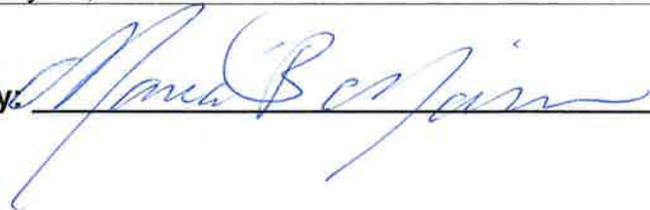


Regional Planning Commission Transmittal Checklist

Hearing Date
12/12/2012
Agenda Item No.
7

Project Number: R2012-00103-(1)
Case(s): Conditional Use Permit No. 201200012
Environmental Assessment No. 201200017
Planner: Maral Tashjian

- Project Summary
- Property Location Map
- Staff Analysis
- Draft Findings
- Draft Conditions
- Burden of Proof Statement
- Environmental Documentation (MND)
- Correspondence
- Photographs
- Aerial Image(s)
- Land Use/Zoning Map
- Site Plan / Floor Plans / Elevations
- Conditional Use Permit No. 04-185; approved June 14, 2006
- Conditional Use Permit No. 04-185 (Condition Modification); approved February 27, 2008

Reviewed By: 



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

PROJECT NUMBER

R2012-00103-(1)

HEARING DATE

12/12/2012

REQUESTED ENTITLEMENTS

Conditional Use Permit No. 201200012
 Environmental Assessment No. 201200017

PROJECT SUMMARY

OWNER / APPLICANT

Tidal Basin I, Inc. / 99¢ Only Stores

MAP/EXHIBIT DATE

11/6/2012

PROJECT OVERVIEW

The proposed project is to establish a development program for a retail/commercial use. The proposed improvements include construction of a new 14,927 square foot retail store (99¢ Only Stores), parking lot, landscaping, and associated improvements on a vacant property. In addition to the current proposed use, the development program would also allow permitted uses within the C-2 and C-3 Zones. All uses subject to permit in the C-3 Zone would still be subject to permit.

LOCATION

3965 East Olympic Boulevard

ACCESS

East Olympic Boulevard & South Hicks Avenue

ASSESSORS PARCEL NUMBER(S)

5242-006-017

SITE AREA

1.13 Acres

GENERAL PLAN / LOCAL PLAN

East Los Angeles Community Plan

ZONED DISTRICT

East Los Angeles

LAND USE DESIGNATION

MC (Major Commercial)

ZONE

C-3-DP (Unlimited Commercial – Development Program)

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT (CSD)

East Los Angeles

ENVIRONMENTAL DETERMINATION (CEQA)

Mitigated Negative Declaration (Noise, Hazardous Materials)

KEY ISSUES

- Consistency with the Los Angeles County General Plan and East Los Angeles Community Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
 - 22.44.118 (East Los Angeles CSD Requirements)
 - 22.28.180 (C-3 Zone Development Standards)
 - 22.40, Part 2 (Development Programs)

STAFF RECOMMENDATION

Approval

CASE PLANNER:

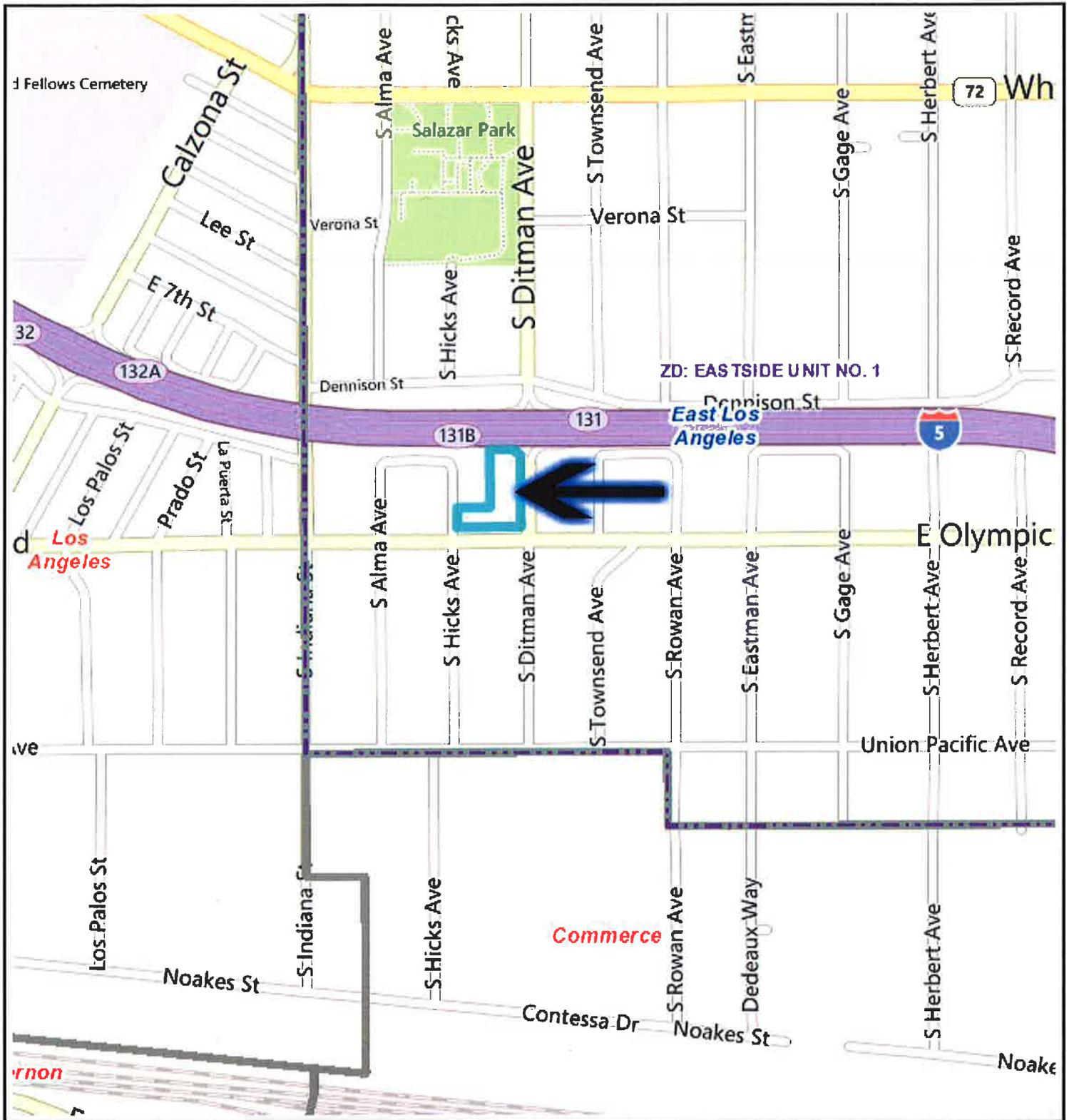
Maral Tashjian

PHONE NUMBER:

(213) 974 – 6435

E-MAIL ADDRESS:

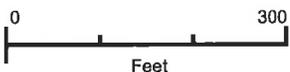
mtashjian@planning.lacounty.gov



R2012-00103-(1); CUP201200012

3965 East Olympic Boulevard

Printed: Nov 27, 2012



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ENTITLEMENTS REQUESTED

The applicant, 99¢ Only Stores, is requesting a Conditional Use Permit (CUP) to establish a development program for a retail/commercial use in the C-3-DP (Unlimited Commercial – Development Program) Zone pursuant to County Code Chapter 22.40, Part 2.

PROJECT DESCRIPTION

The proposed project is to establish a development program for a retail/commercial use. The applicant is proposing the construction of a 14,927 square foot retail store, parking lot, landscaping, and associated improvements on a vacant property. Off-site improvements (per requirements of the Department of Public Works) include the relocation of an existing bus stop/shelter. In addition to the current proposed use, the development program would also allow permitted uses described in the C-2 and C-3 Zones, except for automobile battery service, automobile brake repair, automobile muffler shops, automobile radiator shops, automobile repair garages, and car washes (automatic, coin-operated and hand wash). All uses subject to permit in the C-3 Zone would still be subject to permit.

SITE PLAN DESCRIPTION

The site plan depicts a vacant 1.13 acre (49,558 square feet) property with access from both East Olympic Boulevard and South Hicks Avenue. The proposed improvements consist of a 40-foot tall, one-story, 14,927 square foot building with a screened loading dock area and trash enclosure, a paved parking lot with 60 parking spaces, and approximately 5,482 square feet of landscaping.

EXISTING ZONING

The subject property is zoned C-3-DP (Unlimited Commercial – Development Program).

Surrounding properties are zoned as follows:

North: C-1-DP (Restricted Business – Development Program), R-3 (Limited Multiple Residence)

South: C-M (Commercial Manufacturing), R-3

East: R-3-DP (Limited Multiple Residence – Development Program), R-3, C-M

West: R-3, C-M, C-2 (Neighborhood Business)

EXISTING LAND USES

The subject property is vacant except for an existing 84-foot tall pylon sign; a remnant from the previous gas station use.

Surrounding properties are developed as follows:

North: Interstate 5 Santa Ana Freeway, gas station, single-family residences

South: Commercial/retail uses, single- and multi-family residences

East: Commercial/retail uses, single- and multi-family residences

West: Commercial/retail uses, single- and multi-family residences

PREVIOUS CASES/ZONING HISTORY

- *Plot Plan No. 25527* to authorize new signs for an existing gas station was approved on June 29, 1987 and August 29, 2000.
- *Plot Plan No. 38981* to authorize a remodel of an existing gas station was approved on May 7, 1990. On March 25, 1991, approval was issued for new signs. On December 4, 2000, a request for a fast food restaurant was denied.
- *Zone Change No. 01-062* became effective on August 22, 2002, rezoning properties in the Union Pacific Neighborhood Area under the East Los Angeles Community Standards District. The subject property was rezoned from R-3 to C-3-DP.
- *Conditional Use Permit No. 04-185* to authorize the construction, operation, and maintenance of a four-story senior residential and retail mixed use complex consisting of a 126-unit senior housing complex, 10,100 square feet of retail space, and a 120-space underground parking garage, was approved by the Regional Planning Commission on June 14, 2006.
- *Conditional Use Permit No. 04-185 (Condition Modification)* to authorize modifications to the approved CUP to convert commercial space to common space (fitness center, library, and lounge) for the senior housing development and to modify the required parking accordingly (121 to 79 spaces), was approved by the Regional Planning Commission on February 27, 2008.
- *(Pending) Variance No. 201200002* to authorize signage in excess of what is permitted in the East Los Angeles Community Standards District for a 99¢ Only Stores retail use is currently being reviewed by staff.

