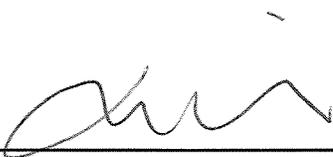


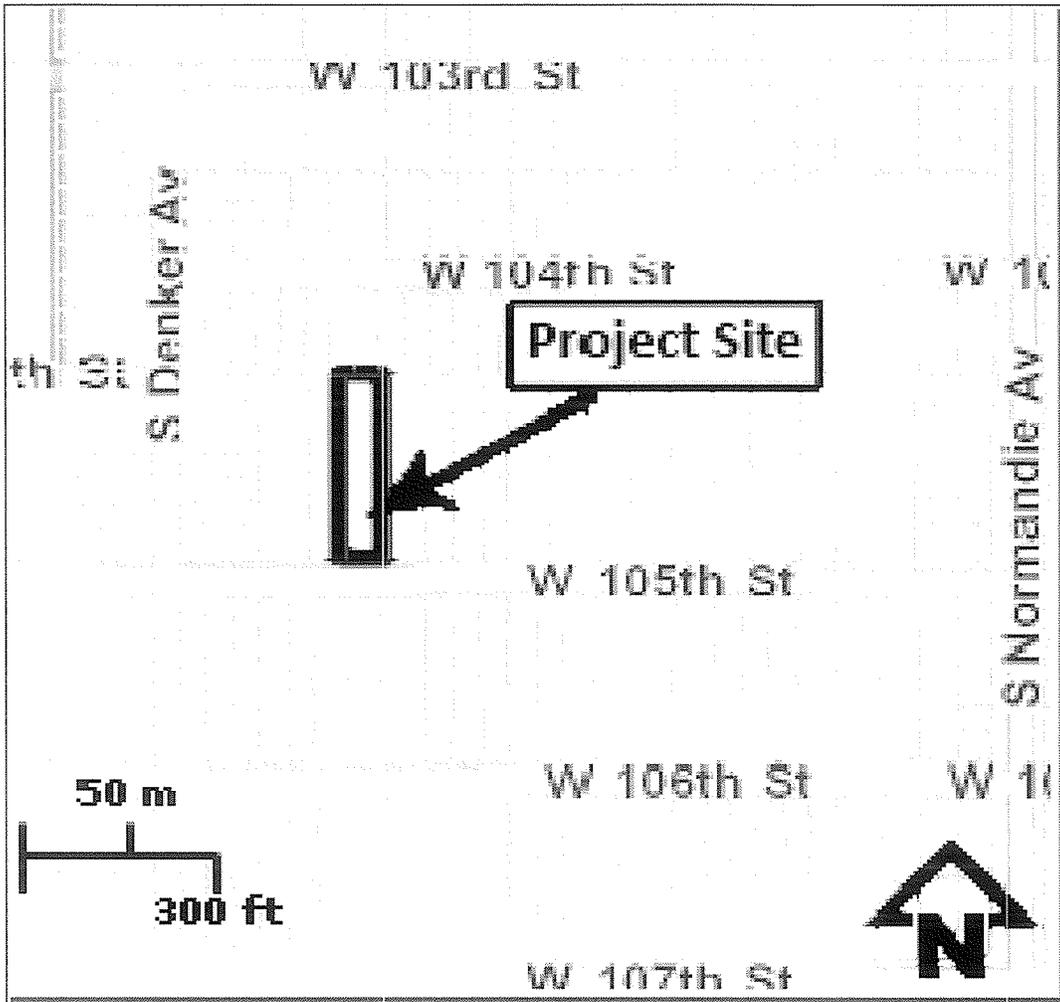
Hearing Officer Transmittal Checklist

Hearing Date 12/20/2011
Agenda Item No. 2

Project Number: R2011-00212-(2)
Case(s): Conditional Use Permit No. 201100023
Planner: Tyler Montgomery

- 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
 - Other
-

Reviewed By: 





Los Angeles County Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012
 Telephone (213) 974-6462
PROJECT NUMBER R2011-00212
RCUP 201100023

