Community Standards District (CSD).

**Surrounding Zones**

North: C-3 (Unlimited Commercial)  
South: R-2 (Two-Family Residence)  
East: C-3 (Unlimited Commercial)  
West: C-3 (Unlimited Commercial)

**EXISTING LAND USES**

The subject site is a mortuary and the immediate adjacent properties are commercial to the north, east and west and residential to the south.

**Surrounding Properties**

Surrounding properties within a 500-foot radius consists of the following:  
North: Commercial, Single-Family Residential and City of Montebello

South: Single-Family Residential, duplex and triplex  
East: Vacant. Parking, Medical Clinic  
West: Liquor Store

### **SITE PLAN DESCRIPTION**

The site plan depicts a rectangular shaped parcel at the corner of Beverly Boulevard and Gerhart Street with the mortuary building and two parking lots on each side of the structure. There are 19 parking spaces on the east side including four compact, 13 standard and two handicapped accessible and 18 parking space on the west side including 11 compact and 7 standard parking spaces as well as a van accessible aisle. There is landscape buffering on the south side of the property separating the mortuary from the alley and the adjacent residential neighborhood.

### **ENVIRONMENTAL DETERMINATION**

The Department of Regional Planning determines that a Categorical Exemption Class 1 - Existing Facilities is the appropriate environmental documentation under the California Environmental Quality Act (CEQA) reporting guidelines.

### **LEGAL NOTIFICATION AND PUBLIC OUTREACH**

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the notice of public hearing was sent to 170 neighbors within a 500 foot radius of the project site on November 1, 2011. The case materials were mailed to the East Los Angeles Library at 4837 E 3<sup>rd</sup> Street Los Angeles CA 90022. Newspaper advertisements were posted in the East Los Angeles Tribune and La Opinion on November 3, 2011. According to the applicant the property was posted on November 7, 2011; case materials were also posted on the DRP website.

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

Parking Permit 99-039 was approved on August 5, 1999 to authorize less than required parking for a proposed new mortuary that replaced an old mortuary. The Department of Public Works, Building and Safety Division determined the occupant load for the new mortuary to be 239 persons, requiring 80 parking spaces. The applicant provided 37 parking spaces and one additional van pooling space.

Plot Plan 30572 approved a sign plan in 1980, and office and garage space additions in 1996. The applicant requested to replace the mortuary with a new one in 1998 under the same plot plan; however, the application was denied for non-compliance with the parking requirements. County records indicate that the original mortuary was developed in 1953.

### **STAFF EVALUATION**

#### **General Plan Consistency**

The subject property is within the East Los Angeles Community Plan and the plan designation of MC-(Major Commercial). This designation contains a mixture of small

and large businesses. The Major Commercial designation is typically located in areas that are oriented toward the greater East Los Angeles.

The East Los Angeles Community Plan encourages economic development and high standards of development. Applicable goals and policies from the plan are:

- Improve the aesthetic qualities of the community and implement high development standards  
*The existing mortuary enhances the appearance along Beverly Boulevard and Gerhart Avenue by providing a unique architectural style and visual effect.*
- Improve the image of the major corridors by use of landscaping, lighting, graphics, and/or other streetscape treatments.  
*The landscaping along Beverly Blvd and the alley creates a buffer between the existing building and the street/alley separating the mortuary from the adjacent uses.*
- Promote the strengthening of existing commercial job-producing activities to create more jobs for residents of East Los Angeles.  
*A total of 17 employees work at the mortuary, 12 are full-time.*

Further, the circulation and transportation section of the plan sets parking outlines as such:

Encourage existing commercial uses to provide common parking areas, improve automobile and truck access, and to establish attractive and unifying architectural elements and themes.

*The automobile and van access to the parking area is adequate. There are several entrances to both parking lots from Beverly Blvd and the rear alley. The parking is compatible with adjoining businesses. The mortuary has a unique architectural theme and elements that fit within the neighborhood.*

East Los Angeles Community Plan restricts the maximum building height to 40-feet; the existing building is approximately 40-feet.

#### **Zoning Ordinance and Development Standards Compliance**

The zoning on the subject property is C-3 (Unlimited Commercial). A mortuary is an allowed use in the C-3 Zone.

The County engineer determined the occupancy load for the proposed mortuary to be 239 which requires 80 parking spaces as per Section 22.52.1110. A copy of the occupancy load calculation is attached to this report. The mortuary provides 37 parking spaces including 15 compact, and two handicapped accessible. This is 43 parking spaces less than the required number of spaces.

**EAST LOS ANGELES COMMUNITY STANDARDS DISTRICT (CSD)**

Pursuant to County Code Section 22.44.118, East Los Angeles Community Standards District requirements the following standards are applicable:

**C-3 Zone**

The maximum height permitted in Zone C-3 shall be 40 feet.

*The existing building is approximately 40 feet in height.*

**Landscaping and Buffering.**

- i. Whenever adjacent to a property line, parking areas shall provide a landscaped buffer strip of at least five feet in width.
- ii. Where a commercial zone abuts a residence or residential zone, a landscaped buffer strip at least five feet wide shall be provided.
- iii. Landscaping shall be provided and maintained in a neat and orderly manner. A 15-gallon tree shall be provided for every 50 square feet of landscaped area, to be equally spaced along the buffer strip. The landscaping materials shall be approved by the director.
- iv. Permanent irrigation systems shall be required and maintained in good working order.

*The existing project provides a 5-foot landscaped buffer adjacent to the property line on the south side as required by the CSD. Also, landscaping is provided on the north, east and west side of the subject lot. The applicant's agent provided a landscape plan showing the 15 gallon plants. A copy of the landscape plan is included within this report.*

- v. A solid masonry wall not less than five feet high nor more than six feet in height shall be provided along the side and rear property lines.

*The property is surrounded by a 5-foot block wall to the east and a 2-foot block wall on Gerhart Street and Beverly Blvd separating the parking area from the street. The south side has a landscaping buffer and there are no walls. Staff noticed that there is only one marked compact parking and 15 exist. This does not meet previous permit Condition Number 18. However, staff believes that the existing landscaping provides adequate buffering around the property and that a 5'-6" masonry wall would not provide additional buffering along the rear and side of the property.*

**Loading**

Where practical loading doors and activity shall be located away from adjacent residences.

*The loading area for the vans is next to the mortuary building within the carport area.*

The director of planning may modify the foregoing CSD requirements for landscaping and buffering where their strict application is deemed impractical because of physical, topographical, title or other limitations. Any such modification may include substitution of landscaping or fencing materials. In granting any such modification, the director shall find that the intent and spirit of this section is being carried out.

### **Signage**

- a. One freestanding sign shall be permitted where one of the following findings can be made:
  - i. Subject building is at least 35 feet from the front property line.
  - ii. Subject building has more than two tenants and the secondary tenants have no street frontage.
  - iii. Adjacent buildings are within 10 feet of the front property line and the subject building is at least 10 feet behind either of the adjacent buildings.
- b. Sign areas shall comply with the following requirements:
  - i. The total permitted sign area of all signs on a building or site is 10 percent of the building face (not to exceed 240 square feet).
  - ii. Building face area is the height of the building (not including the parapet) multiplied by its frontage.

*There is one double faced monument sign on Beverly Blvd. Staff included a condition requesting a sign plan showing the existing sign.*

### **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

#### **Fire Department**

Staff requested a clearance letter from the Fire Department; however, to this date staff has not received comments.

### **SITE VISIT AND MORTUARY OPERATIONS**

Staff visited the site on November 7, 2011 and found the property neat and clean. The landscaping is well maintained and the building has unique architectural features which enhances the street view on Beverly Blvd. and provides a unique appearance.

As per the applicant's agent an average of 25-30 bodies per month visit the mortuary. The mortuary is open Monday through Saturday from 8:00 am to 9:00 pm and closed on Sunday. Per the applicant, most service, prayer and visitations are between 5:00-9:00 pm, and funeral arrangements are during business hours from 8:00 am to 5:00 pm.

The mortuary serves cemeteries within five miles such as Rose Hills, Resurrection and Calvary. As per the applicant most customers use catholic churches in the area for service. The facility also sells caskets, coffins and flowers and provides a display area. Body viewing and Rosary services are held in the chapel.

**BURDEN OF PROOF**

The applicant is required to substantiate all facts identified by Section 22.56.1020 of the Los Angeles County Code as such:

- A. That there will be no need for the number of parking spaces required by Part 11 of Chapter 22.52 because:
  - 1. The age and/or physical condition of the residents is such that the use of automobile is unlikely, or
  - 2. The nature of the use is such that there is a reduced occupancy, or
  - 3. The business or use has established a viable transportation program for its employees and/or customers to use transportation modes other than the single-occupant automobile. Such a program shall include positive incentives such as van pools, transit fare subsidies, commuter travel allowances, car pools or bicycle commuter facilities. Where appropriate, proximity to freeways with high-occupancy vehicle (HOV) lanes, bus routes, park-and-ride facilities, people-movers, rapid transit stations, bikeways, or other similar facilities shall be a factor in this consideration, or
  - 4. Sufficient land area is reserved or an alternative arrangement is approved to insure that the parking requirements may be complied with should the use, occupancy, or transportation program change. Such reservation or alternative may be waived for certain senior citizen and handicapped person housing developments where the director finds that it is unnecessary because of the anticipated permanent nature of such use. If required, the reserved land area shall be so located and developed in such a manner that it can be feasibly converted to parking if needed;
  
- B. That there will be no conflicts arising from special parking arrangements allowing shared facilities, tandem spaces or compact spaces because:
  - 1. Uses sharing parking facilities operate at different times of the day or days of the week, or
  - 2. Parking facilities using tandem spaces will employ valets or will utilize other means to insure a workable plan, or
  - 3. Apartment houses using compact spaces for a portion of the required parking have a management program or homeowners' association to assure an efficient distribution of all parking spaces;
  
- C. That off-site facilities, leases of less than 20 years, rear lot transitional parking lots and uncovered residential parking spaces will provide the required parking for uses because:
  - 1. Such off-site facilities are controlled through ownership, leasing or other arrangement by the owner of the use for which the site serves and are conveniently accessible to the main use, or
  - 2. Such leases are written in such a way as to prevent multiple leasing of the same spaces or cancellation without providing alternate spaces; such leases

- shall contain other guarantees assuring continued availability of the spaces, or
3. Such transitional lots are designed to minimize adverse effects on surrounding properties, or
  4. Uncovered parking for low and moderate income residential developments will be appropriately screened and compatible with the surrounding neighborhood;
- D. That the requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property;
- E. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping and other development features prescribed in this Title 22.