ENVIRONMENTAL DETERMINATION

The Los Angeles County ("County") Department of Regional Planning recommends that a Mitigated Negative Declaration is the appropriate environmental documentation under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The Initial Study concluded that there are certain potentially significant environmental impacts associated with the project that can be reduced to less than significant with the implementation of the proposed mitigation measures. The draft Mitigation Monitoring Program is included as an attachment to this report.

The areas of potential significant environmental impact found to be less than significant with project mitigation include the following:

- *Noise.* Operational noise and temporary construction noise would be less than significant with the following mitigation measures (per the Department of Public Health):
 1. The proposed loading dock is located adjacent to residential property to the west; therefore, to minimize noise disturbance loading or unloading

operations, and refuse collection shall be prohibited between the hours of 10:00 p.m. and 6:00 a.m.

2. Limit construction activities to the hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday in accordance with the County of Los Angeles' Noise Control Ordinance. The contractor shall adhere to the County of Los Angeles Noise Control Ordinance.
 3. Equip all construction fixed or mobile internal combustion engine powered equipment, with properly operating and maintained mufflers.
 4. The contractor should locate portable equipment as far as possible from adjacent residents.
 5. The contractor should store and maintain equipment as far as possible from adjacent residents.
- *Hazards and Hazardous Materials.* The project site is the former location of a gas station and could potentially have soil contamination issues during the construction phase of the proposed project. This potential significant environmental impact would be less than significant with the following mitigation measure:
 1. If soil contamination is suspected, construction in the area shall stop and appropriate health and safety procedures should be implemented.

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the MC (Major Commercial) land use category of the East Los Angeles Community Plan. This designation is intended for areas containing mixtures of small and large businesses in major areas oriented toward the greater East Los Angeles Area. The proposed retail/commercial development program would permit a variety of both small and large business types and is therefore consistent with the permitted uses of the underlying land use category.

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

- *Encourage rehabilitation of existing commercial uses and development of new commercial infill along the major corridors (Whittier, Olympic and Atlantic Boulevards) where commercial uses are designated on the Land Use Plan map and where transportation and other municipal services can support development. (Land Use, pg.2)*

The development of this vacant property would reduce blight along a major commercial corridor (East Olympic Boulevard) and contribute to the economic vitality

of the surrounding neighborhood by creating a new retail/commercial destination and providing new jobs to the local community.

- *Provide for new development which is compatible with and complements existing uses. (Land Use, pg.2)*

The proposed commercial/retail use matches the character of the surrounding retail/commercial properties located along East Olympic Boulevard, a major commercial corridor in the community of East Los Angeles. Project design features and conditions ensure that the use is compatible with the adjacent residential uses.

- *Reduce the overall noise level in the community, especially where noise sensitive uses are affected. (Noise, pg. 4)*

The development of the proposed project would reduce ambient noise generated by the adjacent freeway as it would fill a large vacant space thereby creating a physical sound barrier between the freeway and the surrounding commercial and residential uses.

- *Discourage the development of noise sensitive uses near freeways. (Noise, pg. 4)*

The proposed commercial/retail use is not a noise sensitive use and is therefore well suited for the location adjacent to the freeway.

- *Improve the image of major corridors by use of landscaping, lighting, graphics, and/or other streetscape treatments. (Economic Development, pg. 5)*

The proposed project would greatly improve the visual make-up along one block's length of East Olympic Boulevard as the site is currently not attractive since it is a vacant lot enclosed within a chain link fence with some overgrowth of weeds/vegetation and occasional litter.

Zoning Ordinance and Development Standards Compliance

As previously mentioned, the subject property is zoned C-3-DP (Unlimited Commercial – Development Program). Properties within the Development Program overlay zone require a conditional use permit for any development, pursuant to Section 22.40.030 of the Zoning Code. The applicant has fulfilled this requirement with the application of a conditional use permit.

The proposed project is in compliance with the development standards of the C-3 Zone pursuant to Section 22.28.220 of the Zoning Code, which limits building lot coverage to 90 percent, requires a minimum of 10 percent landscaping, and requires adequate parking facilities pursuant to Part 11 of Chapter 22.52.

For commercial uses, the parking ratio required is one parking space per 250 square feet of floor area of any building. The proposed 14,927 square foot commercial building would require 60 parking spaces. This amount is provided in the proposed parking lot.

Pursuant to Section 22.44.118 of the County Code, establishments in the East Los Angeles Community Standards District (CSD) are subject to the following additional development standards for projects located within the C-3 Zone:

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

The proposed commercial building is 40 feet in height.

- *Whenever adjacent to a property line, parking areas shall provide a landscaped buffer strip of at least five feet in width.*

Where a commercial zone abuts a residence or residential zone, a landscaped buffer strip at least five feet wide shall be provided.

The proposed project provides five to ten foot wide landscape buffer strips.

- *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.*

Permanent irrigation systems shall be required and maintained in good working order.

Conditions of approval are included to address these requirements.

- *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.*

A 6-foot high masonry wall exists along the western property boundary abutting the single- and multi- family residences. The rear property line abuts Interstate 5 Santa Ana Freeway, and has no wall except for a portion of an existing sound wall.

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

Due to the lot's configuration, size and location adjacent to Interstate 5 Santa Ana Freeway and the Ditman off ramp, the applicant was not able to locate the loading area away from the adjacent residences. However, there is a twelve-foot tall screen wall proposed between the loading area and the adjacent residences which should reduce noise generated from loading activities. In addition, mitigation measures are included in the environmental document to reduce noise related impacts due to loading activities.

Neighborhood Impact/Land Use Compatibility

The proposed project would reduce blight within the East Los Angeles community along East Olympic Boulevard, a major commercial corridor, and contribute to the economic vitality of the surrounding neighborhood by creating a new retail/commercial destination and providing new jobs to the local community.

The proposed commercial/retail use matches the character of the surrounding retail/commercial uses along East Olympic Boulevard and project design features and conditions ensure that the use is compatible with the adjacent residential uses.

Burden of Proof

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

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

In a letter dated October 3, 2012, the Parks and Recreation Department cleared the proposed project. The Department of Public Health cleared the proposed project with recommended conditions and mitigation measures (regarding construction and operational noise) in letters dated March 16, 2012 and September 19, 2012. The Fire department cleared the proposed project with recommended conditions in a letter dated October 4, 2012.

In a letter dated October 15, 2012, the Department of Public Works outlined several holds on the project which the applicant has cleared at this time. An updated letter of clearance from the department of Public Works will be included in the hearing materials prior to the hearing.

OTHER AGENCY COMMENTS AND RECOMMENDATIONS

The environmental document was sent to the State Clearing House and Department of Toxic Substances Control for review. No comments have been received at this time.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

PUBLIC COMMENTS

Staff has not received any comments at this time.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Regional Planning Commission.

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 R2012-00103-(1), Conditional Use Permit No. 201200012, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING AND ADOPT THE MITIGATED NEGATIVE DECLARATION.

I MOVE THAT THE REGIONAL PLANNING COMMISSION APPROVE CONDITIONAL USE PERMIT NUMBER 201200012 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

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

Attachments:

Draft Findings, Draft Conditions of Approval
Applicant's Burden of Proof statement
Correspondence
Environmental Document
Site Photographs, Aerial Image
Site Plan, Land Use Map

MM:MT
11/27/2012

**DRAFT FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. PROJECT NO. R2012-00103-(1)
CONDITIONAL USE PERMIT NO. 201200012
ENVIRONMENTAL ASSESSMENT NO. 201200017**

1. **ENTITLEMENT REQUESTED.** The applicant, 99¢ Only Stores, is requesting a Conditional Use Permit (CUP) to authorize a development program for a retail/commercial use in the C-3-DP (Unlimited Commercial – Development Program) Zone pursuant to County Code Chapter 22.40, Part 2.
2. **HEARING DATE.** December 12, 2012
3. **PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION.** *To be inserted after the public hearing to reflect hearing proceedings.*
4. **PROJECT DESCRIPTION.** The proposed project is to establish a development program for a retail/commercial use. The applicant is proposing the construction of a 14,927 square foot retail store, parking lot, landscaping, and associated improvements on a vacant property. Off-site improvements (per requirements of the Department of Public Works) include the relocation of an existing bus stop/shelter. In addition to the current proposed use, the development program would also allow permitted uses described in the C-2 and C-3 Zones, except for automobile battery service, automobile brake repair, automobile muffler shops, automobile radiator shops, automobile repair garages, and car washes (automatic, coin-operated and hand wash). All uses subject to permit in the C-3 Zone would still be subject to permit.
5. **LOCATION.** The project is located at 3965 East Olympic Boulevard, in the unincorporated community of East Los Angeles and is accessed from both East Olympic Boulevard and South Hicks Avenue. The assessor parcel number for the project is 5242-006-017.
6. **SITE PLAN DESCRIPTION.** The site plan depicts a vacant 1.13 acre (49,558 square feet) property with access from both East Olympic Boulevard and South Hicks Avenue. The proposed improvements consist of a 40-foot tall, one-story, 14,927 square foot building with a screened loading dock area and trash enclosure, a paved parking lot with 60 parking spaces, and approximately 5,482 square feet of landscaping.
7. **EXISTING ZONING.** The subject property is zoned C-3-DP (Unlimited Commercial – Development Program). Surrounding properties are zoned as follows:
 - North: C-1-DP (Restricted Business – Development Program), R-3 (Limited Multiple Residence)
 - South: C-M (Commercial Manufacturing), R-3
 - East: R-3-DP (Limited Multiple Residence – Development Program), R-3, C-M
 - West: R-3, C-M, C-2 (Neighborhood Business)]

8. **EXISTING LAND USES.** The subject property is vacant except for an existing 84-foot tall pylon sign; a remnant from the previous gas station use. Surrounding properties are developed as follows:

North: Interstate 5 Santa Ana Freeway, gas station, single-family residences
South: Commercial/retail uses, single- and multi-family residences
East: Commercial/retail uses, single- and multi-family residences
West: Commercial/retail uses, single- and multi-family residences

9. **PREVIOUS CASES/ZONING HISTORY.**

Plot Plan No. 25527 to authorize new signs for an existing gas station was approved on June 29, 1987 and August 29, 2000.