PUBLIC HEARING DATE 12/20/2011	AGENDA ITEM 2
RPC CONSENT DATE	CONTINUE TO

APPLICANT 21st Century Capital Investment Group	OWNER 21st Century Capital Investment Group	REPRESENTATIVE John Wu
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PROJECT DESCRIPTION
 The applicant requests a conditional use permit (CUP) to continue the operation and maintenance of an existing apartment complex in the R-2 (Two Family Residence) zone. As part of the CUP, the applicant also requests to convert an existing two-car garage to a one-bedroom apartment unit, for a total of seven dwelling units at the 0.44-acre site. The applicant would reconfigure the parking lot and add additional paved area and a covered carport to the rear portion of the property, resulting in a total of seven covered and five uncovered parking spaces (12 total). The project site currently has two covered and nine uncovered parking spaces (11 total).

REQUIRED ENTITLEMENTS
To authorize the continued operation of an existing apartment complex and the addition of a one-bedroom apartment to the same complex, for a total of seven units

LOCATION/ADDRESS
 1531 W. 105th St., West Athens-Westmont

SITE DESCRIPTION
 The site plan depicts the existing 0.44-acre apartment complex, consisting of six dwelling units in two one-story detached buildings. A separate detached two-car garage would be converted into a one-bedroom apartment, for a total of seven dwelling units at the site (five one-bedroom units, one two-bedroom unit, and one three-bedroom unit). Seven parking spaces would be located on the rear portion of the property in a new covered carport, while five additional uncovered spaces would be located throughout the site (12 spaces total). The maximum height of all structures on the site is 13'-8", and the site would contain approximately 4,435 square feet of landscaping. The project site would have a front-yard setback of 19 feet, side-yard setbacks of five feet and 12'-6", and a rear-yard setback of 71'-6".

ACCESS West 105th Street, to the south	ZONED DISTRICT West Athens - Westmont
ASSESSORS PARCEL NUMBER 6059019009	COMMUNITY West Athens-Westmont
SIZE 0.44 Acres	COMMUNITY STANDARDS DISTRICT W Athens - Westmont

	EXISTING LAND USE	EXISTING ZONING
Project Site	Apartments	R-2 (Two Family Residence)
North	Single and multiple family residences	R-2
East	Apartments	R-2
South	Single and multiple family residences	R-2
West	Apartments	R-2

GENERAL PLAN/COMMUNITY PLAN Westmont West Athens Neighborhood Plan	LAND USE DESIGNATION RD 3.1 (Two Family Residence)	MAXIMUM DENSITY 17 units/acre
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ENVIRONMENTAL DETERMINATION
 Class 3 Categorical Exemption- New Construction or Conversion of Small Structures

RPC LAST MEETING ACTION SUMMARY

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

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

STAFF CONTACT PERSON: Tyler Montgomery		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING):		
SPEAKERS* (O) 0 (F) 0	PETITIONS (O) 0 (F) 0	LETTERS (O) 0 (F) 0

STAFF ANALYSIS
PROJECT NUMBER R2011-00212-(2)
CONDITIONAL USE PERMIT NO. 201100023

PROJECT DESCRIPTION

The applicant requests a conditional use permit (CUP) to continue the operation and maintenance of an existing apartment complex in the R-2 (Two Family Residence) zone. As part of the CUP, the applicant also requests to convert an existing two-car garage to a one-bedroom apartment unit, for a total of seven dwelling units.

REQUIRED ENTITLEMENTS

Per Section 22.20.200 of the County Code, apartments require a CUP to operate within the R-2 zone. The site consists of six apartment units in two detached buildings, which were legally constructed in 1952 and 1953, when the zoning of the subject property was R-4 (Unlimited Residence). Apartments are a by-right use in the R-4 zone. The zoning of the subject property was changed to R-2 in 1975 by Zone Change Case No. 6512 (Ordinance No. 11111). Per Section 22.56.1540 of the County Code, resulting nonconforming uses of this building type are given a 20-year period in which to operate, after which time the proper permits or authorizations must be sought. This period expired in 1995, which was noted when the applicant applied for a renewed business license in 2010. The applicant has subsequently applied for a CUP to continue operating the apartment complex and to add one additional dwelling unit, for a total of seven dwelling units on the site.