*The applicant states that there are no shared parking spaces and overflow parking is available off-site on the street. Also, tandem parking is available for larger gatherings the funeral processions to the burial site. Staff requested that the applicant provide a typical activity chart for one week at the mortuary, showing the number of attendees, type of activity, hours etc. Further, staff requested that the applicant include peak and low activity charts. Staff will provide a copy of the activity chart once submitted. The Burden of Proof with the applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.*

#### **PUBLIC COMMENTS**

Staff received one phone message regarding this project. Staff left a message for the caller who has not returned the call to date.

#### **STAFF ANALYSIS**

The commercial area along Beverly Boulevard was developed at a time when vehicle use and the parking standards were less than it is today. Most businesses along Beverly Boulevard do not provide the amount of parking that is presently required by the Zoning Ordinance and instead rely upon street parking.

The proposed mortuary parking plan is 43 parking spaces short of the standard required by the Zoning Ordinance. The applicant's burden of proof states that the funeral services are held between 6:00 pm and 9:00 pm when other businesses in the area are closed and overflow parking is available off site on the street. The occupancy load for the sanctuary is 135 requiring 27 parking spaces. The burden of proof also states that tandem parking is used prior to the funeral procession to the burial site.

The applicant's agent informed staff that rosary services are no longer in demand. On an average 50 to 60 persons attend the mortuary from 5:00 pm to 9:00 pm for visitation, body viewing and service. On the funeral day a motorcycle escort service is available and most use catholic churches in the area for service.

The lighting around the building appears to be adequate. The trash enclosure is enclosed within a 6-foot high wall and has solid doors. Staff determines that the project meets the development standards except for the 5 feet masonry wall surrounding the property as required by CSD. However, the lot is surrounded by adequate landscaping buffer that enhances the appearance of the site.

**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 R2010-01390, Parking Permit Number 201000009 subject to the attached draft conditions and findings.

Prepared by Jeantine Nazar, Zoning Permits East Section

Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East Section

**Attachments:**

Draft Conditions of Approval

Draft Findings

Staff Report

Applicant's Burden of Proof statement

Site Photographs

Site Plan

Land Use Map

## FINDINGS AND ORDER OF THE HEARING OFFICER COUNTY OF LOS ANGELES

**PROJECT NUMBER R2010-01390 – (1)  
PARKING PERMIT NUMBER 201000009**

**REQUEST:**

The applicant is requesting a parking permit to authorize a reduction in the number of required parking spaces, pursuant to Code Sections 22.56.990 and 22.52.1110.

**HEARING DATE: December 6, 2011**

**PROCEEDINGS BEFORE THE HEARING OFFICER:**

Findings

1. The project is located at 5800 East Beverly Blvd in the East Side Unit No. 2 Zoned District within the unincorporated community of East Los Angeles. The mortuary is within an urbanized area and is surrounded by commercial and residential uses.
2. The proposed project is a request for a parking permit renewal to authorize a reduction in the required number of parking spaces for an existing mortuary facility. The parking permit was originally approved under Parking Permit Number 99-039 authorizing a reduction in the number of parking spaces from 80 required to 37 provided, a reduction of 43 parking spaces based on a 239 person occupancy load. There are no changes or alterations to the project and this application is identical to the prior approval.
3. The subject property is approximately 28,314 square-foot level lot developed with a two-story 13,284 square-foot commercial building. There are two rectangular parking lots on each side of the mortuary each providing 18 and 19 parking spaces. The subject property is located at the intersection of E. Beverly Blvd and S Gerhart Avenue. An alley separates the subject mortuary from the adjacent residential area on the south side. The property access is via Beverly Blvd. and the rear alley via Gerhart Avenue.
4. The subject property is zoned C-3 – (Unlimited Commercial), surrounded by commercial and residential zones within a 500-foot radius. The project site is also located within the East Los Angeles Community Standards District (CSD).

**Surrounding Zones**

North: C-3 (Unlimited Commercial)  
South: R-2 (Two-Family Residence)  
East: C-3 (Unlimited Commercial)  
West: C-3 (Unlimited Commercial)

5. The subject site is a mortuary and the immediate adjacent properties are commercial to the north, east and west and residential to the south.

**Surrounding Properties**

Surrounding properties within a 500-foot radius consists of the following:

North: Commercial, Single-Family Residential and City of Montebello

South: Single-Family Residential, duplex and triplex

East: Vacant. Parking, Medical Clinic

West: Liquor Store

6. The site plan depicts a rectangular shaped parcel at the corner of Beverly Boulevard and Gerhart Street with the mortuary building and two parking lots on each side of the structure. There are 19 parking spaces on the east side including four compact, 13 standard and two handicapped accessible and 18 parking space on the west side including 11 compact and 7 standard parking spaces as well as a van accessible aisle. There is landscape buffering on the south side of the property separating the mortuary from the alley and the adjacent residential neighborhood.
7. 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 and property posting.
8. The subject property is within the East Los Angeles Community Plan and the plan designation of MC-(Major Commercial). This designation contains a mixture of small and large businesses. The Major Commercial designation is typically located in areas that are oriented toward the greater East Los Angeles. The East Los Angeles Community Plan encourages economic development and high standards of development. Applicable goals and policies from the plan are:
- Improve the aesthetic qualities of the community and implement high development standards  
*The existing mortuary enhances the appearance along Beverly Boulevard and Gerhart Avenue by providing a unique architectural style and visual effect.*
  - Improve the image of the major corridors by use of landscaping, lighting, graphics, and/or other streetscape treatments.  
*The landscaping along Beverly Blvd and the alley creates a buffer between the existing building and the street/alley separating the mortuary from the adjacent uses.*
  - Promote the strengthening of existing commercial job-producing activities to create more jobs for residents of East Los Angeles.

*A total of 17 employees work at the mortuary, 12 are full-time.*

The circulation and transportation section of the plan sets parking outlines as such: Encourage existing commercial uses to provide common parking areas, improve automobile and truck access, and to establish attractive and unifying architectural elements and themes.

*The automobile and van access to the parking area is adequate. There are several entrances to both parking lots from Beverly Blvd and the rear alley. The parking is compatible with adjoining businesses. The mortuary has a unique architectural theme and elements that fit within the neighborhood.*

9. East Los Angeles Community Plan restricts the maximum building height to 40-feet; the existing building is approximately 40-feet.
10. The zoning on the subject property is C-3 (Unlimited Commercial). A mortuary is an allowed use in the C-3 Zone.
11. The County engineer determined the occupancy load for the proposed mortuary to be 239 which requires 80 parking spaces as per Section 22.52.1110. The occupancy load for the sanctuary is 135 requiring 27 parking spaces. The mortuary provides 37 parking spaces including 15 compact, and two handicapped accessible. This is 43 parking spaces less than the required number of spaces.
12. The existing project complies with East Los Angeles Community Standards as such:
  - a. The project site provides a 5-foot landscaped buffer adjacent to the property line on the south side as required by the CSD. Also, landscaping is provided on the north, east and west side of the subject lot. The applicant's agent provided a landscape plan showing the 15 gallon plants.
  - b. The loading area for the vans is next to the mortuary building within the carport area away from the residential area.
  - c. The existing building is approximately 40 feet in height.
13. The property is surrounded by a 5-foot block wall to the east and a 2-foot block wall on Gerhart Street and Beverly Blvd separating the parking area from the street. The south side has a landscaping buffer and there are no walls. This does not meet previous permit Condition Number 18. The Hearing Officer finds that the existing landscaping provides adequate buffering around the property and that a 5'-6" masonry wall would not provide additional buffering along the rear and side of the property.
14. There is one double faced monument sign on Beverly Blvd. A condition is included requesting a sign plan showing the existing sign. The sign shall comply with CSD requirements.
15. Staff visited the site on November 7, 2011 and found the property neat and clean. The landscaping is well maintained and the building has unique architectural features which enhances the street view on Beverly Blvd. and provides a unique appearance.

As per the applicant's agent an average of 25-30 bodies per month visit the mortuary. The mortuary is open Monday through Saturday from 8:00 am to 9:00 pm

and closed on Sunday. Per the applicant, most service, prayer and visitations are between 5:00-9:00 pm, and funeral arrangements are during business hours from 8:00 am to 5:00 pm.

The mortuary serves cemeteries within five miles such as Rose Hills, Resurrection and Calvary. As per the applicant most customers use catholic churches in the area for service. The facility also sells caskets, coffins and flowers and provides a display area. Body viewing and Rosary services are held in the chapel.

16. Staff received one phone message regarding this project. Staff left a message for the caller who has not returned the call to date.
17. The applicant's burden of proof states that the funeral services are held between 6:00 pm and 9:00 pm when other businesses in the area are closed and overflow parking is available off site on the street. The burden of proof also states that tandem parking is used prior to the funeral procession to the burial site.
18. 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 and property posting.
19. To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Hearing Officer determines that it is necessary to limit the term of the grant to 15 years.
20. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13<sup>th</sup> Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Los Angeles County Department of Regional Planning.