Plot Plan No. 38981 to authorize a remodel of an existing gas station was approved on May 7, 1990. On March 25, 1991, approval was issued for new signs. On December 4, 2000, a request for a fast food restaurant was denied.

Zone Change No. 01-062 became effective on August 22, 2002, rezoning properties in the Union Pacific Neighborhood Area under the East Los Angeles Community Standards District. The subject property was rezoned from R-3 to C-3-DP.

Conditional Use Permit No. 04-185 to authorize the construction, operation, and maintenance of a four-story senior residential and retail mixed use complex consisting of a 126-unit senior housing complex, 10,100 square feet of retail space, and a 120-space underground parking garage, was approved by the Regional Planning Commission on June 14, 2006.

Conditional Use Permit No. 04-185 (Condition Modification) to authorize modifications to the approved CUP to convert commercial space to common space (fitness center, library, and lounge) for the senior housing development and to modify the required parking accordingly (121 to 79 spaces), was approved by the Regional Planning Commission on February 27, 2008.

(Pending) Variance No. 201200002 to authorize signage in excess of what is permitted in the East Los Angeles Community Standards District for a 99¢ Only Stores retail use is currently under review.

10. **GENERAL PLAN / COMMUNITY PLAN CONSISTENCY.** The project site is located within the MC (Major Commercial) land use category of the East Los Angeles Community Plan. This designation is intended for areas containing mixtures of small and large businesses in major areas oriented toward the greater East Los Angeles Area. The proposed retail/commercial development program would permit a variety of both small and large business types and is therefore consistent with the permitted uses of the underlying land use category.

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

- Encourage rehabilitation of existing commercial uses and development of new commercial infill along the major corridors (Whittier, Olympic and Atlantic Boulevards) where commercial uses are designated on the Land Use Plan map and where transportation and other municipal services can support development.

The development of this vacant property would reduce blight along a major commercial corridor (East Olympic Boulevard) and contribute to the economic vitality of the surrounding neighborhood by creating a new retail/commercial destination and providing new jobs to the local community.

- Provide for new development which is compatible with and complements existing uses.

The proposed commercial/retail use matches the character of the surrounding retail/commercial properties located along East Olympic Boulevard, a major commercial corridor in the community of East Los Angeles. Project design features and conditions ensure that the use is compatible with the adjacent residential uses.

- Reduce the overall noise level in the community, especially where noise sensitive uses are affected.

The development of the proposed project would reduce ambient noise generated by the adjacent freeway as it would fill a large vacant space thereby creating a physical sound barrier between the freeway and the surrounding commercial and residential uses.

- Discourage the development of noise sensitive uses near freeways.

The proposed commercial/retail use is not a noise sensitive use and is therefore well suited for the location adjacent to the freeway.

- Improve the image of major corridors by use of landscaping, lighting, graphics, and/or other streetscape treatments.

The proposed project would greatly improve the visual make-up along one block's length of East Olympic Boulevard as the site is currently not attractive since it is a vacant lot enclosed within a chain link fence with some overgrowth of weeds/vegetation and occasional litter.

11. **ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE.** The subject property is zoned C-3-DP (Unlimited Commercial – Development Program). Properties within the Development Program overlay zone require a conditional use permit for any development, pursuant to Section 22.40.030 of the Zoning Code. The applicant has fulfilled this requirement with the application of a conditional use permit.

The proposed project is in compliance with the development standards of the C-3 Zone pursuant to Section 22.28.220 of the Zoning Code, regarding maximum building lot coverage, minimum required landscaping, and parking facilities.

For commercial uses, the parking ratio required is one parking space per 250 square feet of floor area of any building. Therefore the proposed 14,927 square foot commercial building would require 60 parking spaces. This amount is provided in the proposed parking lot.

The proposed project is also in compliance with the development standards of the C-3 Zone in the East Los Angeles Community Standards District (CSD) pursuant to Section 22.44.118 of the County Code, regarding maximum building height, landscape buffer strips, and required walls. The proposed project is not in compliance with the development standard which requires that loading doors and activity, where practical, be located away from adjacent residences. Due to the lot's configuration, size and location adjacent to Interstate 5 Santa Ana Freeway and the Ditman off ramp, the applicant was not able to locate the loading area away from the adjacent residences. However, there is a twelve-foot tall screen wall proposed between the loading area and the adjacent residences which should reduce noise generated from loading activities. In addition, mitigation measures are included in the environmental document to reduce noise related impacts due to loading activities.

12. **NEIGHBORHOOD IMPACT/LAND USE COMPATIBILITY.** The proposed project would reduce blight within the East Los Angeles community along East Olympic Boulevard, a major commercial corridor, and contribute to the economic vitality of the surrounding neighborhood by creating a new retail/commercial destination and providing new jobs to the local community.

The proposed commercial/retail use matches the character of the surrounding retail/commercial uses along East Olympic Boulevard and project design features and conditions ensure that the use is compatible with the adjacent residential uses.

13. **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS.** In a letter dated October 3, 2012, the Parks and Recreation Department cleared the proposed project. The Department of Public Health cleared the proposed project with recommended conditions and mitigation measures (regarding construction and operational noise) in letters dated March 16, 2012 and September 19, 2012.

The Fire department cleared the proposed project with recommended conditions in a letter dated October 4, 2012.

In a letter dated October 15, 2012, the Department of Public Works outlined several holds on the project which the applicant has cleared at this time. An updated letter of clearance from the department of Public Works is forthcoming.

14. **OTHER AGENCY COMMENTS AND RECOMMENDATIONS.** The environmental document was sent to the State Clearing House and Department of Toxic Substances Control for review. No comments were received.
15. **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 and property posting.
16. **PUBLIC COMMENTS.** No comments were received from the public.

CONDITIONAL USE PERMIT SPECIFIC FINDINGS

17. The proposed use establishes a commercial/retail development program which is consistent with the underlying MC (Major Commercial) land use designation in the East Los Angeles Community Plan. The proposed use is also consistent with the following community plan policies:
 - Encourage rehabilitation of existing commercial uses and development of new commercial infill along the major corridors (Whittier, Olympic and Atlantic Boulevards) where commercial uses are designated on the Land Use Plan map and where transportation and other municipal services can support development.
 - Provide for new development which is compatible with and complements existing uses.
 - Reduce the overall noise level in the community, especially where noise sensitive uses are affected.
 - Discourage the development of noise sensitive uses near freeways.
 - Improve the image of major corridors by use of landscaping, lighting, graphics, and/or other streetscape treatments.

Therefore, the proposed use will be consistent with the adopted general plan for the area.

18. The proposed project would reduce blight within the East Los Angeles community along East Olympic Boulevard, a major commercial corridor, and contribute to the economic vitality of the surrounding neighborhood by creating a new retail/commercial destination and providing new jobs to the local community.

The proposed commercial/retail use matches the character of the surrounding retail/commercial uses along East Olympic Boulevard and project design features and conditions ensure that the use is compatible with the adjacent residential uses.

Therefore, the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

19. The proposed project is in compliance with the development standards of the C-3 Zone pursuant to Section 22.28.220 of the Zoning Code, regarding maximum building lot coverage, minimum required landscaping, and parking facilities. The proposed project is also in compliance with the development standards of the C-3 Zone in the East Los Angeles Community Standards District (CSD) pursuant to Section 22.44.118 of the County Code.

Therefore, 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, of as is otherwise required in order to integrate said use with the uses in the surrounding area.

20. The proposed site is served by East Olympic Boulevard, an existing major highway and South Hicks Avenue.

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

ENVIRONMENTAL DETERMINATION

21. The Initial Study for the proposed project concluded that there are certain potentially significant environmental impacts associated with the project in the areas of noise and hazards/hazardous materials that can be reduced to less than significant with the implementation of the proposed mitigation measures.

Therefore, the project qualifies as a Mitigated Negative Declaration and is consistent with the finding by the State Secretary for Resources or by local guidelines.

22. **TERM LIMIT.** To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Regional Planning Commission determines that it is necessary to limit the term of the grant to thirty (30) years.
23. **RECORD OF PROCEEDINGS.** The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning 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 East Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. First finding statement, e.g. That the proposed use will be consistent with the adopted general plan for the area; and
- B. Second finding statement, e.g. That the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
- C. Third finding statement, e.g. 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, of as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, the information submitted by the applicant and presented at the public hearing/meeting substantiates the required findings for a Conditional Use Permit as set forth in Section 22.56.090 of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

1. The Regional Planning Commission, having considered the Mitigated Negative Declaration together with any comments received during the public review process, finds on the basis of the whole record before the Regional Planning Commission that there is no substantial evidence that the project will have a significant effect on the environment, finds that the Mitigated Negative Declaration reflects the independent

judgment and analysis of the Regional Planning Commission, and adopts the Mitigated Negative Declaration and Mitigation Monitoring Program for the project.

2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 201200012 is Approved subject to the attached conditions.

MM:MT
11/28/2012

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. PROJECT NO. R2012-00103-(1)
CONDITIONAL USE PERMIT NO. 201200012
ENVIRONMENTAL ASSESSMENT NO. 201200017**

PROJECT DESCRIPTION

The project is to establish a development program for a retail/commercial use, 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 Nos. 10, 11, and 14. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, 9, and 11 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 12, 2042.** 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 **\$3,000.00**. 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 **fifteen (15) 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. Within three (3) days of the date of final approval of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination (NOD) for this project and its entitlements in compliance with Section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Game pursuant to Section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in Section 711.4 of the Fish and Game Code, currently **\$2,176.50** (\$2,101.50 for a Negative Declaration or Mitigated Negative Declaration plus \$75.00 processing fee), or \$2,994.00 (\$2,919.00 for an Environmental Impact Report plus \$75.00 processing fee.) No land use project subject to this requirement is final, vested or operative until the fee is paid.
12. The permittee shall comply with all mitigation measures identified in the Mitigation Monitoring Program ("MMP"), which are incorporated by this reference as if set forth fully herein.
13. Within thirty (30) days of the date of final approval of the grant by the County, the permittee shall record a covenant and agreement, which attaches the Mitigation Monitoring Program ("MMP") and agrees to comply with the mitigation measures imposed by the Mitigated Negative Declaration for this project, in the office of the Recorder. Prior to recordation of the covenant, the permittee shall submit a draft copy of the covenant and agreement to Regional Planning for review and approval. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to Regional Planning for approval or as required. The reports shall describe the status of the permittee's compliance with the required mitigation measures.
14. The permittee shall deposit an initial sum of \$6,000.00 with Regional Planning within thirty (30) days of the date of final approval of this grant in order to defray the cost of reviewing and verifying the information contained in the reports required by the MMP. The permittee shall replenish the mitigation monitoring account if necessary until all mitigation measures have been implemented and completed.