LOCATION

The property is located at 1531 West 105th Street, in the West Athens-Westmont Zoned District and within the West Athens-Westmont Community Standards District ("CSD").

PHYSICAL FEATURES

The property is a rectangular parcel of 0.44 acres that is developed with a six-unit apartment complex in two detached buildings and a two-car detached garage. At some point in the past, the garage was illegally converted to a habitable space, which the applicant now seeks to legalize and convert into a one-bedroom rentable unit. The property is mostly level, although it slopes downward at its rear (northern) portion, which is undeveloped. Two covered parking spaces and nine uncovered parking spaces are located on the site. A concrete driveway, 10 feet, one inch wide, accesses West 105th Street to the south. Approximately 4,435 square feet of landscaping are located on the subject property, and the maximum height of buildings on the site is 13 feet, eight inches.

EXISTING ZONING

Subject Property

The subject property is zoned R-2 (Two Family Residence).

Surrounding Properties

Surrounding properties 500 feet in all directions are also zoned R-2.

EXISTING LAND USES

Subject Property

The subject property contains a six-unit apartment complex.

Surrounding Properties

Land uses within 500 feet of the subject property consist of the following:

North: Single-family residences

South: Single-family residences, duplexes

East: Apartments

West: Apartments, single-family residences

SITE PLAN DESCRIPTION

The site plan depicts six existing apartment units (four one-bedroom units, one two-bedroom unit, and one three-bedroom unit) located in two detached buildings on a 0.44-acre lot. These units are contained in two one-story buildings of three units each. An existing two-car detached garage near the middle of the site would be converted into a one-bedroom apartment. Five existing uncovered spaces would remain on the site, and a new paved area and seven-space carport would be developed at the rear (northern portion) of the property, nine feet, six inches from the rear property line, for a total of 12 parking spaces. The site is accessed via a 10-foot, one-inch wide concrete driveway along the western property line and a seven-foot, 10-inch wide concrete walkway along the eastern property line, both of which lead south to West 105th Street. The maximum height of on-site structures is 13 feet, eight inches, and the site contains approximately 4,435 square feet of landscaping. The project site would have a front-yard setback of 19 feet, side-yard setbacks of five feet and 12 feet, six inches, respectively, and a rear-yard setback of 71 feet, six inches.

ENVIRONMENTAL DETERMINATION

This project has been determined to be categorically exempt under the environmental reporting procedures and guidelines of the California Environmental Quality Act (CEQA). The facility is located in an existing structure and qualifies for a Class 3, Small Structures, categorical exemption, as only minor modifications to an existing apartment complex are proposed.

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, library posting and DRP website posting. The applicant's representative, Mr. Bijan Vaziri, has also submitted photographs and a written statement indicating that the notice was posted on the property beginning November 12, 2011.

STAFF EVALUATION

General Plan Consistency

The project site is designated as "RD 3.1—Two Family Residence" in the Westmont-West Athens Community Plan. This designation allows for residential uses, primarily between eight and 17 dwelling units per acre in density. The apartment complex, as proposed, has a density of approximately 16 units per acre. Therefore, the project is consistent with the RD 3.1 land use designation.

Zoning Ordinance and Development Standards Compliance

Because the apartment complex was legally constructed in 1952 and 1953, when the zoning of the subject property was R-4, it is not required to comply with current development standards for the R-2 zone (County Code Sec. 22.20.210 and 22.20.220), as no exterior alterations are proposed for structures at the facility. Incidentally, the facility complies with all applicable standards of the R-2 zone, such as height and setbacks, with the exception of the front yard setback, which is 19 feet instead of the required 20 feet.

The proposed carport would be located nine feet, six inches from the rear property line and would touch both side property lines. The required rear-yard setback for the R-2 zone is 15 feet, while required side-yard setbacks are five feet. Per Section 22.48.140(B) of the County Code, detached carports may encroach into required rear-yard and side-yard setbacks provided that they are more than 75 feet from the front property line and that not more than 50 percent of the rear yard is covered. Because the carport would satisfy these requirements, it would comply with required development standards.

The facility would provide seven covered parking spaces and five uncovered parking spaces. Parking standards for apartment houses are described in Sec. 22.52.1180 of the County Code. Current standards would require the provision of nine covered parking spaces and two uncovered parking spaces (11 total). The project proposes to provide seven covered parking spaces and five uncovered parking spaces (12 total).