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

- A. That there will be no need for the number of parking spaces required by Part 11 of Chapter 22.52 because:
  1. The age and/or physical condition of the residents is such that the use of automobile is unlikely, or
  2. The nature of the use is such that there is a reduced occupancy, or
  3. The business or use has established a viable transportation program for its employees and/or customers to use transportation modes other than the single-occupant automobile. Such a program shall include positive incentives such as van pools, transit fare subsidies, commuter travel allowances, car pools or bicycle commuter facilities. Where appropriate, proximity to freeways with high-occupancy vehicle (HOV) lanes, bus routes, park-and-ride facilities, people-

- movers, rapid transit stations, bikeways, or other similar facilities shall be a factor in this consideration, or
4. Sufficient land area is reserved or an alternative arrangement is approved to insure that the parking requirements may be complied with should the use, occupancy, or transportation program change. Such reservation or alternative may be waived for certain senior citizen and handicapped person housing developments where the director finds that it is unnecessary because of the anticipated permanent nature of such use. If required, the reserved land area shall be so located and developed in such a manner that it can be feasibly converted to parking if needed;
- B. That there will be no conflicts arising from special parking arrangements allowing shared facilities, tandem spaces or compact spaces because:
1. Uses sharing parking facilities operate at different times of the day or days of the week, or
  2. Parking facilities using tandem spaces will employ valets or will utilize other means to insure a workable plan, or
  3. Apartment houses using compact spaces for a portion of the required parking have a management program or homeowners' association to assure an efficient distribution of all parking spaces;
- C. That off-site facilities, leases of less than 20 years, rear lot transitional parking lots and uncovered residential parking spaces will provide the required parking for uses because:
1. Such off-site facilities are controlled through ownership, leasing or other arrangement by the owner of the use for which the site serves and are conveniently accessible to the main use, or
  2. Such leases are written in such a way as to prevent multiple leasing of the same spaces or cancellation without providing alternate spaces; such leases shall contain other guarantees assuring continued availability of the spaces, or
  3. Such transitional lots are designed to minimize adverse effects on surrounding properties, or
  4. Uncovered parking for low and moderate income residential developments will be appropriately screened and compatible with the surrounding neighborhood;
- D. That the requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property;
- E. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping and other development features prescribed in this Title 22.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings and burden of proof for a Parking Permit as set forth in Section 22.56.1020 of the Los Angeles County Code.

**HEARING OFFICER ACTION:**

1. I have considered the Categorical Exemption for this project and certify that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
- 2.
3. In view of the findings of fact and conclusions presented above, Parking Permit No. 201000009 is APPROVED subject to the attached conditions.

c: Hearing Officer, Zoning Enforcement, Building and Safety

MM: JN  
11/29/11

**DRAFT CONDITIONS OF APPROVAL  
DEPARTMENT OF REGIONAL PLANNING  
PROJECT NO. R2010-01390 - (1)  
PARKING PERMIT NO. 201000009**

**PROJECT DESCRIPTION**

The project is a parking permit renewal request in order to authorize a reduction in the required number of on-site parking spaces for an existing mortuary facility from 80 to 37 parking spaces 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 Department of 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 fully 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 fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing 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 December 6, 2031.** 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 parking 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 before March 20, 2012 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 on-site parking 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 **\$1600.00**. 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 **eight (8) biennial (one every other year)** 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 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 Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the 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.
13. All requirements of Title 22 of the County Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise modified as set forth in these conditions or as shown on the approved plans.
14. All development pursuant to this grant shall conform to the requirements of County Department of Public Works.
15. 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.

16. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **five (5) copies** of a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.

#### PERMIT SPECIFIC CONDITIONS

17. This grant authorizes less than required parking for a mortuary subject to the following terms:
  - a. A minimum of 37 parking spaces shall be provided. There shall be two parking spaces provided for handicapped persons, one of which shall be van accessible with an 8-foot access aisle and at least 20 standard size parking spaces. The remaining 15 parking spaces (40 percent of the parking spaces) may be of compact size;
  - b. The access aisle for van accessible parking spaces shall not be counted as additional parking;
  - c. All parking lot lighting shall be directed away from neighboring residences to prevent direct illumination and glare. The primary parking lot lighting shall be turned off no later than 10:00 p.m. A security lighting system attached to the building is permitted and may remain on through the night. This security system may be extended beyond the mortuary building to include appropriately shielded poles in the parking area. If the security lighting is attached to poles, the poles shall be set back 20 feet from the property lien to prevent unnecessary illumination of adjacent residential properties. The security system shall provide low level lighting of the mortuary building, rear alley and the rear garage entry. The permittee shall submit plans of the lighting system for review by the Director of Planning;

- d. Rosary services held at the mortuary Monday through Friday shall be limited to evening hours, between 5:00 p.m. and 10:00 p.m. Daytime services shall be limited to twenty (20) occurrences per calendar year. This limitation is imposed to prevent excessive street parking during the more active business hours in the immediate area;
  - e. The use of bells or amplified sound equipment intended to be audible outside the building is prohibited;
  - f. The driveways within the parking areas shall be a minimum of 26 feet wide;
  - g. The permittee shall employ a traffic control person (s) to coordinate traffic movement in and out of the mortuary parking lots during large services.
18. A landscaped buffer, at least 5 feet in width, shall be provided whenever parking areas are adjacent to property lines or where the mortuary property abuts a residential zone.
19. Landscaping shall be provided and maintained in a neat and orderly manner. A 15-gallon tree shall be provided for every 50 square feet of landscaped area to be equally spaced along the buffer strip.
20. The maximum permitted building height is 40 feet as specified in Section 22.44.118 of the Zoning Ordinance.
21. The applicant shall submit within 30 days of approval three (3) sets of a sign plans. The plans shall include all dimensions, elevations.. One freestanding sign is permitted which shall not exceed 10 percent of the building face area. The sign plan shall meet the requirements of the East Los Angeles Community Standards District.
22. A Fire clearance letter shall be provided to indicate that Condition Number 17 of Parking Permit No 99-039 has been satisfied within 30 days of approval.



## PARKING PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.1020, the applicant shall substantiate the following:

A. That there will be no need for the number of parking spaces required by Part 11 of Chapter 22.52.

per our previously approved parking permit case no. 99-039-(1, we are requesting to reduce our parking requirements from 80 to 37 spaces this is a reduction of 43 spaces. the existing mortuary has not had any parking problems in the past 10 years and have been operating with the reduced parking without any problems.

B. That there will be no conflicts arising from special parking arrangements allowing shared facilities, tandem spaces or compact spaces.

The existing site accommodates 15 compact spaces, 20 standard spaces and 2 ADA accessible parking spaces. there is no available adjacent lots for shared parking arrangements. tandem parking is only used during the funeral procession to the burial site.

C. That off-site facilities, leases of less than 20 years, rear lot transitional parking lots and uncovered residential parking lots will provide the required parking for uses.

we are not leasing any adjacent facilities for parking. we are requesting to reduce the parking requirement by 43 spaces.

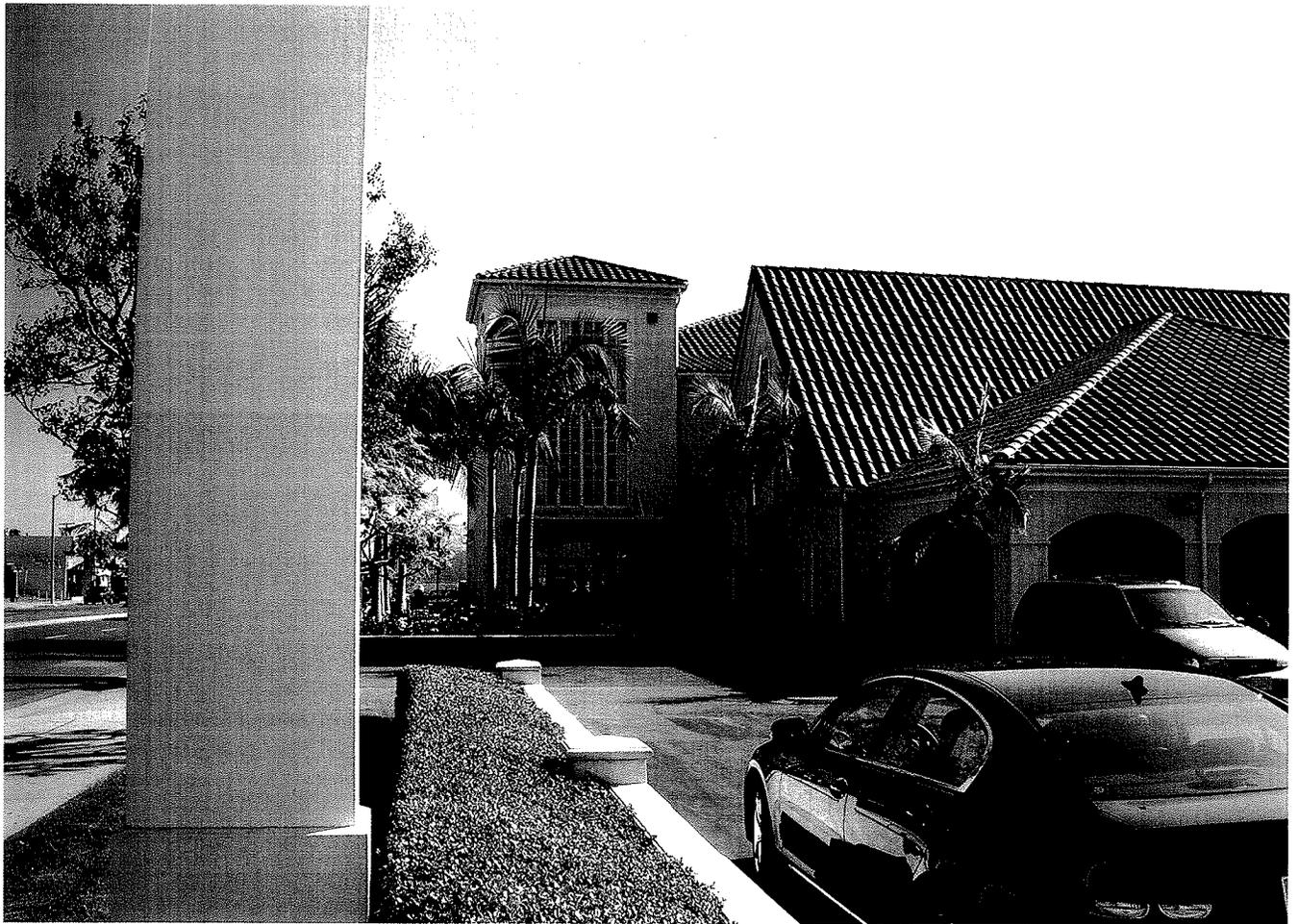
D. That the requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking or unauthorized use of parking facilities developed to serve surrounding property.