15. 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.
16. All development pursuant to this grant must be kept in full compliance with the County Fire Code.
17. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works.
18. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
19. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
20. 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.

21. 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.
22. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director

for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PROJECT SITE SPECIFIC CONDITIONS

23. This grant shall authorize a development program for a retail/commercial use. The development program allows permitted uses described in the C-2 and C-3 Zones, except for automobile battery service, automobile brake repair, automobile muffler shops, automobile radiator shops, automobile repair garages, and car washes (automatic, coin-operated and hand wash). All uses subject to permit in the C-3 Zone would still be subject to permit.
24. The permittee shall provide parking as required by the County Code, calculated at a parking ratio of 1:250 square feet of commercial building space. The proposed commercial building has an area of 14,927 square feet which would require not less than 60 spaces be provided based on the applicable ratio. If the permittee changes the operation of commercial/retail use so as to require less parking than the minimum requirement, the permittee shall submit an application for a Revised Exhibit "A" within 90 days of such occurrence.

If the commercial/retail use substantially changes its mode or character of operation or if the permittee changes the use or occupancy or otherwise modifies the subject property so as to require more parking, the permittee shall submit an application for a minor parking deviation, parking permit, variance, or other applicable permit, as determined by the Director, within 90 days of such occurrence.

25. A landscaping plan (including a plant palette) shall be submitted for review and approval by Regional Planning and Public Works.
26. No signage is approved by this grant. A separate sign review shall be filed for review and approval by Regional Planning.
27. A 15-gallon tree shall be provided for every 50 square feet of landscaped area, to be equally spaced along the buffer strip.
28. A permanent irrigation system shall be installed and maintained in good working order.
29. The permittee shall adhere to noise standards as contained in the County of Los Angeles Noise Control Ordinance, Title 12.
30. Loading and unloading operations, and refuse collection shall be prohibited between the hours of 10:00 PM and 6:00 AM.
31. The permittee shall comply with all conditions set forth in the attached County Public Health Department letter dated March 16, 2012.

32. The permittee shall comply with all conditions set forth in the attached County Fire Department letter dated October 4, 2012.
33. The permittee shall comply with all conditions set forth in the attached County Public Works Department letter dated October 15, 2012.

Attachments:

Mitigation Monitoring Program (pages 1- 2)
Public Health Department Letter dated March 16, 2012
Fire Department Letter dated October 4, 2012
Public Works Department Letter dated October 15, 2012

**MITIGATION MONITORING PROGRAM
PROJECT NO. R2012-00103 / CONDITIONAL USE PERMIT NO. 201200012 / ENV NO. 201200017**

The Department of Regional Planning staff has determined that the following mitigation measures for the project are necessary in order to assure that the proposed project will not cause significant impacts on the environment.

The permittee shall deposit the sum of \$6,000.00 with the Department of Regional Planning (DRP) within 30 days of permit approval in order to defray the cost of reviewing and verifying the information contained in the reports required by the Mitigation Monitoring Program.

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
HAZARDS/HAZARDOUS MATERIALS				
1	If soil contamination is suspected, construction in the area shall stop and appropriate health and safety procedures should be implemented.	Approval and compliance of a hazardous waste clean-up work plan.	During Site Preparation / Grading	Applicant Department of Toxic Substances Control (DTSC)
NOISE				
2	The proposed loading dock is located adjacent to residential property to the west; therefore, to minimize noise disturbance loading or unloading operations, and refuse collection shall be prohibited between the hours of 10:00 PM and 6:00 AM.	Arrangement with contracted delivery & waste management services. A copy of the agreement shall be made available upon request to DRP.	Prior to issuance of certificate of occupancy.	Applicant DRP
3	Limit construction activities to the hours of 7:00 AM to 7:00 PM Monday through Saturday in accordance with the County of Los Angeles' Noise Control Ordinance. The contractor shall adhere to the County of Los Angeles Noise Control Ordinance.	Agreement with contracted construction company. A copy of the agreement shall be made available upon request to DRP.	Prior to commencement of construction	Applicant DPH
4	Equip all construction fixed or mobile internal combustion engine powered equipment, with properly operating and maintained mufflers.	Submittal and approval of building plans.	Prior to commencement of construction	Applicant DRP
5	The contractor should locate portable equipment as far as possible from adjacent residents.	Site plan depiction of all noise generating equipment.	Prior to commencement of construction	Applicant DRP

6	The contractor should store and maintain equipment as far as possible from adjacent residents.	Site plan depiction of all designated equipment storage areas on site.	Prior to commencement of construction	Applicant	DRP
MITIGATION COMPLIANCE					
As a means of ensuring compliance of above mitigation measures, the applicant and subsequent owner(s) are responsible for submitting compliance report to the Department of Regional Planning for review, and for replenishing the mitigation monitoring account if necessary until such as all mitigation measures have been implemented and completed.	Submittal and approval of compliance report and replenishing mitigation monitoring account	Yearly and as required until all measures are completed.	Applicant and subsequent owner(s)	DRP	

As the applicant, I agree to incorporate these mitigation measures into the project, and understand that the public hearing and consideration by the Hearing Officer and/or Regional Planning Commission will be on the project as mitigation measures.

Applicant _____ Date _____

Staff _____ Date _____



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.

The project will be a great convenience and benefit to the surrounding neighborhood by bringing in an affordable retailer that is within walking distance as well as the site being accessible by public transit. The project will increase the safety of the neighborhood by eliminating a potentially dangerous empty lot where criminal activity can occur. The project will not propose or create any harmful chemicals that will impact the general safety and welfare to its citizens. There will be some noise and dust created during the construction phase of the project. However, construction will be conducted during the allowable time allocated by the city / county ordinances and the dust will be controlled with water per county standards. Most of the surrounding commercial tenants along E. Olympic Blvd. are of a manufacturing or automotive nature that would produce more noise or pollution than a general merchandise store. This project is in parallel with the East L.A. Community Plan and the intentions are to provide the the community a safe and affordable shopping experience, create new jobs, as well as improving the visual aesthetics of the neighborhood.

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 site complies with all applicable zoning codes within a C-3-DP zone. Per CH. 22.28.180 of the county zoning ordinance the proposed 99¢ Only Stores is an allowable use. The min. and max lot coverage, set backs, building heights and parking demands have been met per CH. 22.52 of the zoning code (as shown on provided plans). The project will also comply with the required landscape requirements of a 10% net coverage where as the proposed project, as submitted, will be able to provide an 11% coverage. The project will also keep an existing CMU screen wall along the western property line as well as an addition of a new 12' high truck screen wall to minimize any new noise levels and reduce visual impacts to daily service functions associated with the business operations. The project will also provide a min. 10' set back from the building to the property line along the adjacent residential zone. The site will also provide a new 5' landscape set back along E. Olympic Blvd. The project will revive and promote economic growth by creating new jobs, sales of affordable goods, as well as improvements to community aesthetics by providing a new store to an empty lot that is potentially more harmful to the community.

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 location of the site is directly adjacent south of the I-5 Freeway and borders E. Olympic Blvd. and secondary local streets S. Ditman Ave. and S. Hick Ave. The site has been designed so that there are two vehicular entrances into the site; The primary entrance off of E. Olympic Blvd. and the secondary entrance off of S. Hicks Ave. The site is serviced by an existing bus stop that will be relocated on the west side of the new proposed entrance drive off of E. Olympic Blvd. The site will have easy access to the freeways and local roads from a vehicular standpoint. The location of the site is also easily accessible for pedestrian traffic to neighboring residential customers as well as any customers using public transit. The site has also been designed to comply with the parking ordinance of 1 space per 250 sf of building area and has also provided the adequate number of accessible stalls. The off-site improvements have been coordinated prior to this submittal with LA County Public Works which include upgrades to both intersections along S. Hicks Ave., S. Ditman Ave., along the frontage street of E. Olympic Blvd. The other benefit to the off-site improvements for this project is ensuring ADA compliance to the site and allowing pedestrians to enter the site in a safe manner through designated pedestrian paths. Accessibility from a safety standpoint in reference to the fire and sheriff dept. will have easy access to the site. The site sits on a corner lot and provides easy access to the fire dept. and the site also provides easy visibility for the sheriff's dept. Service demands for this type of project is nominal as most of the water usage is from typical restroom use and new connections to the sewer lines for waste.

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

Environmental Determination: Mitigated Negative Declaration
Project No. R2012-00103-(1) / Case No. CUP201200012
Environmental Case No. 201200017

1. Project Description:

The proposed project is to establish a development program for a retail/commercial use. The applicant is proposing the construction of a 14,927 square foot retail store (99c Only Stores), parking lot, landscaping, and associated improvements on a vacant property. Off-site improvements (per requirements of the Department of Public Works) include the relocation of an existing bus stop/shelter. In addition to the current proposed use, the development program would also allow permitted uses described in the C-2 and C-3 Zones, except for automobile battery service, automobile brake repair, automobile muffler shops, automobile radiator shops, automobile repair garages, and car washes (automatic, coin-operated and hand wash). All uses subject to permit in the C-3 Zone would still be subject to permit.

2. Project Location:

3965 East Olympic Boulevard, East Los Angeles
APN: 5242-006-017

3. Proponent:

Chris Post, 301 Enterprise Street, Suite 2
Escondido, CA 92029

4. Findings of NO SIGNIFICANT effect:

The initial study determined that the project is not likely to have a significant effect on the environment.

