Hearing Officer Transmittal Checklist

Hearing Date
1/17/2012
Agenda Item No.
7

Project Number: R2011-00274
Case(s): Conditional Use Permit Case No. 201100027
Planner: Steve Mar

- ☒ 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

Reviewed By: Tom B Mason

Los Angeles County Department of Regional Planning 320 West Temple Street Los Angeles, California 90012 Telephone (213) 974-6435 **PROJECT NUMBER R2011-00274-(1)** **CONDITIONAL USE PERMIT No. 201100027**	PUBLIC HEARING DATE January 17, 2012	AGENDA ITEM 7
	RPC CONSENT DATE N/A	CONTINUE TO N/A

APPLICANT	OWNER	REPRESENTATIVE
Brotman Auto Body / Guzman Valdivia	Clare Brotman	Guzman Valdivia

PROJECT DESCRIPTION

The applicant, Brotman Auto Body, is requesting a conditional use permit (CUP) for the operation of an auto body shop within an existing 4,199 sq. ft. 2-story office & garage building that was previously used as a used car sales lot in the C-3 (Unlimited Commercial) zone pursuant to Los Angeles County Code Section 22.28.210. Work will consist of auto body work only with no auto body painting done on the site. New wrought iron fencing will be added to existing sections of the 3' tall CMU wall surrounding the property to raise overall height of the fence to 6'. New 6' tall wrought iron sliding gates will be installed at the two entrances to the property on Via Corona Street and Repetto Avenue.

REQUIRED ENTITLEMENTS

A conditional use permit is required to allow the operation of an automobile body and fender repair shop in the C-3 (Unlimited Commercial) zone pursuant to Los Angeles County Code Section 22.28.110.

LOCATION/ADDRESS

344 S. Atlantic Boulevard, Los Angeles

SITE DESCRIPTION

The site plan depicts the project site with the existing 4,199 sq. ft. 2-story office and garage building and new appurtenant parking (18 parking spaces, including 1 disabled parking stall with new disabled access walkway) along Atlantic Blvd. Access to the site will be via existing driveways off of Via Corona Street and Repetto Avenue which will feature new 6' high wrought iron sliding gates. The property abuts an alley on the east property line. New wrought iron fencing will be added to sections of the existing 3' tall CMU wall surrounding the property to raise the overall height of the fence to 6'. Surrounding land uses consist of a smog shop to the north, an auto body shop to the south, multi-family residences to the east, and restaurant, commercial, and an auto repair shop to the west.

ACCESS via Via Corona Street and Repetto Avenue	**ZONED DISTRICT** Eastside Unit #2
ASSESSORS PARCEL NUMBER 6341-006-024	**COMMUNITY** East Los Angeles
SIZE 0.69 acres	**COMMUNITY STANDARDS DISTRICT** East Los Angeles

	EXISTING LAND USE	EXISTING ZONING
Project Site	(Previous) Auto Repair Shop	C-3 (Unlimited Commercial)
North	Smog Shop	C-3 (Unlimited Commercial)
East	Multi-Family Residences	R-2 (Two-Family Residence) & R-3 (Unlimited Multiple Residence)
South	Auto Body Shop	C-3 (Unlimited Commercial)
West	Restaurant, Commercial, Auto Repair Shop	C-3 (Unlimited Commercial)

GENERAL PLAN/COMMUNITY PLAN	LAND USE DESIGNATION	MAXIMUM DENSITY
East Los Angeles Community Plan	MC – Major Commercial	N/A

ENVIRONMENTAL DETERMINATION

Categorical Exemption, Class 1 – Existing Facilities

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: Steve Mar		
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

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

Project Site
Via Corona
Repetto St
S Woods Av
E 4th St
50 m
300 ft
N

STAFF REPORT
PROJECT NUMBER R2011-00274-(1)
CONDITIONAL USE PERMIT NUMBER 201100027

REQUIRED ENTITLEMENTS

The applicant, Brotman Auto Body, is requesting a conditional use permit (CUP) for the operation of an auto body repair shop within an existing 4,199 sq. ft. 2-story office and garage building that was previously used as used car sales lot in the C-3 (Unlimited Commercial) zone pursuant to Los Angeles County Code Section 22.28.210. Auto body repair work done on site will not include auto body painting.