While the ratio of covered to uncovered parking spaces does not meet current development standards, this may be modified as part of the CUP process if the Hearing Officer determines that the provision of two additional covered spaces is infeasible.

West Athens-Westmont Community Standards District Compliance

The West Athens-Westmont CSD (County Code Sec. 22.44.120) sets a maximum height limit of 35 feet in the R-2 zone. It also requires that all landscaping be neatly maintained and free of junk and debris, and that a minimum of 50 percent of the front yard area be landscaped. The existing facility complies with all of these requirements.

Neighborhood Impact/Land Use Compatibility

The continued maintenance of the apartment complex with the addition of one dwelling unit is unlikely to affect the health, comfort, or welfare of surrounding residents, be materially detrimental to the use, enjoyment, or value of surrounding properties, and would not constitute a hazard to public health or safety. The current facility has been in existence for nearly 60 years without significant zoning enforcement issues, and the property is neat and well maintained. The existing apartment complex has also been reviewed and cleared by County Fire, Public Health, and Public Works. Therefore, the proposed use would be compatible with the surrounding area.

The proposed residence would comply with all applicable development standards of the Los Angeles County Planning and Zoning Code. It would also be well served by West 105th Street to the south, a one-way side street of two lanes without major level-of-service issues. The number of parking spaces on the site is adequate to accommodate residents and visitors, even though the ratio of covered and uncovered spaces does not comply with current standards, and the provision of two additional covered parking spaces on the site would be infeasible and have little benefit. Therefore, the project would not affect the surrounding area and is consistent and compatible with the surrounding uses.

Burden of Proof

As required by Section 22.56.040 of the Los Angeles County Code, in addition to the information required in the permit application, the applicant shall substantiate to the satisfaction of the Hearing Officer and/or the Commission, the following facts:

- A. That the requested use at the location proposed will not:
 - 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; or
 - 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 - 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

- B. That the proposed site is adequate in size and shape to accommodate the yards, wells, fence, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area.

- C. That the proposed site is adequately served:
 - 1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
 - 2. By other public or private service facilities as are required.

The applicant's Burden of Proof responses are attached to this document.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Los Angeles County Fire Department

The Los Angeles County Fire Department issued a letter clearing the project for public hearing on August 15, 2011 (attached). According to this letter, the project meets all applicable access and fire flow standards.

Department of Public Works

The Department of Public Works issued a letter clearing the project for public hearing on April 6, 2011 (attached). This department recommends that conditions be added to any approval requiring the planting of street trees, compliance with the County's Low Impact Development (LID) standards, the repair of any damaged sections of sidewalk along the property's 105th Street frontage, and the provision of street lights along the same frontage.

Department of Public Health

The Environmental Health Section of DPH issued a letter, dated April 20, 2011, stating that the department has no objection to the continued maintenance of the apartment complex, so long as it remained attached to public water and sewer lines (attached).

PUBLIC COMMENTS

Staff received no comments from members of the public regarding the proposed project.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer. Because the project is residential in nature, staff does not recommend that this permit be given an expiration date.

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 Conditional Use Permit No. 201100023, subject to the attached conditions.

SUGGESTED APPROVAL MOTION

I hereby close the public hearing and **APPROVE** Conditional Use Permit 201100023 subject to the attached Findings and Conditions of Approval.

Prepared by Tyler Montgomery, Regional Planning Assistant II
Reviewed by Mi Kim, Supervising Regional Planner, Zoning Permits West

Attachments:
Draft Findings
Draft Conditions of Approval

Applicant's Burden of Proof statements
Fire clearance letter
Public Works clearance letter
Public Health clearance letter
Site photographs
Site plan and elevations

**HEARING OFFICER'S FINDINGS AND ORDER:
PROJECT NO. R2011-00212-(2)
CONDITIONAL USE PERMIT NO. 201100023**

REQUEST: Pursuant to County Code Section 22.20.100, which is pursuant to Part 1 of Chapter 22.56, the applicant is requesting a conditional use permit ("CUP") to authorize the continued maintenance of a six-unit apartment complex, and the addition of one apartment to the same complex, on a property zoned R-2 (Two Family Residence), in the West Athens-Westmont Zoned District of Los Angeles County.