5. Location and custodian of record of proceedings:

The location and custodian of the record of proceedings on which adoption of this MITIGATED NEGATIVE DECLARATION is based is: Department of Regional Planning, 320 West Temple Street, Los Angeles, CA 90012.

Prepared by Maral Tashjian
November 1, 2012

Environmental Checklist Form (Initial Study)
County of Los Angeles, Department of Regional Planning



Project title: Project No. R2012-00103-(1) / Case No. CUP 201200012 / Environmental Case No. 201200017

Lead agency name and address: Los Angeles County, 320 West Temple Street, Los Angeles, CA 91020

Contact Person and phone number: Maral Tashjian, (213) 974-6435

Project sponsor's name and address: Chris Post, 301 Enterprise Street, Suite 2, Escondido, CA 92029

Project location: 3965 East Olympic Boulevard, Los Angeles, CA 90023

APN: 5242-006-017 *USGS Quad:* Los Angeles

Gross Acreage: 1.13 Acre

General plan designation: N/A

Community/Area wide Plan designation: MC – Major Commercial / East Los Angeles Community Plan

Zoning: C-3-DP (Unlimited Commercial – Development Program) within the East Los Angeles Community Standards District (Union Pacific Area). Current zoning on the property was established through Zone Change No. 01-062. Conditional Use Permit No. 04-185 established a development program for a mixed-use center with senior housing and commercial retail. Although the proposed retail use would be a permitted use within the C-3 Zone, due to the development program (-DP), any proposal other than the one established by the current conditional use permit (CUP) on the property would require a new CUP. Consequently, the applicant is requesting the current entitlement to establish a retail/commercial use.

Description of project: The proposed project is to establish a development program for a retail/commercial use. The applicant is proposing the construction of a 14,927 square foot retail store (99c Only Stores), parking lot, landscaping, and associated improvements on a vacant property. Off-site improvements (per requirements of the Department of Public Works) include the relocation of an existing bus stop/shelter. In addition to the current proposed use, the development program would also allow permitted uses described in the C-2 and C-3 Zones, except for automobile battery service, automobile brake repair, automobile muffler shops, automobile radiator shops, automobile repair garages, and car washes (automatic, coin-operated and hand wash). All uses subject to permit in the C-3 Zone would still be subject to permit.

Surrounding land uses and setting: The project site is located immediately adjacent to the South Ditman Avenue off-ramp of the Interstate 5 freeway to the north, East Olympic Boulevard (an existing major highway according to the Master Plan of Highways) and Commercial-Manufacturing zoned properties to the south, and residential uses to the east and west.

Other public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement):

<i>Public Agency</i>	<i>Approval Required</i>
Department of Public Works	Building Permits
Fire Department	Fire Flow

Major projects in the area:

<i>Project/Case No.</i>	<i>Description and Status</i>
RPP200501675	Two-story addition to create a duplex and detached 4- carport (1140 South Hicks Ave; adjacent/west of the project site)
RPP200501665	Proposed new duplex with an attached four car garage (1146 S Ditman Avenue; east of the project site)
RPP200100407	Reduce scope of a previously approved plot plan for an auto dealership. (3953 E Olympic Boulevard; west of the project site)
RPP200500486	Establish a new auto repair shop. (3945 E Olympic Boulevard; west of the project site)

Reviewing Agencies:

Responsible Agencies

- None
- Regional Water Quality Control Board:
 - Los Angeles Region
 - Lahontan Region
- Coastal Commission
- Army Corps of Engineers
- California Department of Toxic Substances

Special Reviewing Agencies

- None
- Santa Monica Mountains Conservancy
- National Parks
- National Forest
- Edwards Air Force Base
- Resource Conservation District of Santa Monica Mountains Area

Regional Significance

- None
- SCAG Criteria
- Air Quality
- Water Resources
- Santa Monica Mtns. Area

Trustee Agencies

- None
- State Dept. of Fish and Game
- State Dept. of Parks and Recreation
- State Lands Commission
- University of California (Natural Land and Water Reserves System)

County Reviewing Agencies

- DPW:
 - Land Development Division (Grading & Drainage)
 - Geotechnical & Materials Engineering Division
 - Watershed Management Division (NPDES)
 - Traffic and Lighting Division
 - Environmental Programs Division
 - Waterworks Division
 - Sewer Maintenance Division

- Fire Department
 - Forestry, Environmental Division
 - Planning Division
 - Land Development Unit
 - Health Hazmat
- Sanitation District
- Public Health/Environmental Health Division: Land Use Program (OWTS), Drinking Water Program (Private Wells), Toxics Epidemiology Program (Noise)
- Sheriff Department
- Parks and Recreation
- Subdivision Committee

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

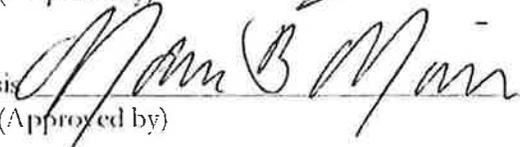
The environmental factors checked below would be potentially affected by this project.

- | | | |
|---|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Agriculture/Forest | <input checked="" type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities/Services |
| <input type="checkbox"/> Energy | <input type="checkbox"/> Noise | <input type="checkbox"/> Mandatory Findings
of Significance |
| <input type="checkbox"/> Geology/Soils | | |

DETERMINATION: (To be completed by the Lead Department.)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Maral Tashjian		11-5-12
Signature (Prepared by)		Date
Maria Masis		11-7-12
Signature (Approved by)		Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources the Lead Department cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the Lead Department has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level. (Mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced.)
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA processes, an effect has been adequately analyzed in an earlier EIR or negative declaration. (State CEQA Guidelines § 15063(c)(3)(D).) In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 7) The explanation of each issue should identify: the significance threshold, if any, used to evaluate each question, and; mitigation measures identified, if any, to reduce the impact to less than significance. Sources of thresholds include the County General Plan, other County planning documents, and County ordinances. Some thresholds are unique to geographical locations.
- 8) Climate Change Impacts: When determining whether a project's impacts are significant, the analysis should consider, when relevant, the effects of future climate change on : 1) worsening hazardous conditions that pose risks to the project's inhabitants and structures (e.g., floods and wildfires), and 2) worsening the project's impacts on the environment (e.g., impacts on special status species and public health).

1. AESTHETICS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Be visible from or obstruct views from a regional riding or hiking trail?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially degrade the existing visual character or quality of the site and its surroundings because of height, bulk, pattern, scale, character, or other features?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create a new source of substantial shadows, light, or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

EVALUATION OF ENVIRONMENTAL IMPACTS:

Official State Scenic Highways are designated by the California Department of Transportation (CalTrans). According to CalTrans, “[t]he stated intent (Streets and Highway Code Section 260) of the California Scenic Highway Program is to protect and enhance California’s natural beauty and to protect the social and economic values provided by the State’s scenic resources” (State of California Department of Transportation, California Scenic Highway Program, website: <http://www.dot.ca.gov/dist3/departments/mtce/scenic.htm>, accessed October 6, 2011). While there are numerous designated Scenic Highways across the state, the following have been designated in Los Angeles County: Angeles Crest Highway (Route 2) from just north of Interstate 210 to the Los Angeles/San Bernardino County Line, two segments of Mulholland Highway from Pacific Coast Highway to Kanan Dume Road and from west of Cornell road to east of Las Virgenes Road, and Malibu Canyon-Las Virgenes Highway from Pacific Coast Highway to Lost Hills Road.

In addition to scenic highways, unincorporated Los Angeles County identifies ridgelines of significant aesthetic value that are to be preserved in their current state. This preservation is accomplished by limiting the type and amount of development near them. These “Significant Ridgelines” (“Major Ridgelines” on Santa Catalina Island) are designated by the General Plan or applicable Area/Community Plan, Local Coastal Program, or Community Standards District.

Riding and hiking trails have been designated throughout unincorporated Los Angeles County. At present, there are officially adopted trails in the Antelope Valley, the Santa Clarita Valley, and the Santa Monica Mountains designated by the General Plan or applicable Area/Community Plan and Local Coastal Program.

The proposed project is not sited near any designated scenic highways, significant ridgeline, or other identified scenic resources, and would not result in any impacts related to having a substantial adverse effect on a scenic vista. (Source: *Source: State of California DOT, California Scenic Highway Program*)

The proposed project is not sited near any designated riding or hiking trails, and would not result in any impacts related to having a substantial adverse effect on these resources. (Source: *County of Los Angeles Department of Parks and Recreation, U.S. National Forest Service*)

The proposed project is located in a fully developed area and is not sited near any trees, rock outcroppings, historic buildings, and undisturbed areas. The project is located in an urbanized hillside area, with some grading involved for the second unit. However, the grading will not cause a visible disturbance from the surrounding neighborhood. The project is not located on a ridgeline.

The proposed structure is 24 feet high for the bulk of the building, with a 38-foot high “tower” feature over the main entrance. The local community plan permits up to 40 feet in height in the C-3 Zone, so the proposed structure is consistent with the height standards of the local community plan. The proposed structure is typical to the development in the area, and would not degrade the existing visual character or quality of the site, and its surroundings because of height, bulk, pattern, scale, or character.

The proposed project would not be a new source of substantial shadows, light, or glare as it has adequate setbacks from the neighboring properties.

2. AGRICULTURE / FOREST

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, with a designated Agricultural Opportunity Area, or with a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code § 12220 (g)), timberland (as defined in Public Resources Code § 4526), or timberland zoned Timberland Production (as defined in Government Code § 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EVALUATION OF ENVIRONMENTAL IMPACTS:

The proposed project is located in a fully developed, urbanized area, and is not sited near any farm or forest land. (Source: California Department of Forestry and Fire Prevention Management Landscape Map and State of California / Department of Conservation / Division of Land Resource Protection / Farmland Mapping and Monitoring Program)

The proposed project is zoned C-3-DP (Unlimited Commercial – Development Program), in the East Los Angeles Community Standards District. The proposed project does not conflict with existing zoning for agricultural use, or with a designated Agricultural Opportunity Area, or with a Williamson Act contract, or with any existing zoning for forest land or timberland uses. The only Williamson Act contract lands in the County are located on Catalina Island and held by the Catalina Island Conservancy as set asides for open space and recreational purposes. Therefore, there are no agricultural Williamson Act contracts in the remainder of the unincorporated County. (Source: State of California Department of Conservation, Division of Land Resource Protection / California Department of Forestry and Fire Prevention Management Landscape Map)

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Conflict with or obstruct implementation of applicable air quality plans of either the South Coast AQMD (SCAQMD) or the Antelope Valley AQMD (AVAQMD)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

EVALUATION OF ENVIRONMENTAL IMPACTS:

The air pollutants that are regulated by the Federal and California Clean Air Acts fall under three categories, each of which are monitored and regulated:

- Criteria air pollutants;
- Toxic air contaminants (TACs); and,
- Global warming and ozone-depleting gases.