REPRESENTATIVE: Guzman Valdivia
APPLICANT: Brotman Auto Body
OWNER: Clare Brotman

SITE PLAN DESCRIPTION

The site plan depicts the project site with the existing 4,199 sq. ft. 2-story office and garage building and new appurtenant parking (18 parking spaces, including one disabled parking stall with new disabled access walkway) along Atlantic Blvd. Access to the site will be via existing driveways off of Via Corona Street and Repetto Avenue which will feature new 6' high wrought iron sliding gates. The property abuts an alley on the east property line. New wrought iron fencing will be added to sections of the existing 3' tall CMU wall surrounding the property to raise the overall height of the fence to 6'. Surrounding land uses consist of a smog shop to the north, an auto body shop to the south, multi-family residences to the east, and restaurant, commercial, and an auto repair shop to the west.

LOCATION

The subject property is located at 344 S. Atlantic Boulevard in East Los Angeles and in the Eastside Unit #2 Zoned District.
Assessor's Parcel Number: 6341-006-024

EXISTING ZONING

Subject Property: The subject property is zoned C-3 (Unlimited Commercial).
Surrounding Zoning:

- North: C-3 (Unlimited Commercial) zone.
- East: R-2 (Two-Family Residence) and R-3 (Unlimited Multiple Residence) zones.
- South: C-3 (Unlimited Commercial) zone.
- West: C-3 (Unlimited Commercial) zone.

EXISTING LAND USE

Subject Property: The subject property was previously used as an auto mechanical repair shop
Surrounding Land Uses:

- North – Smog Shop
- East – Multi-Family Residences
- South – Auto Body Shop
- West – Restaurant, Commercial, Auto Repair Shop

Community Standards District (CSD): East Los Angeles
Town Council / Homeowners Association: N/A

ENVIRONMENTAL DETERMINATION

The Department of Regional Planning has determined that a Class 1 Categorical Exemption – Existing Facilities, is the appropriate environmental documentation under California Environmental Quality Act (CEQA) and the Los Angeles County Environmental Document Reporting Guidelines, since the project consists of a use that is similar to the previous use and no new structures or alterations are being proposed. Auto body repair work done on site will not include auto body painting.

STAFF ANALYSIS

Previous Case/Zoning History

The Zoning History of this parcel is as follows: C-3 (September 1931).

Plot Plan Case No. 200602353 – Approved February 6, 2007. This plot plan established a used car lot dealership.

General Plan Consistency

The General Plan land use designation of the subject property is MC – Major Commercial. Currently, the subject property is a vacant auto repair shop. The proposed design of the auto body shop is consistent with the land use compatibility goals and policies of the Countywide General Plan.

Zoning Ordinance and Development Standards Compliance

Pursuant to Section 22.28.210 of the County Code, auto body and fender repair shops are a permitted use in zone C-3 (Unlimited Commercial), provided that a CUP is obtained and that all operations are conducted within an enclosed building.

Parking

Pursuant to Section 22.28.220-B, parking shall be provided according to Section 22.52.1100 of the County Code. There are 18 total parking spaces shown on the site plan for the subject property. Commercial areas in the C-3 zone require one parking space for each 250 square feet of floor area of any building or structure used. Based on a building area of 4,199 square feet, the body shop is required to provide 17 parking spaces and exceeds the required parking for the project.

Fences and Screening

Section 22.44.118 of the County Code, states the requirements for fences in the East Los Angeles Community Standards District. Currently, a 3-ft. high CMU wall surrounds the property along Atlantic Boulevard., Via Corona Street, and Repetto Avenue and a 6-

ft. high CMU wall abuts the property along the eastern property line. New wrought iron fencing will be added to the top of the existing 3-ft. high CMU wall to raise the overall fence height to 6 ft. to meet fencing requirements.

Section 22.28.190 of the County Code, states that all damaged or wrecked vehicles awaiting repair at an automobile body and fender repair shop shall be effectively screened so as not to be visible from surrounding property of the same elevation or within 10 feet thereof. The proposed new wrought iron fencing to be added on top of the existing 3-ft. CMU wall will provide adequate screening for vehicles awaiting repair.

Landscaping

Pursuant to Section 22.28.220 of the County Code, landscaping in the C-3 zone shall consist of a minimum of 10 percent of the net lot area. The project provides 2,288 square feet of landscaping which constitutes eight percent of the total lot area. Therefore the proposed landscaping does not meet the minimum landscaping requirement.