PROCEEDINGS BEFORE THE HEARING OFFICER:

Findings

1. The site is located at 1531 West 105th Street in the West Athens-Westmont Community Standards District ("CSD").
2. The project site is zoned R-2.
3. The property is a rectangular parcel of 0.44 acres that is developed with an eight-unit apartment complex in two detached buildings and a two-car detached garage. At some point in the past, the garage was illegally converted to a habitable space, which the applicant now seeks to legalize and convert into a one-bedroom rentable unit. The property is mostly level, although it slopes downward at its rear (northern) portion, which is undeveloped. Two covered parking spaces and nine uncovered parking spaces are located on the site. A concrete driveway, 10 feet, one inch wide, accesses West 105th Street to the south. Approximately 4,435 square feet of landscaping are located on the subject property, and the maximum height of buildings on the site is 13 feet, eight inches.
4. Surrounding properties within 500 feet are all zoned R-2.
5. The surrounding land uses within 500 feet consist of the following:
 - North: Single-family residences
 - South: Single-family residences, duplexes
 - East: Apartments
 - West: Apartments, single-family residences
6. Per Section 22.20.200 of the County Code, apartments require a CUP to operate within the R-2 zone. The site consists of eight apartment units in three detached buildings totaling 5,894 square feet, which were legally constructed in 1952 and 1953, when the zoning of the subject property was R-4 (Unlimited Residence). Apartments are a by-right use in the R-4 zone. The zoning of the subject property was changed to R-2 in 1975 by Zone Change Case No. 6512 (Ordinance No. 11111). Per Section 22.56.1540 of the County Code, resulting nonconforming uses of this building type are given a 20-year period in which to operate, after which time

the proper permits or authorizations must be sought. This period expired in 1995, and the continued use of the building as an apartment is subject to current zoning regulations that requires a CUP for such use.

7. This project has been determined to be categorically exempt under the environmental reporting procedures and guidelines of the California Environmental Quality Act (CEQA). The facility qualifies for a Class 3, Small Structures, categorical exemption, as only minor modifications to an existing apartment complex are proposed.
8. 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. No public comments were received.
9. The Los Angeles County departments of Fire, Public Works, and Public Health were consulted regarding the project. Each cleared it for public hearing, with certain conditions.
10. Because the apartment complex was legally constructed in 1952 and 1953, when the zoning of the subject property was R-4, it is not required to comply with current development standards for the R-2 zone (County Code Sec. 22.20.210 and 22.20.220), as no exterior alterations are proposed for structures at the facility. Incidentally, the facility complies with all applicable standards of the R-2 zone, such as height and setbacks, with the exception of the front yard setback, which is 19 feet instead of the required 20 feet.
11. The facility would provide seven covered parking spaces and five uncovered parking spaces. Parking standards for apartment houses are described in Sec. 22.52.1180 of the County Code. Current standards would require the provision of nine covered parking spaces and two uncovered parking spaces (11 total). The project proposes to provide seven covered parking spaces and five uncovered parking spaces (12 total). Therefore, an adequate number of parking spaces will be provided.
12. The project site is designated as "RD 3.1—Two Family Residence" in the Westmont-West Athens Community Plan. This designation allows for residential uses, primarily between eight and 17 dwelling units per acre in density. The apartment complex, as it currently exists, has a density of approximately 16 units per acre. Therefore, the project is consistent with the RD 3.1 land use designation.
13. The subject property is developed with an apartment complex. The site plan depicts six existing apartment units (four one-bedroom units, one two-bedroom unit, and one three-bedroom unit) located in two detached buildings on a 0.44-acre lot. These units are contained in two one-story buildings of three units each. An existing two-car detached garage near the middle of the site would be converted into a one-bedroom apartment. Five existing uncovered spaces would remain on the site, and

a new paved area and seven-space carport would be developed at the rear (northern portion) of the property, for a total of 12 parking spaces. The site is accessed via a 10-foot, one-inch wide concrete driveway along the western property line and a seven-foot, 10-inch wide concrete walkway along the eastern property line, both of which lead south to West 105th Street. The maximum height of on-site structures is 13 feet, eight inches, and the site contains approximately 4,435 square feet of landscaping. The project site would have a front-yard setback of 19 feet, side-yard setbacks of five feet and 12 feet, six inches, respectively, and a rear-yard setback of 71 feet, six inches. As depicted on the site plan, the apartment meets all applicable development standards.