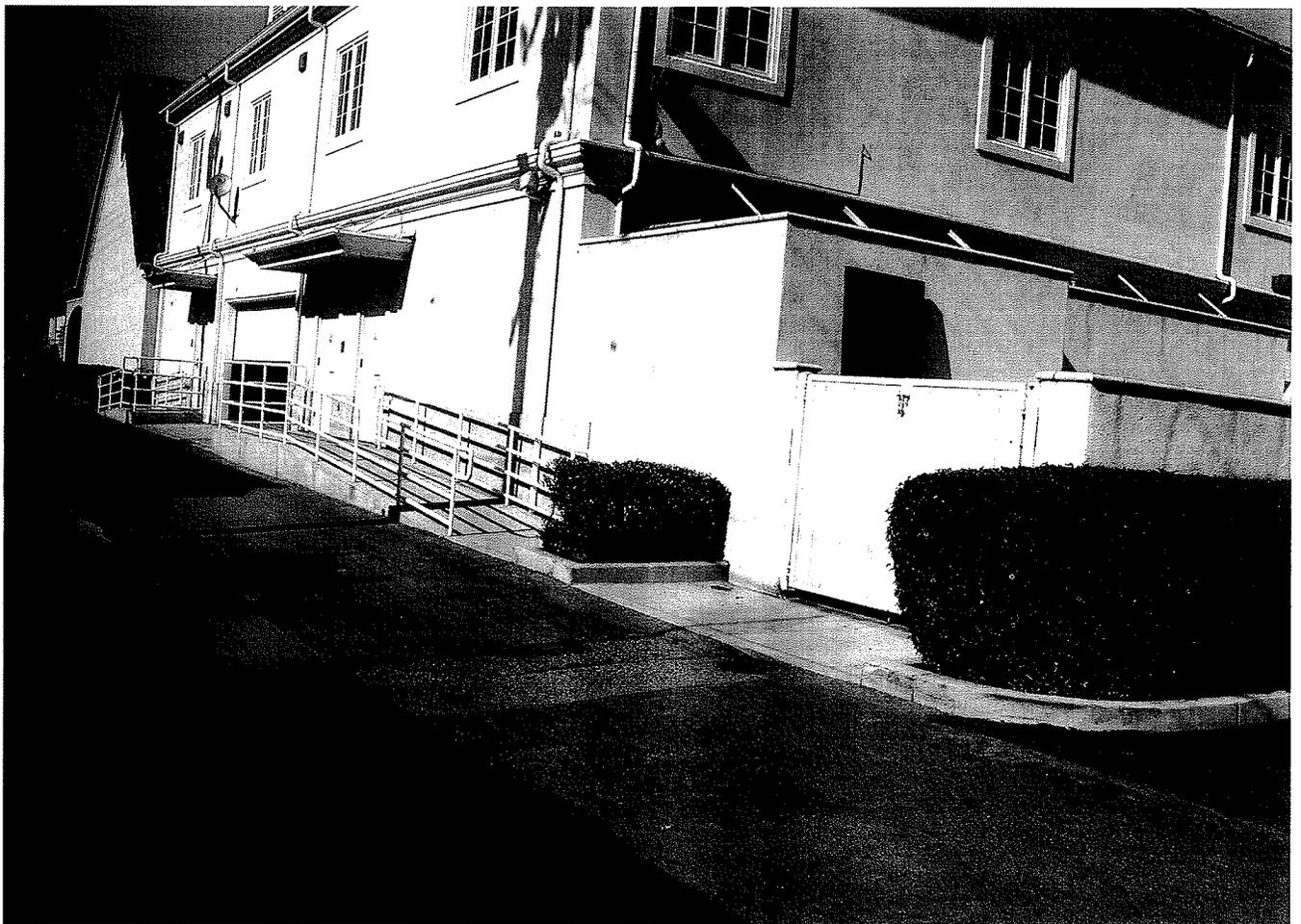
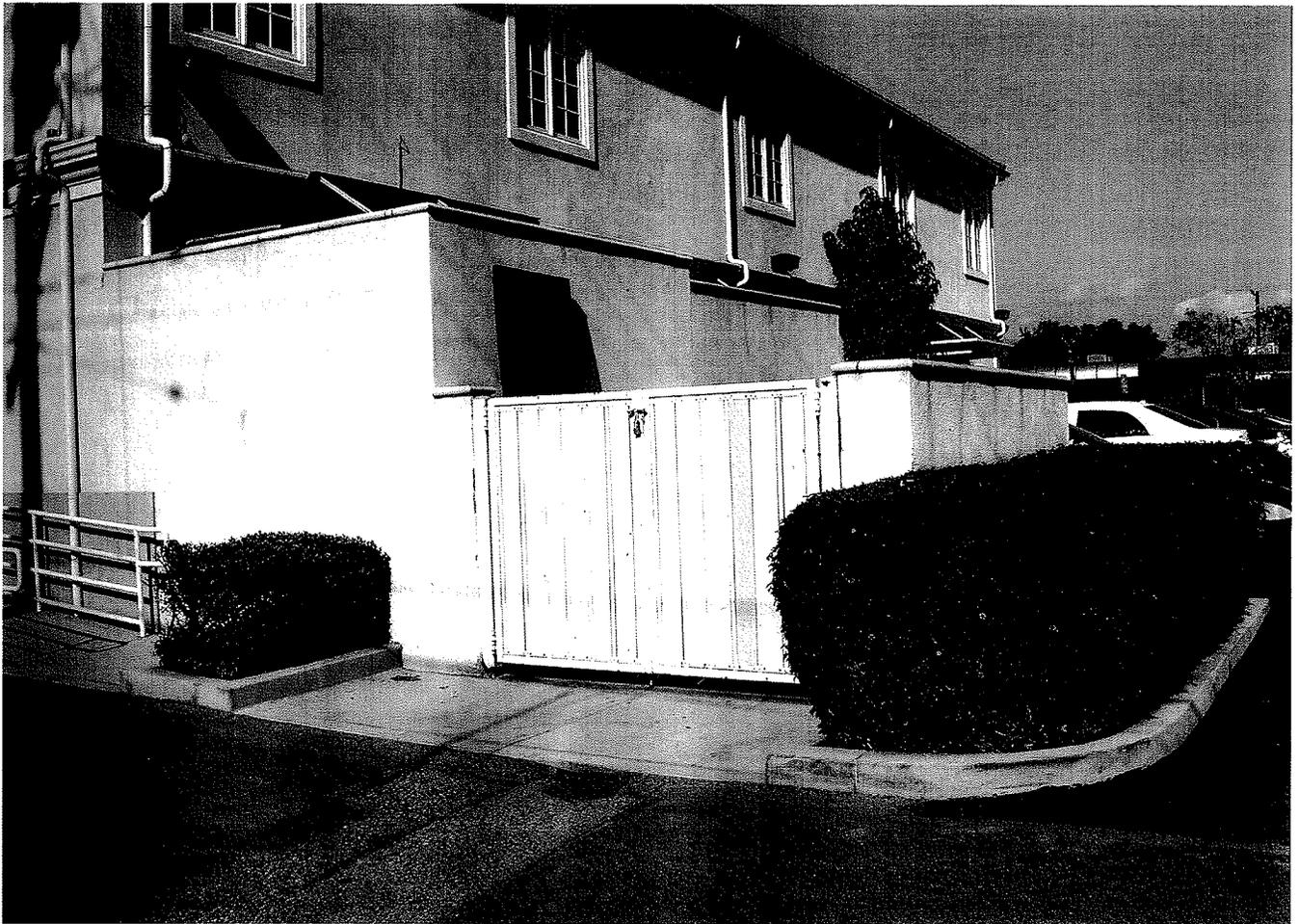
the existing mortuary is a beautiful, spiritual space for persons feel welcomed and comfortable during a difficult times in their lives. this facility will be similar to the mortuaries available outside of the of the ela community. the funeral services are held between 6:00pm and 9:00 pm. overflow parking is available off site on street.

E. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping and other development features prescribed in this ordinance.

the request of the parking permit has been previously approved the existing site is







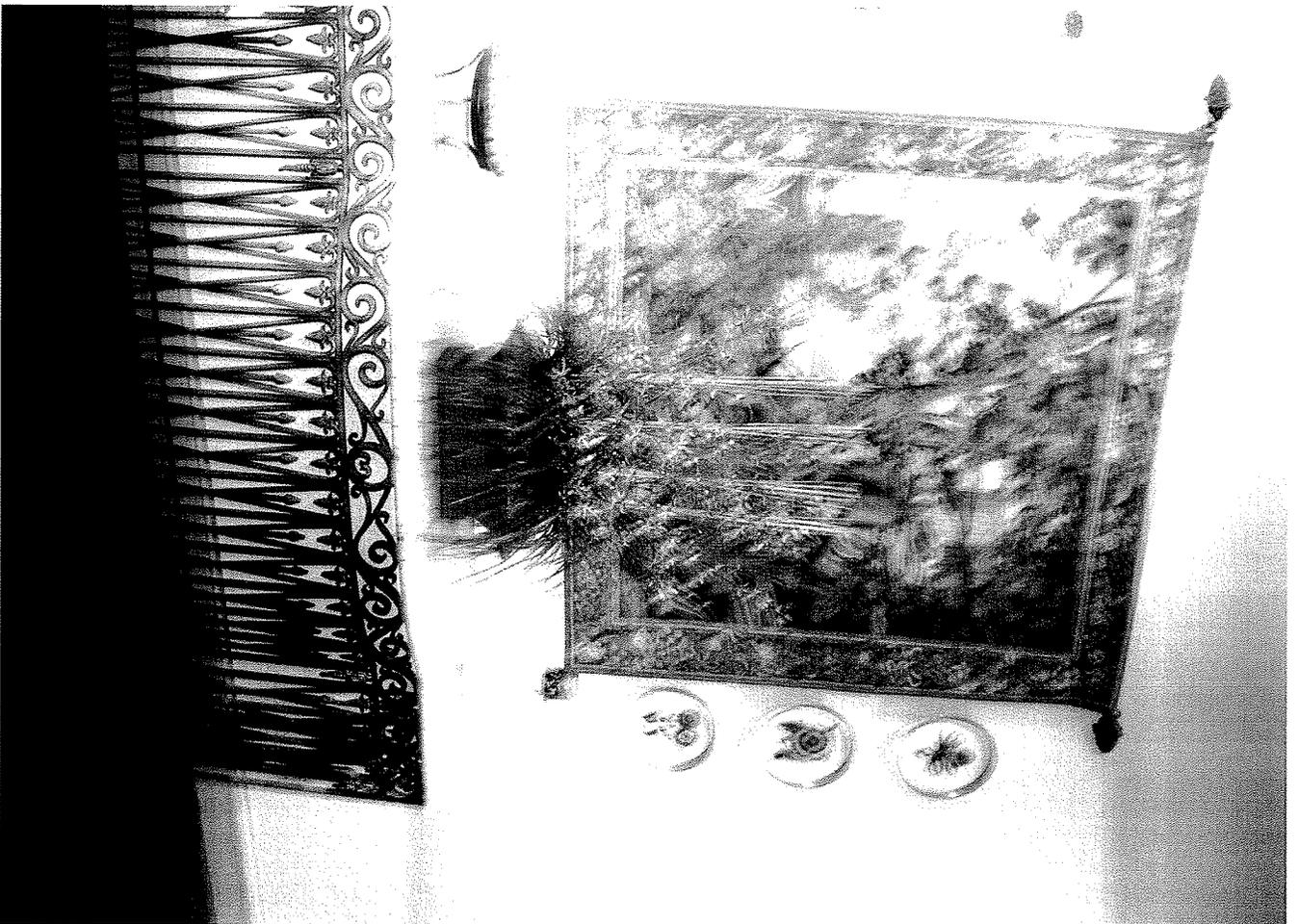
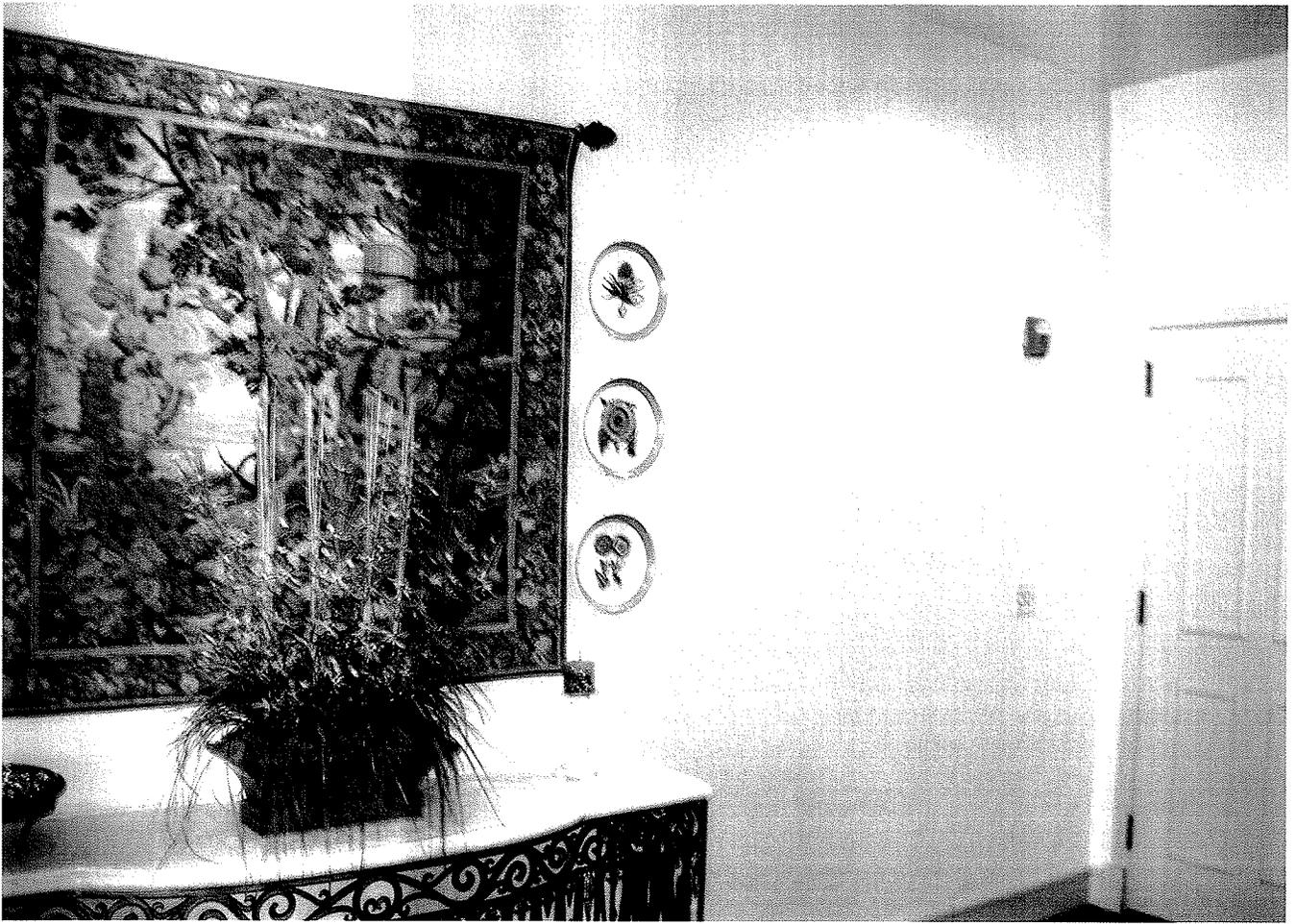