Outside Storage

Section 22.28.220-D of the County Code, states the requirements for outside storage in C-3 zone. No outside storage is being proposed for the project.

Signage

Section 22.52.870 of the County Code, states the requirements for business signs in a commercial zone. No additional signage has been proposed for this project.

Neighborhood Impact/Land Use Compatibility

The surrounding neighborhood consists of a mix of auto service shops, commercial, and multi-family residences. The subject property previously contained a used car sales lot. The proposed auto body shop is similar to and compatible with other automobile-oriented businesses along Atlantic Boulevard and is compatible with the surrounding neighborhood land uses.

BURDEN OF PROOF

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

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

The County of Los Angeles Department of Public Works and the County of Los Angeles Department of Public Health have reviewed the CUP application and have recommended conditions to be placed upon the project that are attached to the Conditions of Approval.

PUBLIC COMMENTS

No public comments had been received at this time of this report.

FEES/DEPOSIT

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

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Section 22.60.174 of the County Code, the Notice of Public Hearing was advertised in La Opinion, on December 15, 2011 and in The East L.A. Tribune, on December 15, 2011. A total of 125 public hearing notices regarding the subject application were mailed out to the owners of properties located within a 500-foot radius of the subject property on December 13, 2011. This number also includes notices sent to the local community groups and residents on the Eastside Unit #2 Zoned District courtesy list.

Case information materials, including the Notice of Public Hearing and Site Plan were forwarded to the East Los Angeles Library on December 12, 2011. The same materials were also posted on the Department of Regional Planning's website.

Pursuant to Section 22.60.175 of the County Code, the applicant is required to post the public hearing notice on the property no less than 30 days prior to the public hearing date. Staff received the Certificate of Posting and photos from the applicant's agent stating that the Notice of Public Hearing was posted on December 14, 2011.

RECOMMENDATION

Staff recommends **APPROVAL** of Conditional Use Permit No. 201100027, subject to the attached conditions because, the proposed auto body repair shop is a compatible use with the surrounding neighborhood and is consistent with the goals and policies set forth in the Countywide General Plan.

[DRAFT] HEARING OFFICER'S FINDINGS AND ORDER:

PROJECT NUMBER R2011-00274 - (1)

CONDITIONAL USE PERMIT NO. 201100027

HEARING DATE: January 17, 2012

REQUEST: The applicant, Brotman Auto Body, is requesting a conditional use permit (CUP) for the operation of an auto body repair shop within an existing 4,199 sq. ft. 2-story office & garage building that was previously used as an auto mechanical repair shop in the C-3 (Unlimited Commercial) zone pursuant to Los Angeles County Code Section 22.28.210.

PROCEEDINGS BEFORE THE HEARING OFFICER:

Findings

1. The subject property is located at 344 S. Atlantic Boulevard in East Los Angeles and in the Eastside Unit #2 Zoned District.

2. The subject property is zoned C-3 (Unlimited Commercial). The existing zoning for the surrounding properties are as follows:
   North: C-3 (Unlimited Commercial) zone.
   East: R-2 (Two-Family Residence) & R-3 (Unlimited Multiple Residence) zones.
   South: C-3 (Unlimited Commercial) zone.
   West: C-3 (Unlimited Commercial) zone.

3. The existing land use for the subject property contains a vacant auto mechanical repair shop. The existing land use for the surrounding properties are as follows:
   North: Smog Shop
   East: Multi-Family Residences
   South: Auto Body Shop
   West: Restaurant, Commercial, Auto Repair Shop

4. This approval is for the operation of an auto body repair shop with new appurtenant parking. The shop will be located in an existing 4,199 sq. ft. 2-story office & garage building that was previously used as an auto mechanical repair shop. Parking will consist of 18 parking stalls, including one disabled parking stall with a disabled access walkway. New 6' tall wrought iron sliding gates will secure the driveways located at Via Corona Street and Repetto Avenue. New wrought iron fencing will be installed onto sections of the existing 3' tall CMU wall surrounding the property to raise the overall height of the fence to 6'.

5. Plot Plan Case No. 200602353 was approved February 6, 2007. This plot plan established a used car lot dealership.

6. The subject property is designated MC – Major Commercial in the General Plan. Previously, the subject property was being used as an auto mechanical repair shop. The proposed use

of the property as an auto body repair shop is consistent with the land use compatibility goals and policies of the Countywide General Plan.