In 1970, the U.S. Environmental Protection Agency (EPA) identified six “criteria” pollutants they found to be the most harmful to human health and welfare. They are:

- Ozone (O₃);
- Particulate Matter (PM);
- Carbon Monoxide (CO);
- Nitrogen Dioxide (NO₂);
- Sulfur Dioxide (SO₂); and,

- Lead (Pb).

The Federal government and the State of California have established air quality standards designed to protect public health from these criteria pollutants. Among the federally identified criteria pollutants, the levels of ozone, particulate matter, and carbon monoxide in Los Angeles County continually exceed federal and state health standards and the County is considered a non-attainment area for these pollutants.

In response to the region's poor air quality, the South Coast Air Quality Management District (SCAQMD) & the Antelope Valley Air Quality Management District (AVAQMD) were created. The SCAQMD and the AVAQMD are responsible for monitoring air quality as well as planning, implementing, and enforcing programs designed to attain and maintain state and federal ambient air quality standards in the region. The SCAQMD implements a wide range of programs and regulations, most notably, the Air Quality Management Plan (AQMP). The SCAQMD jurisdiction covers approximately 10,743 square-miles and includes all of Los Angeles County except for the Antelope Valley, which is covered by the Antelope AVAQMD.

Sensitive receptors are uses such as playgrounds, schools, senior citizen centers, hospitals or other uses that would be more highly impacted by poor air quality. AQMD Rule 402, which states "A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. The provisions of this rule shall not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals."

The proposed project is the construction of a 14,927 square foot retail store (99c Only Stores), parking lot, landscaping, and associated improvements on a vacant property. Off-site improvements (per requirements of the Department of Public Works) include the relocation of an existing bus stop/shelter.

Air pollutants generated by the operation of the commercial use would include emissions from vehicle trips from both patrons and delivery trucks, and temporary/sporadic emissions during the construction phase from equipment/vehicle operation on construction related vehicle trips.

These emissions are typical of the commercial uses permitted in the subject property's underlying land use (MC – Major Commercial) and zoning (C-3-DP, Unlimited Commercial – Development Program) categories. The air quality impacts of the uses associated with this land use/zoning category were considered and analyzed during the land use planning process when the local area plan and zoning designations were developed.

Surrounding residences, sensitive receptors to air pollutants, are currently exposed to heavy vehicular emissions from the adjacent Interstate 5 freeway to the north, East Olympic Boulevard adjacent to the south and Commercial-Manufacturing zoned properties to the south

The proposed project's operation would not create any objectionable odors for the surrounding community. Odor nuisances are regulated by County Code.

4. BIOLOGICAL RESOURCES

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game (CDFG) or U.S. Fish and Wildlife Service (USFWS)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any sensitive natural communities (e.g., riparian habitat, coastal sage scrub, oak woodlands, non-jurisdictional wetlands) identified in local or regional plans, policies, regulations or by CDFG or USFWS?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally or state protected wetlands (including, but not limited to, marshes, vernal pools, coastal wetlands, and drainages) or waters of the United States, as defined by § 404 of the federal Clean Water Act or California Fish & Game code § 1600, et seq. through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Convert oak woodlands (as defined by the state, oak woodlands are oak stands with greater than 10% canopy cover with oaks at least 5 inch in diameter measured at 4.5 feet above mean natural grade) or otherwise contain oak or other unique native trees (junipers, Joshuas, southern California black walnut, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with any local policies or ordinances protecting biological resources, including Wildflower Reserve Areas (L.A. County Code, Title 12, Ch. 12.36), the Los Angeles County Oak Tree Ordinance (L.A. County Code, Title 22, Ch. 22.56, Part 16), the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Significant Ecological Areas (SEAs) (L.A. County Code, Title 22, § 22.56.215), and Sensitive Environmental Resource Areas (SERAs) (L.A. County Code, Title 22, Ch. 22.44, Part 6)?

g) Conflict with the provisions of an adopted state, regional, or local habitat conservation plan?

EVALUATION OF ENVIRONMENTAL IMPACTS:

Biological resources are identified and protected through various federal, state, regional, and local laws and ordinances. The federal Endangered Species Act and the California Endangered Species Act (CESA) state that animals and plants that are threatened with extinction or are in a significant decline will be protected and preserved. The State Department of Fish and Game created the California Natural Diversity Database (CNDDDB), which is a program that inventories the status and locations of rare plants and animals in California.

Section 404 of the Clean Water Act defines wetlands as “those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.”

The County’s primary mechanism to conserve biological diversity is an identification tool and planning overlay called Significant Ecological Areas (SEA). SEAs are ecologically important land and water systems that are valuable as plant and/or animal communities, often integral to the preservation of threatened or endangered species, and conservation of biological diversity in the County. These areas also include nearly all of the wildlife corridors in the County, as well as oak woodlands and other unique and/or native trees.

The site and surrounding area is urbanized and fully developed. There are no sensitive natural communities present onsite or in the general vicinity, and none identified in the local plan or by state or federal agencies. There are no native trees, wildflower reserve areas oak trees, SEAs or SERAs present onsite or in the general vicinity. There are no candidate, sensitive or special status species at or near the project site. *(Source: The California Natural Diversity Database (CNDDDB))*

5. CULTURAL RESOURCES

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, or contain rock formations indicating potential paleontological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

EVALUATION OF ENVIRONMENTAL IMPACTS:

The project site is vacant; there are no archaeological, paleontological, national or state-designated historic resources on the project site. The project site is located in an area that is urbanized and already developed; any human remains that may have existed on-site are likely to have been disturbed by previous development.

6. ENERGY

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Conflict with Los Angeles County Green Building Ordinance (L.A. County Code Title 22, Ch. 22.52, Part 20 and Title 21, § 21.24.440) or Drought Tolerant Landscaping Ordinance (L.A. County Code, Title 21, § 21.24.430 and Title 22, Ch. 22.52, Part 21)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Involve the inefficient use of energy resources (see Appendix F of the CEQA Guidelines)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

EVALUATION OF ENVIRONMENTAL IMPACTS:

Per Appendix F of CEQA guidelines, the goal of conserving energy implies decreasing overall per capita energy consumption, decreasing reliance on fossil fuels such as coal, natural gas and oil, and increasing reliance on renewable energy sources. In 2008, the County adopted a Green Building Program to address these goals. Section 22.52.2100 of Title 22 (Los Angeles County Code) states that the purpose of the County's Green Building Program was to establish green building development standards for new projects with the intent to, conserve water; conserve energy, conserve natural resources, divert waste from landfills, minimize impacts to existing infrastructure, and promote a healthier environment. The Green Building Program includes Green-Building Standards, Low-Impact Development standards, and Drought Tolerant Landscaping requirements. In January 2011, the State of California adopted the CALGreen Building Code with mandatory measures that establish a minimum for green construction practices.

The proposed project is the construction of a 14,927 square foot retail store (99c Only Stores), parking lot, landscaping, and associated improvements on a vacant property. Off-site improvements (per requirements of the Department of Public Works) include the relocation of an existing bus stop/shelter. The proposed project would incorporate all of the requirements and standards of the Los Angeles County Green Building Ordinance and the State of California Green Code.

7. GEOLOGY AND SOILS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known active fault trace? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction and lateral spreading?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of onsite wastewater treatment systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the Hillside Management Area Ordinance (L.A. County Code, Title 22, § 22.56.215) or hillside design standards in the County General Plan Conservation and Open Space Element?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EVALUATION OF ENVIRONMENTAL IMPACTS:

The Alquist-Priolo Earthquake Fault Zoning Act of 1972 prohibits the location of most structures for human occupancy across the traces of active faults, and lessens the impacts of fault rupture. The Seismic Hazards Mapping Act requires the California Geological Survey to prepare Seismic Hazard Zone Maps that show areas where earthquake induced liquefaction or landslides have historically occurred, or where there is a high potential for such occurrences. Liquefaction is a process by which water saturated granular soils transform from a solid to a liquid state during strong ground shaking. A landslide is a general term for a falling, sliding or flowing mass of soil, rocks, water and debris. The County General Plan prohibits new developments, as defined by the Alquist-Priolo Act, within fault traces until a comprehensive geological study has been completed.

The entirety of Southern California is seismically active; no project site is free from potential seismic impacts. Strong seismic ground shaking at the project site is correlated with the proximity to an active fault line that triggers an earthquake. The nearest fault traces/seismic areas are located 6.8 miles to the north, 9.3 miles to the south west, and 6.4 miles to the north east. The project site is not in the immediate vicinity of any earthquake faults and would therefore not be subject to strong seismic shaking as would structures in closer proximity to these fault areas. *(Source: California Geological Survey (CGS) Seismic Hazard Zone Maps)*

The project site is located approx. 5,300 feet or one mile north of the nearest mapped liquefaction zone. The project site is not located within a hillside area and would not be subject to landslides. *(Source: California Geological Survey (CGS) Landslide Maps / CGS Alquist-Priolo maps, 1974-2007)*

Proposed on-site improvements would entail the development of the entire site for structures, pavement for the parking lot and driveways, sidewalks, and landscaped areas. If the project site was not already a disturbed due to previous developments (formerly a gas station), the proposed project would result in a significant loss of top soil. However, since the topsoil has already been disturbed, the proposed improvements would not create a significant impact in this respect. Erosion during construction phase would be controlled through the County's erosion and dust control regulations. Post-construction, the project would not contain any loose dirt, and would not create any erosion issues.

The project site was previously developed and would have small likelihood of containing unstable/expansive soils that would result in landslides, lateral spreading, subsidence, liquefaction or collapse. The project site is located in an urbanized area which is fully serviced by public utilities, including sewer system. The project does not propose any on-site wastewater treatment system.