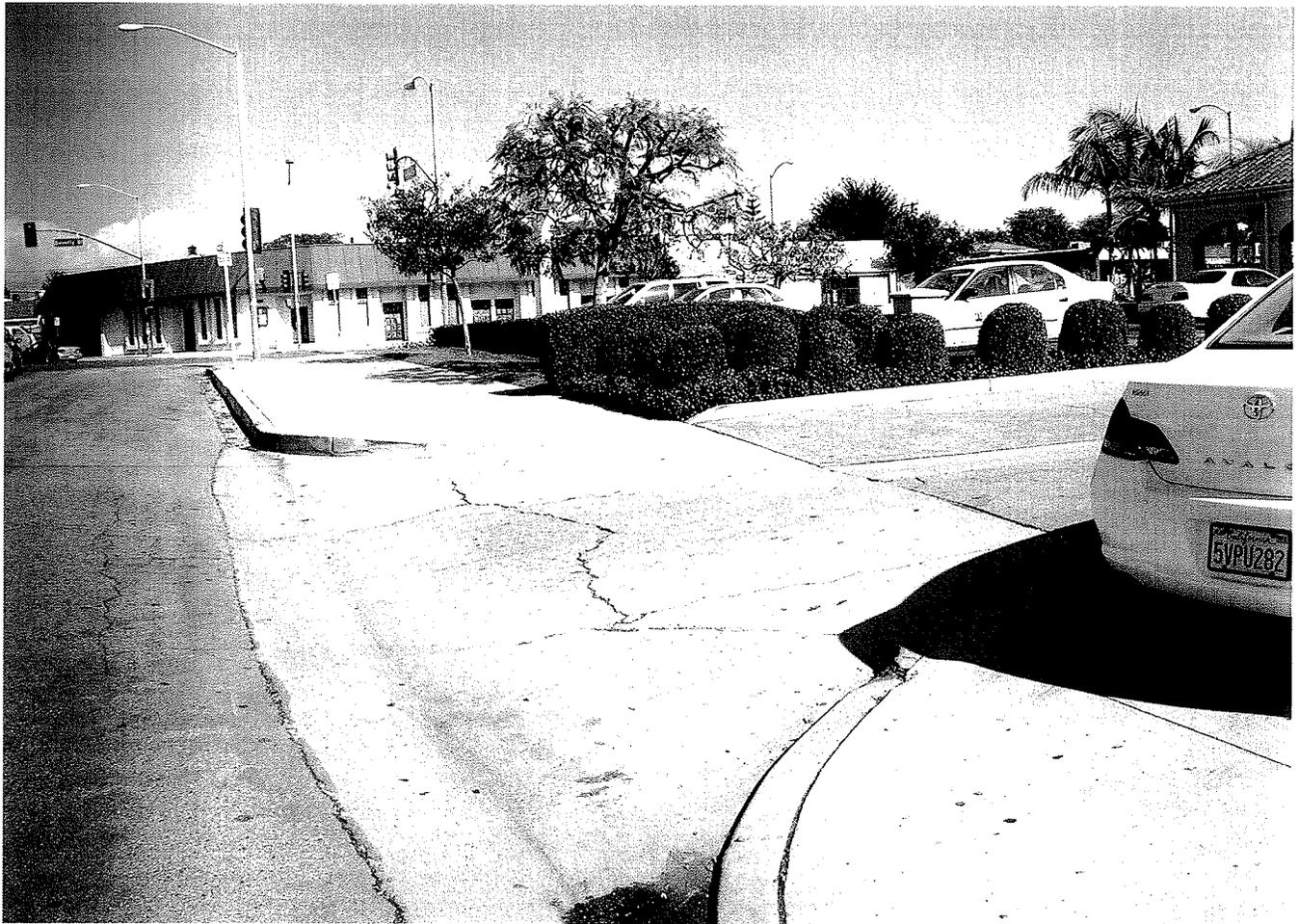
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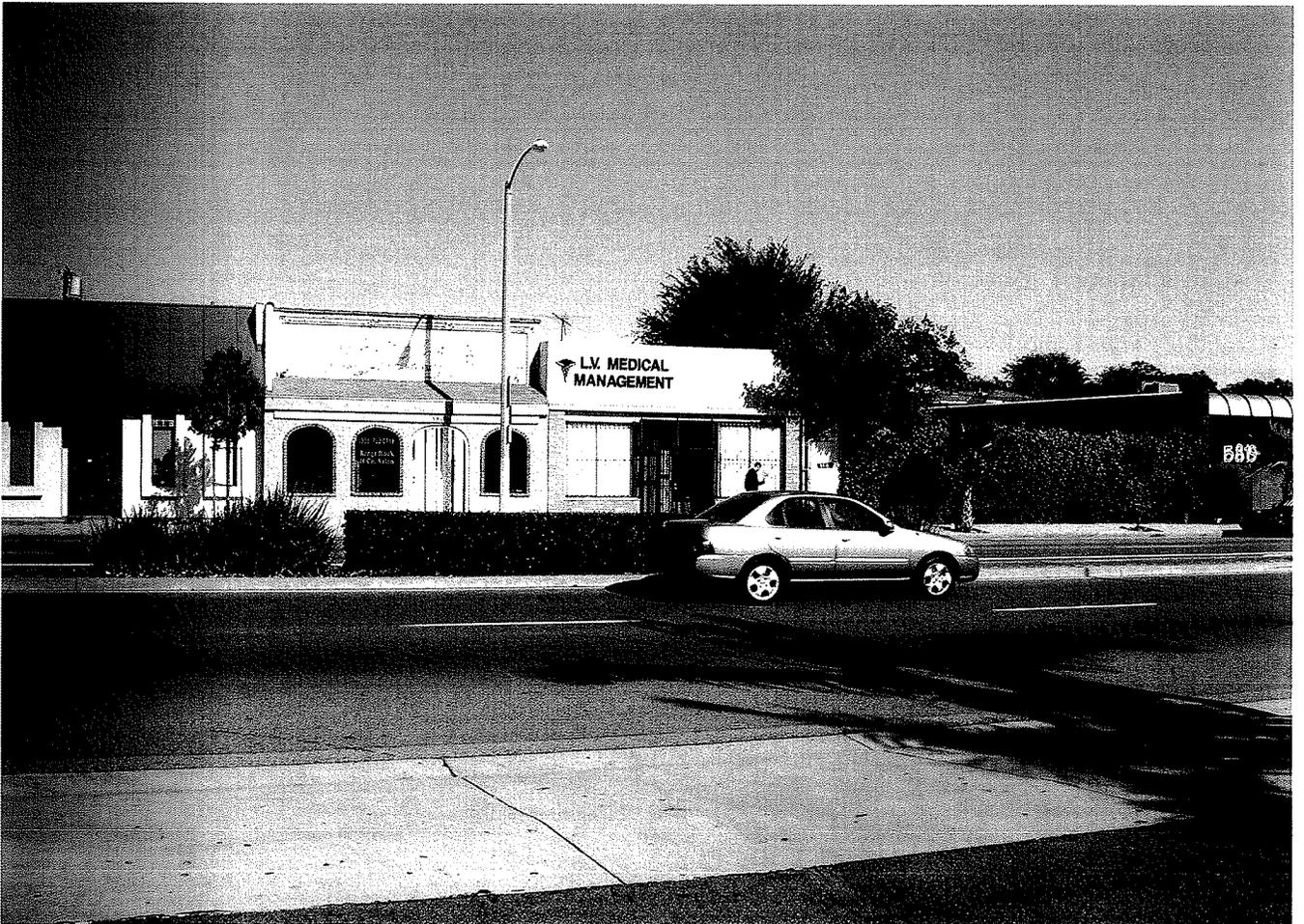