7. Pursuant to Section 22.28.210 of the County Code, auto body and fender repair shops are a permitted use in the C-3 (Unlimited Commercial) zone, provided that a CUP is obtained.

8. The surrounding neighborhood consists of a mix of auto service shops, commercial, and multi-family residences. The subject property previously contained an auto mechanical repair shop. The proposed auto body shop is a similar use to the previous auto mechanical repair shop and is compatible with the surrounding neighborhood land uses.

9. The Department of Regional Planning has determined that a Class 1 Categorical Exemption – Existing Facilities, is the appropriate environmental documentation under California Environmental Quality Act (CEQA) and the Los Angeles County Environmental Document Reporting Guidelines, since the project consists an auto body repair shop that will perform minor repairs with no auto body painting done on site and no new structures or alterations are being proposed.

10. 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.

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

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

A. That the existing use is consistent with the adopted general plan for the area;

B. That the request for the operation of the said auto body repair shop, following the attached conditions of approval, will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare;

C. That the existing site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities and other development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and

D. That the existing site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

The information submitted by the applicant and presented at the public hearing substantiate the required findings identified by Section 22.56.040 of the Los Angeles County Code.

HEARING OFFICER ACTION:

1. The Hearing Officer finds that this project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA).

2. In view of the findings of fact and conclusions presented above, Conditional Use Permit 201100027 is **approved** subject to the attached conditions.

c: Hearing Officer, Zoning Enforcement, Building and Safety

MM:SM:sm

[DRAFT] CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
PROJECT NO. R2011-00274 – (1)
CONDITIONAL USE PERMIT NO. 201100027

PROJECT DESCRIPTION

The project is a conditional use permit (CUP) for the operation of an auto body repair shop subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.

2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.

3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.

4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall 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 January 17, 2027**. Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.

9. This grant shall expire unless used within 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.

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 **$1,400.00**. 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 **seven (7) 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 Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have

been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.

12. All development pursuant to this grant must be kept in full compliance with the County Fire Code.

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 the County Department of Public Works in its letter dated May 26, 2011.

15. All development pursuant to this grant shall conform to the requirements of the County Department of Public Health in its letter dated June 9, 2011.

16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

    In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial 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.

PROJECT SITE SPECIFIC CONDITIONS

18. All operations, including repairs, welding, and body work, shall be performed within an enclosed building.

19. All areas or structures used for repairs shall be soundproofed as to prevent annoyance or detriment to surrounding property.

20. Hours of operation shall be from 8:00 A.M. to 6:00 P.M., Monday through Friday, and 8:00 A.M. to 12 P.M., Saturday.

21. Vehicles awaiting repair shall be effectively screened so as not to be visible from surrounding property of the same elevation or within 10 feet thereof.

22. No damaged or wrecked vehicles shall be stored on the site for purposes other than repair, and shall not constitute an automobile impound yard.

23. Exterior lighting shall be directed in such a manner so as not to unreasonably illuminate any window area of adjacent residences.

24. Landscaping shall adhere to the landscaping requirements of the C-3 zone as stated in Section 22.28.220 of the County Code.

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

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.

PROJECT WILL USE EXISTING BUILDING WITH OFFICE AND GARAGE SPACE. BODY WORK OF AUTOS WILL BE CONTAINED WITHIN EXISTING GARAGE. USER OF GARAGE WILL COMPLY WITH ALL APPLICABLE CODES, ORDINANCES AND REGULATIONS.

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 EXISTING SITE WILL ACCOMODATE ALL REQUIRED PARKING. ALL OPERATIONAL BUSINESS NEEDS WILL BE MET WITHIN EXISTING SITE. LANDSCAPING AND NEW FENCE EXTENSION WILL COMPLY WITH APPLICABLE ORDINANCES AND REGULATIONS.

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.

EXISTING FREEWAYS, BOULEVARD AND ALLEY WILL MEET ALL OPERATIONAL BUSINESS REQUIREMENTS. IMPACT OF VEHICULAR AND PEDESTRIAN TRAFFIC WILL BE PER EXISTING CONDITIONS AND PRIOR USE OF EXISTING BUILDING AND SITE.