8. GREENHOUSE GAS EMISSIONS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Generate greenhouse gas (GHGs) emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

EVALUATION OF ENVIRONMENTAL IMPACTS:

The proposed project is the construction of a 14,927 square foot retail store (99c Only Stores), parking lot, landscaping, and associated improvements on a vacant property. Off-site improvements (per requirements of the Department of Public Works) include the relocation of an existing bus stop/shelter.

Greenhouse gas emissions generated by the operation of the commercial use would include emissions from vehicle trips from both patrons and delivery trucks, and temporary/sporadic emissions during the construction phase from equipment/vehicle operation on construction related vehicle trips, and architectural treatments.

These emissions are typical of the commercial uses permitted in the subject property's underlying land use (MC – Major Commercial) and zoning (C-3-DP, Unlimited Commercial – Development Program) categories. The Greenhouse gas emission impacts of the uses associated with this land use/zoning category were considered and analyzed during the land use planning process when the local area plan and zoning designations were developed.

9. HAZARDS AND HAZARDOUS MATERIALS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, storage, production, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials or waste into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of sensitive land uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving fires, because the project is located:				
i) within a Very High Fire Hazard Severity Zones (Zone 4)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) within a high fire hazard area with inadequate access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| iii) within an area with inadequate water and pressure to meet fire flow standards? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) within proximity to land uses that have the potential for dangerous fire hazard? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Does the proposed use constitute a potentially dangerous fire hazard? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

EVALUATION OF ENVIRONMENTAL IMPACTS:

Hazardous materials are generally defined as any material that because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or future hazard to human health and safety or to the environment, if released into the workplace or the environment (Health and Safety Code (H&SC), §25501(o)). The California Department of Toxic Substances (DTSC) is responsible for classifying hazardous materials in the state of California. Hazardous materials are commonly stored and used by a variety of businesses and are commonly encountered during construction activities.

DTSC oversees the cleanup of disposal and industrial sites that have resulted in contamination of soil and groundwater. In close cooperation with the United States Environmental Protection Agency, DTSC administers both state and federal hazardous waste programs including The Resource Conservation and Recovery Act (RCRA) the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, 42 U.S.C. § 9601–9675), the Toxic Substances Control Act (TSCA) and a number of other State and Federal bodies of law dealing with hazardous materials and the environment. The Envirostar database lists properties regulated by DTSC where extensive investigation and/or cleanup actions are planned or have been completed at permitted facilities and clean-up sites. No hazardous materials sites or properties listed in compliance with California Government Code, Section 65962.5 (e.g., Comprehensive Environmental Response, Compensation and Liability Information System [CERCLIS], Resource Conservation and Recovery Act [RCRA]) are located on the project site. Any sites within the general vicinity are not likely to have contaminated the project site.

The Office of Emergency Management is responsible for organizing and directing the preparedness efforts of the Emergency Management Organization of Los Angeles County. The OEM is the day-to-day Los Angeles County Operational Area coordinator for the County. The emergency response plan for the unincorporated areas is the Operational Area Emergency Response Plan (OAERP), which is prepared by OEM. The OAERP strengthens short and long-term emergency response and recovery capability, and identifies emergency procedures and emergency management routes in the County. The disaster response plan is the County Local All Hazards Mitigation Plan.

The proposed project is a use which does not typically generate routine transport, storage, production, use, or disposal of hazardous materials. The proposed retailer deals mostly with household goods and food products. The proposed project would not generate accidental conditions involving the release of hazardous materials or waste in the environment. The project site is not a hazardous materials site, and would not create a significant hazard to the public or the environment. (Source: <http://www.envirostor.dtsc.ca.gov/public/>)

The project site is not located within an airport land use plan. The nearest airport (LAX) is approximately nine (9) miles to the west. The project site is not located near a private airstrip. The project is not of a scale that would physically interfere with an adopted emergency response plan or emergency evacuation plan. The project site is not located within a Very High Fire Hazard Severity Zone. The project site is located in an

urbanized area with full service from public utilities and infrastructure including water for firefighting purposes. The applicant has provided a letter indicating that the site is serviced by the California Water Service Company (Cal Water) and a fire flow test which would need to be deemed adequate by the Fire Department prior to project approval. The project site is located among residential and major commercial land uses. The proposed use would not be a significantly dangerous fire hazard related to the surrounding similar uses.

The project site is the former location of a gas station. The California Department of Toxic Substances Control (DTSC) and the Regional Water Quality Control Board were consulted in the environmental review for CUP No. 04-185, which established a development program for a mixed-use center with senior housing and commercial retail at the subject site. A letter dated October 16, 1998, from the Regional Water Quality Board stated that no further action related to the gas station at 1141 Ditman Avenue was required. A site closure report dated August 3, 1998 indicated that MTBE, benzene, and TPH-gasoline residual concentrations did not pose a risk to water resource or to health and human welfare. No record of the location or the removal of a 550 gallon UST installed in 1935 was found. In a letter dated January 25, 2005, DTSC stated that if soil contamination is suspected, construction should cease and appropriate health and safety procedures shall be implemented. (Source: Initial Study for CUP No. 04-185 http://planning.lacounty.gov/case/view/conditional_use_permit_04_185_1/).

Mitigation Measure:

- If soil contamination is suspected, construction in the area shall stop and appropriate health and safety procedures should be implemented.

10. HYDROLOGY AND WATER QUALITY

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Generate construction or post-construction runoff that would violate applicable stormwater NPDES permits or otherwise significantly affect surface water or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with the Los Angeles County Low Impact Development Ordinance (L.A. County Code, Title 12, Ch. 12.84 and Title 22, Ch. 22.52)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Result in point or nonpoint source pollutant discharges into State Water Resources Control Board-designated Areas of Special Biological Significance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Use onsite wastewater treatment systems in areas	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

with known geological limitations (e.g. high groundwater) or in close proximity to surface water (including, but not limited to, streams, lakes, and drainage course)?

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| j) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| k) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, or within a floodway or floodplain? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| l) Place structures, which would impede or redirect flood flows, within a 100-year flood hazard area, floodway, or floodplain? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| m) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| n) Place structures in areas subject to inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

EVALUATION OF ENVIRONMENTAL IMPACTS:

Los Angeles County is split between two water quality regions: the Los Angeles Region and the Lahontan Region. Each regional board prepares and maintains a Basin Plan which identifies narrative and numerical water quality objectives to protect all beneficial uses of the waters of that region. The Basin Plans achieve the identified water quality objectives through implementation of Waste Discharge Requirements (WDRs) and by employing three strategies for addressing water quality issues: control of point source pollutants, control of nonpoint source pollutants, and remediation of existing contamination.

Point sources of pollutants are well-defined locations at which pollutants flow into water bodies (discharges from wastewater treatment plants and industrial sources, for example). These sources are controlled through regulatory systems including permitting under California’s Waste Discharge Requirements and the National Pollutant Discharge Elimination System (NPDES) program; permits are issued by the appropriate Regional Water Quality Control Board and may set discharge limitation or other discharge provisions.

Nonpoint sources of pollutants are typically derived from project site runoff caused by rain or irrigation and have been classified by the United States Environmental Protection Agency (USEPA) into one of the following categories: agriculture, urban runoff, construction, hydromodification, resource extraction, silviculture, and land disposal, according to the Basin Plan for the Los Angeles Regional Water Quality Control Board. This type of pollution is not ideally suited to be addressed by the same regulatory mechanisms used to control point sources. Instead, California’s Nonpoint Source Management Plan describes a three-tiered approach including the voluntary use of Best Management Practices, the regulatory enforcement of the use of Best Management Practices, and effluent limitations. Generally speaking, each Regional Water Quality Control Board implements the least restrictive tier until more stringent enforcement is necessary.

The Los Angeles Regional Water Quality Control Board addresses on-site drainage through its construction, industrial, and municipal permit programs. These permits require measures to minimize or prevent erosion and reduce the volume of sediments and pollutants in a project's runoff and discharges based upon the size of the project site

During the construction phase of a proposed project, the pollutants of greatest concern are sediment, which may run off the project site due to site grading or other site preparation activities, and hydrocarbon or fossil fuel remnants from the construction equipment. Construction runoff is regulated by the National Pollutant Discharge Elimination System (NPDES) Construction General Permit. This permit applies to all construction which disturbs an area of at least one acre.

The Los Angeles County Low Impact Development Ordinance is designed to promote sustainability and improve the County's watersheds by preserving drainage paths and natural water supplies in order to '...retain, detain, store, change the timing of, or filter stormwater or runoff.'

Areas of Special Biological Significance are "...those areas designated by the State Water Board as ocean areas requiring protection of species or biological communities to the extent that alteration of natural water quality is undesirable. All Areas of Special Biological Significance are also classified as a subset of STATE WATER QUALITY PROTECTION AREAS." Note that all of these areas are located off the coast of California and not within any inland water courses or bodies.

FEMA, the Federal Emergency Management Agency, prepares hydrological studies throughout the country, called Flood Insurance Studies, in order to identify areas that are prone to flooding. From the results of these studies, FEMA prepares Flood Insurance Rate Maps (FIRMs) that are designed to geographically depict the location of areas prone to flooding for purposes of determining risk assessment for flood insurance. An area that has been designated a 100-year flood plain is considered likely to flood under the 100-year storm event.

Dam inundation areas are areas that have been identified as being potentially susceptible to flooding from a catastrophic failure of one or more of the dams in Los Angeles County. These areas were mapped in accordance with California Government Code Section 8589.5 and do not suggest with certainty that a particular plot of land would be inundated given a catastrophic dam failure.

A seiche is the sudden oscillation of water that occurs in an enclosed, landlocked body of water due to wind, earthquake, or other factors. A tsunami is an unusually large wave or set of waves that is triggered in most cases by a seaquake or an underwater volcanic eruption. A mudflow is flow consisting predominantly of earthen materials/soil and water.

The project site is located within the Los Angeles Region water quality control board (RWQCB) jurisdictional area. The proposed project would connect to the municipal wastewater system which is responsible for regulating and complying with all applicable wastewater treatment standards maintained by the Regional Water Quality Control Board. Therefore, the proposed project would not violate any water quality standards or discharge requirements related to point sources. The proposed project is required to comply with the requirements of the Low-Impact Development Ordinance of Los Angeles County, as well as the requirements of the County's Standard Urban Stormwater Management Plan (SUSMP) in order to control and minimize potentially polluted runoff. Because all projects are required to comply with these requirements in order to obtain construction permits and certificates of occupancy, the proposed project would not impact any nonpoint source.