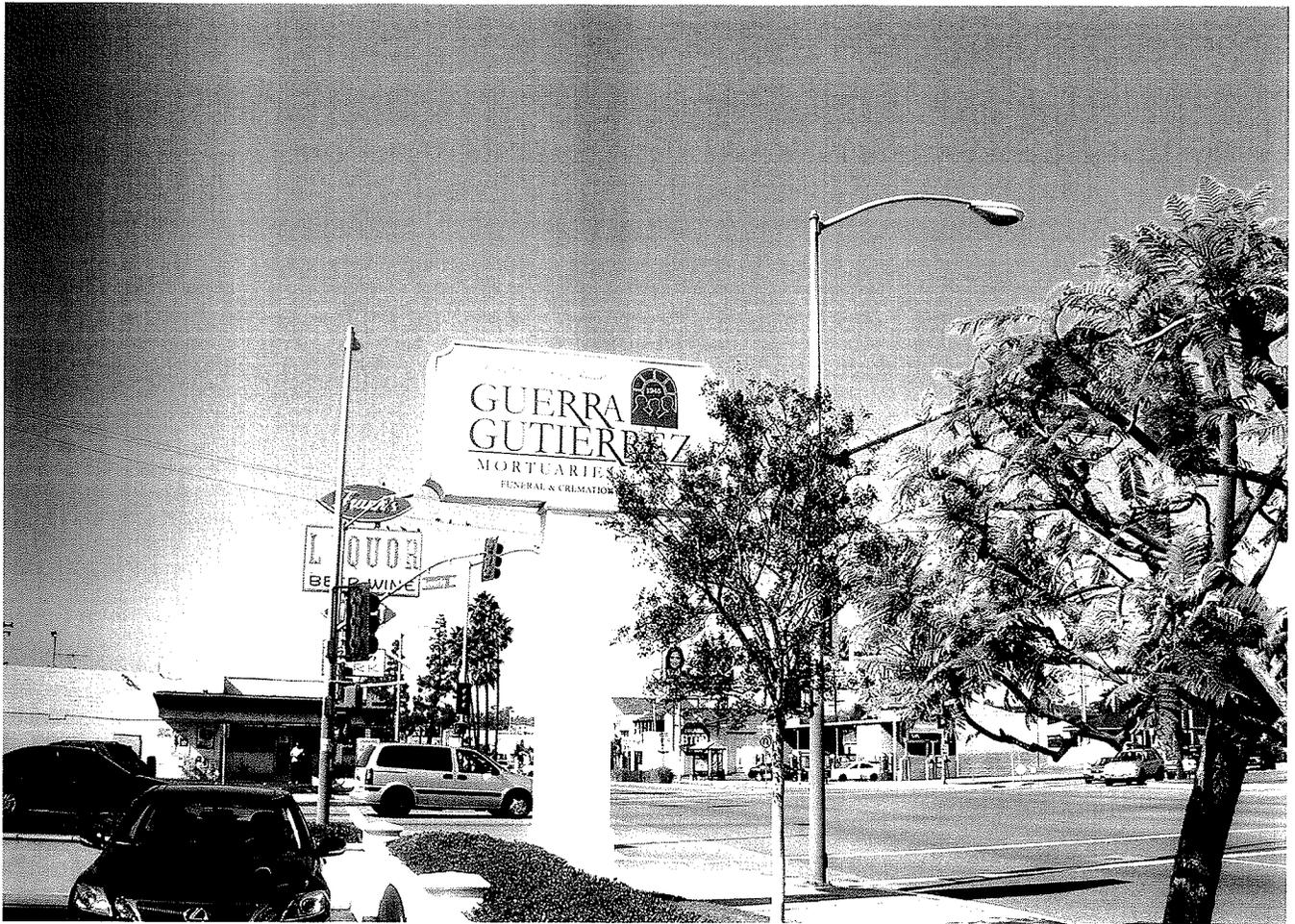


























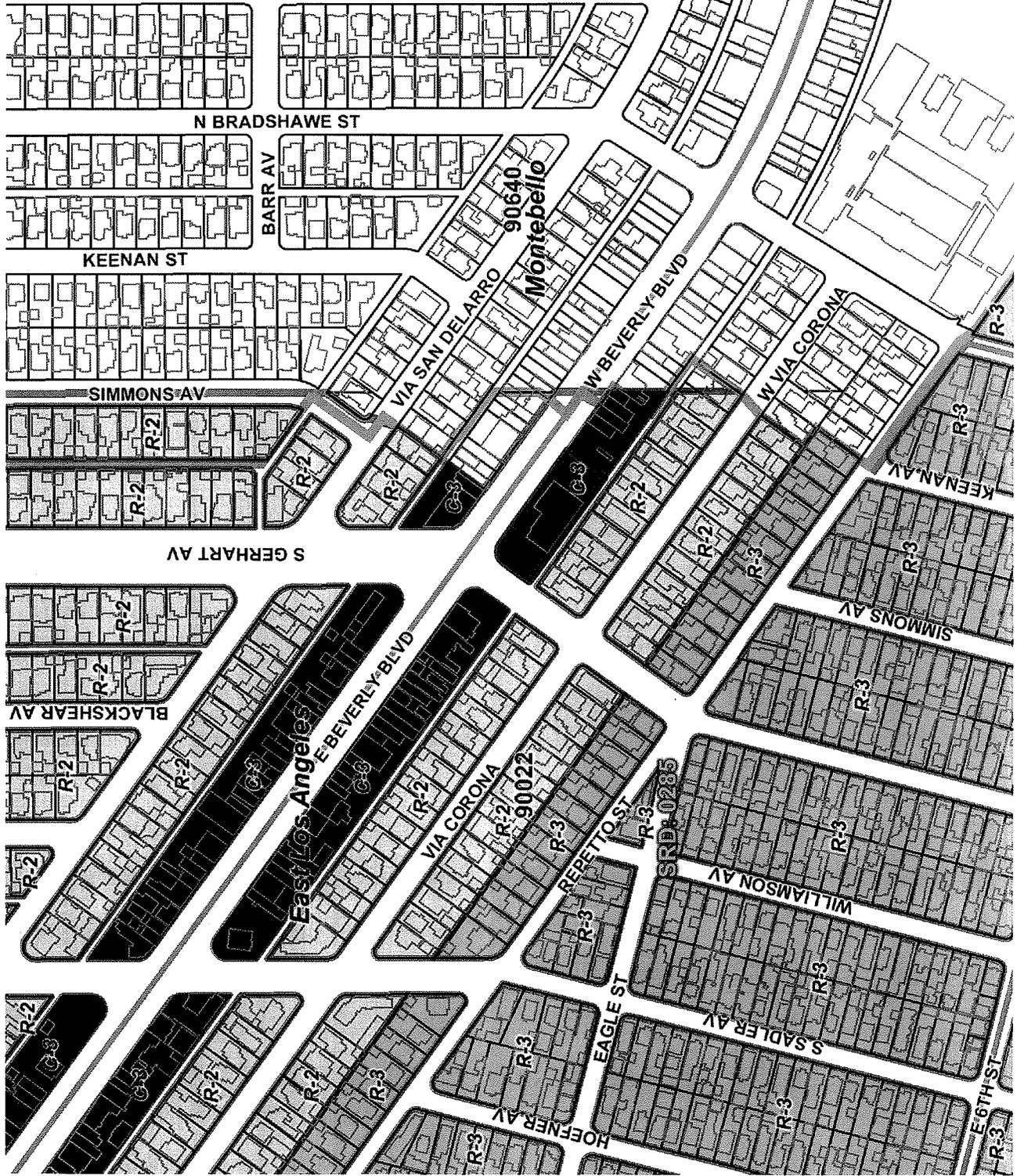






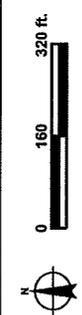
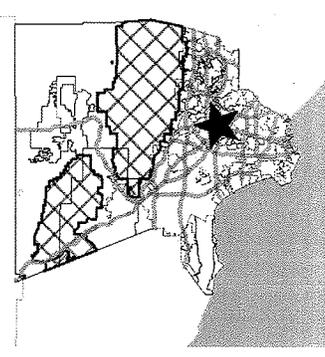


© 2011



- Legend**
- Parcel Boundary
  - Aerial Street
  - Freeway
  - Master Plan of Highways
  - Expressway - (E)
  - Ltd. Secondary Highway - (L)
  - Ltd. Secondary Highway - (D)
  - Parway - (P)
  - Major Highway - (M)
  - Major Highway - (D)
  - Secondary Highway - (S)
  - Secondary Highway - (D)
  - Proposed
  - Railroad or Rapid Transit
  - Railroad
  - Underground Rapid Transit
  - Significant Rightlines
  - Casual CSO Primary
  - CSO Primary
  - SMANMA Significant
  - Census Tract (2000)
  - AM(B) Bay
  - Zoning Map Grid
  - USGS Quad Sheet Grid
  - Internal Phase Grid
  - Very High Fire Hazard Severity
  - Zone
  - County Standards District (CSD)
  - CSD Area Specific Boundary
  - ESHA (Coast Only)
  - Significant Ecological Area
  - Section Line
  - Township and Range
  - National Forest
  - Transit Oriented District (TOD)
  - Setback District
  - Zoned District (ZD)
  - Supervisory District Boundary
  - Safety Related Stations (From TB)
  - Fire Station
  - Highway Patrol
  - Police Station
  - Ranger Station
  - Sheriff Station
  - Inland Waterbody
  - Intermittent
  - Dry
- Zoning (Boundary)**
- Zone A-1
  - Zone A-2
  - Zone B-1
  - Zone B-2
  - Zone C-1
  - Zone C-2
  - Zone C-H
  - Zone C-M
  - Zone C-P
  - Zone D-1
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  - Zone M-100
- Landuse Policy (Not in Comm/ Area Plan)**
- 1 - Low Density Residential (1 to 6 a/c)
  - 2 - Medium Density Residential (7 to 12 a/c)
  - 3 - Medium Density Residential (12 to 22 a/c)
  - 4 - High Density Residential (23 to 40 a/c)
  - 5 - Major Commercial
  - 6 - Major Industrial
  - 7 - Open Space
  - 8 - Public Facilities and Semi-Public
  - 9 - Rural Communities
  - 10 - Non-Urban
  - 11 - Transportation Corridor

Note: This is a static legend, which includes only a portion of layers. To get full legend, please use 'Display Map Legend' on the top left box of screen.



11-11-98  
 B = 121, 127, 113, 129  
 C = 112, 205  
 D = 231, 229, 226, 223, 212, 213  
 E = 117

F = 126

Area	Use	Proposed Occupant Load	Min. Occupant Load*	Determined Occupant Load*
A	CHAPEL	134 - 116 ✓	116	116 (116)
B	Restroom, Fan. Seat	34	34	34 (18)
C	Dressing	18	18	18
D	Coffee Lounge, Employee Lounge	16	16	16
E	Offices/Storage	1	1	1
F	Open office Receptionist	53	53	53 (53)
G	Visitation Lobby	1	1	1
H	Dorm			
Proposed Occupant Load		239		
Proposed Occupant Load			239	
Total Assembly Occupant Load Determined by Building Official*				239 (187) ass

99 034

\*To be completed by Building Official

The submitted plans have been reviewed and the Assembly occupant load determined as indicated above. This determination is for proposed parking requirements only and does not exempt the Applicant from compliance with any plan check, permit or inspection requirements under County Ordinance.

**Determination Of Assembly Occupant Load-Parking**

Type of Occupancy A-3

Assembly Occupant Load 239 (187 assembly)

By (Print Name) Vic Mass

Signature [Signature] Date 8.20.98

**District Office Stamp**

Return one copy of this signed form and one Exhibit A to Regional Planning Dept.

enr:P:GENERAL/BUILDPLC/FORMS/am80.10c



Los Angeles County  
Department of Regional Planning

Director of Planning James E. Hartl, AICP



August 5, 1999

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Carlos Guerra  
c/o Barrio Planners Inc.,  
5271 E. Beverly Blvd  
Los Angeles, CA 90022

RE: **PARKING PERMIT CASE NO. 99-039-(1)**

Authorizes a reduction in the required number of parking spaces for a new mortuary facility from 80 to 37 parking spaces. The request was made to accommodate the unique operations of a mortuary. The request is for 43 parking spaces less than is required by the Zoning Ordinance.

Dear Applicant:

PLEASE NOTE: This document contains the Hearing Officer's findings, order and conditions relating to **APPROVAL** of the above referenced case. **CAREFULLY REVIEW EACH CONDITION.**

Condition 2 requires that the permittee file an affidavit accepting the conditions before this grant becomes effective. **USE THE ENCLOSED AFFIDAVIT FOR THIS PURPOSE.**

The applicant or **ANY OTHER INTERESTED PERSON** may **APPEAL** the Hearing Officer's decision to the Regional Planning Commission at the office of the commission's secretary, Room 170, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. Contact the commission's secretary for the necessary forms and the amount of the appeal fee at (213) 974-6409. The appeal must be postmarked or delivered in person within 15 days of the applicant receiving this notice. The Hearing Officer's decision may also be called up for review by the Regional Planning Commission during the appeal period.

For further information on appeal procedures or any other matter

pertaining to this approval, please contact the Zoning Permits Section at (213) 974-6443.

**HEARING OFFICER'S FINDINGS AND ORDER:**

**REQUEST:** The applicant requests a parking permit to authorize a reduction in the required number of parking spaces for a new mortuary facility from 80 to 37 parking spaces. This is 43 parking spaces less than is required by the Zoning Ordinance.

**FACTUAL SUMMARY:**

August 3, 1999 Public Hearing

A duly noticed public hearing was held. The applicant, Mr. Guerra and the project architect, Mr. Gary were sworn. Mr. Guerra requested modifications to Draft Condition 15c to allow up to 20 daytime funeral services a year. Mr. Guerra also requested Condition 15d be modified to allow for some level of all-night security lighting and that the parking lot lighting be allowed to remain on until 10:00 p.m.

No testimony in opposition was heard.

There being no further testimony, the hearing officer closed the public hearing, approved the modifications to Draft Conditions 15c and 15d and instructed staff to prepare findings and conditions for approval.