14. The continued maintenance of the apartment complex with the addition of one dwelling unit is unlikely to affect the health, comfort, or welfare of surrounding residents, be materially detrimental to the use, enjoyment, or value of surrounding properties, and would not constitute a hazard to public health or safety. The current facility has been in existence for nearly 60 years without significant zoning enforcement issues, and the property is neat and well maintained. The existing apartment complex has also been reviewed and cleared by County Fire, Public Health, and Public Works. Therefore, the proposed use would be compatible with the surrounding area.
15. The proposed residence would comply with all applicable development standards of the Los Angeles County Planning and Zoning Code. It would also be well served by West 105th Street to the south, a one-way side street of two lanes without major level-of-service issues. The number of parking spaces on the site is adequate to accommodate residents and visitors, even though the ratio of covered and uncovered spaces does not comply with current standards, and the provision of two additional covered parking spaces on the site would be infeasible and have little benefit. Therefore, the project would not affect the surrounding area and is consistent and compatible with the surrounding uses.
16. 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, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits West Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

- A. The proposed use is consistent with the adopted general plan for the area;
- B. The requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding

areas, 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;

- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features;
- D. 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.

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for conditional use permits as set forth in Section 22.56.090, Title 22, of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

- 1. The Hearing Officer finds that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA). The project is within a class of projects which have been determined not to have a significant effect on the environment, in that it meets the criteria set forth in section 15303 of the State CEQA Guidelines and Class 3 of the County Environmental Document Reporting Procedures and Guidelines, Appendix G.
- 2. In view of the findings of facts presented above, Conditional Use Permit No. 201100023 is **APPROVED**, subject to the attached conditions.

Attachments: Conditions
Affidavit of Acceptance

c: Commission Services, Zoning Enforcement, Building and Safety

MK:TM
12/08/11

**DRAFT CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
PROJECT NO. R2011-00212-(2)
CONDITIONAL USE PERMIT NO. 201100023**

PROJECT DESCRIPTION

The project is a conditional use permit ("CUP") to authorize the continued maintenance of a six-unit apartment complex, and the addition of one apartment to the same complex, on a property zoned R-2 (Two Family Residence), 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. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 8 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 expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
9. 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 **\$200.00**. 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 one inspection three years after project approval. This inspection 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.

10. 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.
11. All development pursuant to this grant must be kept in full compliance with the County Fire Code.
12. 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.
13. All development pursuant to this grant shall conform to the requirements of the County Department of Public Health.

PROJECT-SPECIFIC CONDITIONS

14. On or before **February 21, 2012**, the permittee shall acquire street improvement plan approval from the County Department of Public Works. This plan shall require the planting of street trees, the provision of street lights, and the repair of broken or displaced sidewalks, curbs, and gutters to the satisfaction of said department.
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, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.
17. The permittee shall maintain no less than the seven (7) covered parking spaces and five (5) uncovered parking spaces on the project site, developed to the

specifications of the ordinance in effect at the time the structures were constructed. Such spaces shall be continually available for automobile parking.

18. The property and its landscaping shall be neatly maintained in a live and healthy condition and free of debris, overgrown weeds, junk, and garbage. A minimum of 50 percent of the front yard area shall be landscaped and maintained with grass, shrubs and/or trees.
19. Outdoor lighting shall be installed and maintained in all uncovered parking areas. All lighting required by this grant shall be of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons within lighted areas during operating hours and shall be designed so as to direct light and glare only onto the facility premises. Said lighting and glare shall be deflected, shaded and focused away from all adjoining properties.
20. Within 90 days of final approval of this permit, the permittee shall submit building and/or demolition permit applications for the conversion of the two-car garage to the Division of Building and Safety of the Department of Public Works.

MK:TM
12/08/11



11-00212



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.