Findings

The subject property is located at 5800 East Beverly Boulevard in the East Side Unit No. 1 Zoned District. The property is accessed from Beverly Boulevard and a rear alley off Gerhart Street between Beverly Boulevard and Via Corona.

The site plan depicts a rectangular shaped parcel at the corner of Beverly Boulevard and Gerhart Street. The property consists of six parcels, which presently contain an 8,500-sq. ft. mortuary facility, a small apartment building, a single-family home, two vacant commercial buildings, and a parking lot with a capacity of 20 vehicles. Several property lines within the subject property are shown on the House Numbering Map divided by dashed lines. A Certificate of Compliance has been obtained by the applicant, which verifies legally recognition of the lot divisions. All existing structures on the property are being removed and

replaced by a new mortuary facility.

The proposed plan depicts 37 parking spaces in two parking lots, one on each side of the building. The east lot would have 19 parking spaces and the west lot would have 18 parking spaces including two handicapped spaces and a van access aisle. Along the south perimeter of the property is a 20-ft wide alley.

Section 22.52.1110 of the Zoning Ordinance specifies the parking requirement for assembly uses as one parking space for every three persons based on the occupant load as determined by the County engineer. The County engineer determined the occupancy load for the proposed mortuary to be 239, which requires 80 parking spaces. The proposed plan for 37 parking spaces, provides 15 compact stalls, 20 standard stalls and 2 handicapped parking spaces. The proposed plan is 43 parking spaces short of the amount required by the Zoning Ordinance. Other development features such as building height, setbacks, landscaping, and signage of the proposed project are in compliance with the Zoning Ordinance and East Los Angeles Community Standards District.

The commercial area along Beverly Boulevard was developed at a time when vehicle use and the parking standard were less than they are today. Most businesses along Beverly Boulevard do not provide the amount of parking that is presently required by the Zoning Ordinance and instead rely upon street parking.

The applicant explains in the Burden of Proof statement and Project Background that the amount of parking required by the Zoning Ordinance exceeds the parking generated by their business. The proposed chapel in the new mortuary building would be similar in size to the existing chapel, which seats 118 persons. Parking shall be increased by 17 parking spaces over what is presently provided. Most chapel services are conducted in the evening between 6:00 p.m. and 9:00 p.m. when other businesses in the area are closed.

In the daytime, the facility is usually only visited by families making funeral arrangements. Parking provided on the proposed plan easily accommodates this use. The applicant states that during the daytime, an average of 5 cars are parked in parking lot. This was confirmed during a staff visit to the site on July 12, 1999 when 6 vehicles were observed in the parking lot.

The applicant informs staff that approximately four times a month

the mortuary provides evening rosary services. At these times, the parking lot is full and customer parking overflows to the street. Street parking however is usually concentrated on Beverly Boulevard and does not affect nearby residential streets. Although services are rarely conducted during the day, funeral processions do leave from the mortuary for church services or for burial at the cemetery throughout the day. Occasionally friends and relatives will gather at the mortuary to accompany the procession. At these times, overflow parking may occasionally spill over to the street.

The subject property is zoned C-3 (Unlimited Commercial). Properties to the east and west along Beverly Boulevard are also zoned C-3. To the south of the subject property, and to the north beyond Beverly Boulevard the zoning is R-2 (Two-Family Residence). Further south the zoning is R-3 (Limited Multiple Residences).

The subject property presently contains a mix of uses including a mortuary, a parking lot, an apartment house, a single-family residence and two vacant commercial buildings. The uses will be replaced with the new mortuary project. Surrounding land use along Beverly Boulevard, to the east and west, is commercial. The commercial businesses consist of medical, dental, insurance, law and tax offices as well as retail sales businesses and a car wash. Beyond Beverly Boulevard to the north and south is a mix of single-family, two-family and multi-family residences.

The East Los Angeles Community Plan designation for the subject property and surrounding area is "Major Commercial". This classification allows a mortuary use at the site. The subject property is within the East Los Angeles Community Standards District (CSD). The maximum height allowed in the "Commercial" zone is 40 ft: the proposed building is 39 ft. 9 ½ in. The proposed project provides a 5 ft. landscaped buffer adjacent to the property line, which is required by the CSD.

No previous zoning permit cases have been approved on the subject property. The mortuary was developed under plot plan 30572.

Regional Planning staff have granted the project a Negative Declaration under CEQA reporting requirements.

Staff received one telephone call and a follow-up letter from a

property manager of a nearby business. The caller was concerned that overflow parking from the mortuary presently affects his client's business and that expansion of the facility will worsen the situation. The property manager explained that on some occasions the mortuary conducts services in the afternoon, which creates overflow street parking, making parking very difficult for businesses in the vicinity. His present tenant is not affected by services held in the evening, but he expressed concern that the proposed plan may affect future tenants who wish to remain open in the evening.

The Los Angeles County Fire Department comments are included as an attachment to this document. No other agency comments or recommendations were received.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

REGARDING THE PARKING PERMIT:

- A. The proposed use is consistent with the adopted general plan for the area;
- B. That there will be no need for the number of parking spaces required by Part 11 of Chapter 22.52 because the nature of the use is such that there is a reduced occupancy;
- C. 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 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 and general welfare;
- D. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features;
- E. The proposed site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such use would generate and by other public

or private facilities as are required.

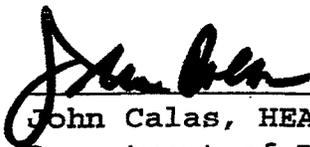
- F. That the requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding properties.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a parking permit as set forth in Sections 22.56.090, Title 22, of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

1. The Hearing Officer has considered the *Negative Declaration* together with any comments received during the public review process, find on the basis of the whole record before the Hearing Officer that there is no substantial evidence the project will have a significant effect on the environment, finds that the *Negative Declaration* reflects the independent judgement and analysis of the Hearing Officer, and adopts the *Negative Declaration*.
2. In view of the findings of fact presented above, Parking Permit Case No. 99-039-(1) is **APPROVED**, subject to the attached conditions.

BY:



John Calas, HEARING OFFICER  
Department of Regional Planning  
County of Los Angeles

Date:

8/5/99

JC:MC:mc

Attachments: Conditions  
Affidavit

c: Each Commissioner; Zoning Enforcement; Building and Safety;  
Testifiers:

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee and the owner of the property involved (if other than the permittee) have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant.
3. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
4. 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 according Los Angeles County Code Section 2.170.010.

5. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested before the expiration date.
6. 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.
7. This grant will terminate August 4, 2009.
8. 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 **\$500.00**. The fee 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. The fee provides for **5 biennial inspections**.

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 the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance.

9. 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 of safety or so as to be a nuisance.

10. Upon receipt of this letter, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Fire Department to determine what facilities may be necessary to protect the property from fire hazard. The permittee shall provide fire low, hydrants, gated access width, emergency access, and any other necessary facilities as may be required by said Department.
11. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.
12. 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.
13. In the event of such extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint used to cover such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
14. The subject property shall be developed and maintained in substantial compliance with the plans on file marked Exhibit "A". In the event that subsequent revised plans are submitted, the written authorization of the property owner is necessary.
15. This grant authorizes less than required parking for a mortuary subject to the following terms:
  - a. A minimum of 37 parking spaces shall be provided. There shall be two parking spaces provided for handicapped

persons, one of which shall be van accessible with an 8-ft wide access aisle and at least 20 standard size parking spaces. The remaining 15 parking spaces (40 percent of the parking spaces) may be of compact size;

- b. The access aisle for van accessible parking spaces shall not be counted as additional parking;
- c. All parking lot lighting shall be directed away from neighboring residences to prevent direct illumination and glare. The primary parking lot lighting shall be turned off no later than 10:00 p.m. A security lighting system attached to the building is permitted and may remain on through the night. This security system may be extended beyond the mortuary building to include appropriately shielded poles in the parking area. If the security lighting is attached to poles, the poles shall be set back 20 feet from the property line to prevent unnecessary illumination of adjacent residential properties. The security system shall provide low level lighting of the mortuary building, rear alley and the rear garage entry. The permittee shall submit plans of the lighting system for review by the Director of Planning;
- d. Rosary services held at the mortuary Monday through Friday shall be limited to evening hours, between 5:00 p.m. and 10:00 p.m. Daytime services shall be limited to twenty (20) occurrences per calendar year. This limitation is imposed to prevent excessive street parking during the more active business hours in the immediate area;
- e. The use of bells or amplified sound equipment intended to be audible outside the building is prohibited;
- f. The driveways within the parking areas shall be a minimum of 26 feet wide;
- g. The permittee shall employ a traffic control person(s) to coordinate traffic movement in and out of the mortuary parking lots during large services.

16. Provisions shall be made for all natural drainage to the

satisfaction of the Department of Public Works.

17. The permittee shall provide the following requirements from the Los Angeles County Fire Department:
  - a. The required fire flow for this development is 2,000 gallons per minute for 2 hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 pounds per square inch residual pressure.
  - b. Upgrade one (1) 6"X4"X2½" fire hydrant, conforming to AWWA standard C5303-75 or approved equal. All installations must meet Fire Department specification. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
18. A landscaped buffer, at least 5 feet in width, shall be provided whenever parking areas are adjacent to property lines or where the mortuary property abuts a residential zone. A solid masonry wall not less than 5 feet high nor more than 6 feet in height shall be provided along the side and rear yard property lines.
19. The maximum permitted building height is 40 feet as specified in Section 22.44.118 of the Zoning Ordinance.
20. The permittee shall submit three (3) copies of a site plan for approval by the Director of Planning, similar to Exhibit "A" as presented at the public hearing. The plan shall also include all signage on the property, including sign dimensions and elevations. One freestanding business sign is permitted, which shall not exceed 10 percent of the building face area or 240 sq. ft.