The requested use of this project will be the same pattern of environment on site and surrounding area. The new 7 Covered Carport create more public safety and valuation of property on site and vicinity of the site.

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.

The proposed property has substantial landscaping and walls, yards, fences surrounding the building which make the area more comfortable and safe for the tenants. The size and shape is typical in this surrounding area. 7 Covered parking and 4 uncovered parking will be allow all tenants to park within the subject property boundaries and avoid street parking.

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.

The proposed site for street and highway traffic load is sufficient and no other public or private service are required.

11-00212

Narrative description of Work
1531 W. 105th Street, Los Angeles, CA 90047

The subject property is a legal 6 unit residential building consisting of three buildings: 3 units in the front, 3 units in the rear and a two car garage in the center which was originally permitted.

Our intention is to convert the existing middle building (garage) into a new 2 Bedroom unit attached to the front building. Thus the property will be comprised of only two buildings, a front building of 4 units and a rear building of 3 units for a total of 7 units.

This conversion will have NO negative effect on neighboring properties or the look of the neighborhood as the property to the east of the subject property consists of an 8 unit building similar in lot size and to the west of the subject property there is a 7 unit building which is also very similar to the subject property. The properties consist of multi-residential apartment buildings some with smaller lot sizes than the subject property and with limited or insufficient parking spaces for residences. However, unlike the surrounding properties the subject property has a sufficient lot size, will allow for additional parking spaces and meets all required zoning guidelines.

The property is currently being served with only a two car garage and street parking however, with the approval of this plan an additional 7 covered parking spaces and 4 uncovered parking spaces will be added allowing all tenants to park within the subject property boundaries and avoid any street parking. This will free up the streets and benefit neighboring properties with an improved parking situation.

The subject property has substantial landscaping and fences surrounding the building which makes the area more comfortable and safe for the tenants. As the units and now the tenants cars will be secure within the property walls it should help in preventing crime thus decreasing the use of the Sheriff department and as it is only one unit it should have no effect on the increase of service demands provided to the area.



COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040-3027

DATE: August 15, 2011

TO: Department of Regional Planning
Permits and Variances

PROJECT #: CUP R2011-00212

LOCATION: 1531 W. 105th St., Los Angeles

- The Fire Department Land Development Unit has no additional requirements for this permit.
- The required fire flow for this development is ____ gallons per minute for _ 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.
- Verify __ 6" X 4" X 2 1/2" public fire hydrant, conforming to AWWA C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- Comments** The Fire Department has cleared this project to proceed with the Public Hearing process.
:
- Water:** Per Golden State Water Company's fire flow test dated 05-18-11, the existing water system is adequate.
- Access:** The Fire Department will accept the access as currently exists on the property since no new construction is proposed. existing non conforming.
- Special Requirements:** When new construction or any alteration/modification to the existing structures on the property is proposed, architectural plans shall be submitted to the Fire Department for review and approval.

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office at (323) 890-4243.

Inspector: *Juan C. Padilla*

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



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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

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

April 6, 2011

IN REPLY PLEASE
REFER TO FILE: LD-1

TO: Mark Child, AICP
Zoning Permits I Section
Department of Regional Planning

Attention Phillip Estes

FROM:  Steve Burger
Land Development Division
Department of Public Works

APR 13 2011

CONDITIONAL USE PERMIT (CUP) NO. 201100023
PROJECT NO. R2011-00212
1531 WEST 105TH STREET
ASSESSOR'S MAP BOOK NO. 6059, PAGE 19, PARCEL NO. 9
UNINCORPORATED COUNTY AREA OF ATHENS

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

We reviewed the site plan for CUP No. 201100023, in the unincorporated area of Athens, located at 1531 West 105th Street. The project is for the conversion of an existing garage to a two-bedroom, residential unit with seven covered parking and four uncovered parking spaces.

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

1. Road

- 1.1 Plant street trees along the property frontage on 105th Street to the satisfaction of Public Works. Existing trees in the dedicated right of way along 105th Street shall be removed and replaced if not acceptable as street trees.

- 1.2 Repair any displaced, broken, or damaged curb, gutter, sidewalk, and pavement during construction, along the property frontage, to the satisfaction of Public Works.
- 1.3 Acquire street improvement plan approval or direct check status before obtaining a building permit.
- 1.4 Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.

For questions regarding the road conditions, please contact Julian Garcia at (626) 458-4921 or jugarcia@dpw.lacounty.gov.

2. Street Lighting

- 2.1 Provide street lights on concrete poles with underground wiring along the property frontage on 105th Street to the satisfaction of Public Works. Submit street lighting plans along with existing and/or proposed underground utility plans as soon as possible to Public Works' Traffic and Lighting Division, Street Lighting Section, to allow the maximum time for processing and approval.
- 2.2 The applicant shall comply with the conditions of acceptance listed below in order for the lighting districts to pay for the future operation and maintenance of the street lights. It is the sole responsibility of the owner of the project to have all street lighting plans approved prior to the issuance of a building permit. The required street lighting improvements shall be the sole responsibility of the owner of the project, and the installation must be accepted by the Lighting District, per approved plans, prior to issuance of a Certificate of Occupancy.

Conditions of Acceptance for Street Light Transfer of Billing:

All street lights in the project, or the approved project phase, must be constructed according to Public Works-approved plans. The contractor shall submit one complete set of As-built plans. Provided the above conditions are met, the lighting district can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year provided all street lights in the project, or approved project phase, have been energized and the developer has requested a transfer of billing at least

by January 1 of the previous year. The transfer of billing could be delayed one or more years if the above conditions are not met. The lighting district cannot pay for the operation and maintenance of street lights within gated communities.

For questions regarding the street lighting conditions, please contact David Stringer at (626) 300-4754 or dstring@dpw.lacounty.gov.

3. Drainage

3.1 Per County Code Section 12.84.440, comply with Low-Impact Development standards (LID) in accordance with the LID Manual, which can be found at [http://dpw.lacounty.gov/wmd/LA County LID Manual.pdf](http://dpw.lacounty.gov/wmd/LA%20County%20LID%20Manual.pdf).

3.2 A covenant or agreement shall be recorded in the office of the County of Los Angeles Registrar-Recorder/County Clerk indicating that the owner of the subject development is aware and agrees to the requirements of LID per Los Angeles County Code Section 12.84.460, Subsection B.

For questions regarding the drainage conditions, please contact Lizbeth Calderon at (626) 459-4921 or licalderon@dpw.lacounty.gov.

4. Building and Safety

4.1 Submit plans to Building and Safety Division, Southwest District Office, for review and permit issuance.

For questions regarding the building and safety condition, please contact Clint Lee at (626) 458-3154 or cllee@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Ruben Cruz at (626) 458-4910 or rcruz@dpw.lacounty.gov.

RC:ca

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COUNTY OF LOS ANGELES
Public Health

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

JONATHAN E. FREEDMAN
Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

KENNETH MURRAY, REHS
Director of Environmental Protection Bureau

PATRICK NEJADIAN, REHS
Chief EHS, Land Use Program

KEN HABARADAS, M.S., REHS
Environmental Health Staff Specialist
Land Use Program
5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5382 • FAX (626) 813-3016



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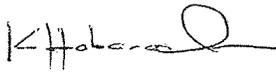
Zev Yaroslavsky
Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

April 20, 2011

TO: Dean Edwards
Zoning Permits
Department of Regional Planning

FROM: Ken Habaradas, M.S., REHS 
Environmental Health Division
Department of Public Health

SUBJECT: PROJECT NO. R2011-00212
RCUP 201100023
LOCATION: 1531 W. 105TH ST., LOS ANGELES

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

The Department of Public Health – Environmental Health Division has reviewed the information provided regarding a CUP to legally establish another unit (garage conversion) to an existing detached apartment building in an R-2 zone, located in the West Athens-Westmont CSD.

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

1. The apartment building, including the converted dwelling unit, shall remain connected to public water and public sewer.
2. The apartment building, including the converted dwelling unit, shall remain in compliance with all Public Health requirements, regulations, and ordinances relating to housing units.

If you should have any questions regarding the above conditions, please contact me at (626) 430-5382.

KH:kh

R2011-00212

1531 W. 105th St., West Athens-
Westmont

Site photos





