The proposed project would rely on existing water conveyance infrastructure from an existing water district, not from a personal ground water well. The current retail provider for the project site is California Water Service Company (3316 West Beverly Boulevard, Montebello, CA 90640). The project would have water usage comparable to surrounding commercial uses, which would not create a significant impact on the area aquifer's volume, or groundwater table level. (Source: <http://gis.dpw.lacounty.gov/servicelocator/>)

With regards to groundwater recharge, and whether or not the proposed project would prevent surface water from infiltrating into subterranean aquifers, the project is currently entirely vacant with no impervious surfaces. The proposed project would create impervious surface throughout the majority of the property, however, the project is subject to the County's Low Impact Development standards which would require design features to keep ground recharge and runoff levels equal to pre-construction levels. The applicant has prepared a Drainage Concept which concludes that no drainage impacts would be created with the implementation of project design features to capture water on-site.

The project site is currently developed, and is located in an urbanized area. There are no natural streams or waterways located on or near the project site. The proposed improvements would not alter the course of a stream or river whose path travels across or near the project site, would not substantially increase erosion or siltation, and would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. As the proposed project would be required to comply with all requirements of the Low-Impact Development Ordinance for managing and minimizing the amount of runoff leaving the project site, impacts would be reduced to a less than significant level. Therefore the proposed project would not exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. The project is subject to County construction codes which would regulate post-construction runoff and would comply with requirements for applicable stormwater NPDES permits as needed.

The project site and surrounding area is urbanized and there are no areas of special biological significance existing in proximity to the project site for the proposed project contribute any point or nonpoint source pollutant discharges into. The proposed project would not use septic tanks or other private sewage disposal systems. Due to the project's use and scale, the project would not substantially degrade water quality.

The proposed project does not include a housing component within a 100-year flood hazard area. Regardless, the proposed project is not located within or in the vicinity of a 100-year flood hazard area.

The project site is located approximately 2,555 feet or 0.4 miles to the north of the nearest dam inundation area. The site is not located near the coast and therefore is not subject to tsunamis. The project site is not located within a landslide zone. Therefore the proposed structure will not be placed within any of these hazard areas.

11. LAND USE AND PLANNING

Would the project:	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Be inconsistent with the applicable County plans for the subject property including, but not limited to, the General Plan, specific plans, local coastal plans, area plans, and community/neighborhood plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be inconsistent with the County zoning ordinance as applicable to the subject property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Conflict with Hillside Management criteria, Significant Ecological Areas conformance criteria, or other applicable land use criteria?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EVALUATION OF ENVIRONMENTAL IMPACTS:

The proposed project is located at the edge of the community adjacent to a major freeway. It would be developed on a parcel that conform to the existing street grid and would not divide the community. The project is located within the Major Commercial land use designation of the East Los Angeles Community Plan which is intended for the type of use proposed.

The project is located within the C-3-DP (Unlimited Commercial, Development Program) Zone of the East Los Angeles Community Standards District. The site would be developed in conformance with the development standards of this zone.

The project is not located within a hillside management area.

12. MINERAL RESOURCES

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EVALUATION OF ENVIRONMENTAL IMPACTS:

The County depends on the State of California’s Geological Survey (State Department of Conservation, Division of Mines and Geology) to identify deposits of regionally- significant aggregate resources. These clusters or belts of mineral deposits are designated as Mineral Resources Zones (MRZ-2s), and there are four major MRZ-2s are designated in the County: the Little Rock Creek Fan, Soledad Production Area, Sun Valley Production Area, and Irwindale Production Area. The California Department of Conservation protects mineral resources to ensure adequate supplies for future production.

The California Surface Mining and Reclamation Act of 1975 (SMARA) was adopted to encourage the production and conservation of mineral resources, prevent or minimize adverse effects to the environment, and protect public health and safety. In addition, Title 22 of the Los Angeles County Code (Part 9 of Chapter 22.56) requires that applicants of surface mining projects submit a Reclamation Plan prior to receiving a permit to mine, which must describe how the excavated site will ultimately be remediated and transformed into another use.

Small-scale oil production still occurs in many parts of the County, including the Baldwin Hills and the Santa Clarita Valley. The California Division of Oil, Gas, and Geothermal Resources (DOGGR) permits and tracks each operating production well and natural gas storage well and ultimately monitors the decommissioning process.

The project site is not located in or within the vicinity of a known mineral resource area. (Source: General Plan 1980 Special Resources Map)

13. NOISE

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project result in:				
a) Exposure of persons to, or generation of, noise levels in excess of standards established in the County General Plan or noise ordinance (Los Angeles County Code, Title 12, Chapter 12.08), or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project, including noise from parking areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project, including noise from amplified sound systems?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EVALUATION OF ENVIRONMENTAL IMPACTS:

The operations of the retail use are completely enclosed within a building and would not generate significant noise once completed apart from periodic noise generated from the loading zone located adjacent to the neighboring properties. There is a 12-foot screen wall between the loading zone and the adjacent residences which would reduce the noise of the operations. The Department of Public Health has recommended the following additional mitigation measures to reduce operations-related noise at the site to less than significant levels:

Mitigation Measures (operational noise):

1. The proposed loading dock is located adjacent to residential property to the west; therefore, to minimize noise disturbance loading or unloading operations, and refuse collection shall be prohibited between the hours of 10:00 PM and 6:00 AM.

There is no ambient noise generated at the project site currently, as it is completely vacant. The ambient noise in the area is generated by the adjacent 5 Freeway. The development of the proposed project would reduce ambient noise to the surrounding area as it would create a physical buffer between the freeway and surrounding uses. Vehicle noises from the parking lot would be minimized from neighboring residential uses with a 6-foot tall block wall and 10 foot landscaping buffer at the parking lot/property perimeter.

Construction of the project would create a temporary period of noise to the surrounding neighborhood. Noise generated through construction is regulated by Title 12, Chapter 12.08 of the County Code. Between following these regulations and the following mitigation measures, temporary noise associated with construction would be reduced to less than significant levels:

Mitigation Measures (construction noise):

2. Limit construction activities to the hours of 7:00 AM to 7:00 PM Monday through Saturday in accordance with the County of Los Angeles' Noise Control Ordinance. The contractor shall adhere to the County of Los Angeles Noise Control Ordinance.
3. Equip all construction fixed or mobile internal combustion engine powered equipment, with properly operating and maintained mufflers.
4. The contractor should locate portable equipment as far as possible from adjacent residents.
5. The contractor should store and maintain equipment as far as possible from adjacent residents.

The proposed project would not generate significant generation of excessive groundborne vibration or groundborne noise levels from operation once completed. The construction of the project would create a temporary period of significant groundborne vibration or groundborne noise levels for the adjacent properties. However noise generated through construction would comply with Title 12, Chapter 12.08 or the County Code. Compliance with these regulations would reduce groundborne vibration or groundborne noise levels to less than significant levels.

The project is not located within the vicinity of an airport land use planning area. The project is not located within the vicinity of a private airstrip.

14. POPULATION AND HOUSING

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, especially affordable housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Cumulatively exceed official regional or local population projections?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EVALUATION OF ENVIRONMENTAL IMPACTS:

The proposed project does not have a housing component and would not induce any population growth in the area directly or indirectly.

15. PUBLIC SERVICES

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project create capacity or service level problems, or result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sheriff protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Libraries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EVALUATION OF ENVIRONMENTAL IMPACTS:

Fire suppression services in unincorporated Los Angeles County are provided by the Los Angeles County Fire Department (LACoFD), which has 22 battalions providing services to the whole of the unincorporated County. Development in the unincorporated areas must comply with the requirements of the Fire Code (Title 32), which provides design standards for all development in the unincorporated County. Development must also comply with standards for response times between fire stations and the project site. These times are: 5 minutes or less for projects in urban areas, 8 minutes or less for projects in suburban areas, and 12 minutes or less for projects in rural areas. The propose project would meet these locational and design requirements and would not create the need for additional fire suppression services.

Law enforcement services within the unincorporated Los Angeles County are provided by the Los Angeles County Sheriff's Department. The Los Angeles County Sheriff's Department strives to maintain a service ratio of approximately one officer for every 1,000 residents within the communities it serves. As the proposed project would not induce population growth, it would not increase the need for additional law enforcement services. The subject property, which is currently vacant, is more taxing on law enforcement services as it attracts vandalism and other criminal activity which would not be present with the completion of the proposed project.

The proposed project does not have a housing component and would not impact local schools, parks or libraries.

16. RECREATION

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include neighborhood and regional parks or other recreational facilities or require the construction or expansion of such facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Would the project interfere with regional open space connectivity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EVALUATION OF ENVIRONMENTAL IMPACTS:

The Los Angeles County General Plan standard for the provision of parkland is four acres of local parkland per 1,000 residents of the population in the County's unincorporated areas, and six acres of regional parkland per 1,000 residents of the County's total population.

The proposed project does not have a housing component and would not affect the usage of local parks.

17. TRANSPORTATION/TRAFFIC

Would the project:	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program (CMP), including, but not limited to, level of service standards and travel demand measures, or other standards established by the CMP for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

EVALUATION OF ENVIRONMENTAL IMPACTS:

The proposed use at this location is consistent with the underlying land use category, which took into consideration traffic generation. The use is not a regional attraction and would therefore not be generating additional trips to what would occur locally. Traffic generated by the use would be similar to that generated by the former use on the property, which was a gas station. The applicant provided a Traffic Impact Analysis report which concludes that traffic impacts would be less than significant for the proposed project.

18. UTILITIES AND SERVICE SYSTEMS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Exceed wastewater treatment requirements of either the Los Angeles or Lahontan Regional Water Quality Control Boards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create water or wastewater system capacity problems, or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Create drainage system capacity problems, or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient reliable water supplies available to serve the project demands from existing entitlements and resources, considering existing and projected water demands from other land uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create energy utility (electricity, natural gas, propane) system capacity problems, or result in the construction of new energy facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

EVALUATION OF ENVIRONMENTAL IMPACTS:

The project site is located in an urbanized area which is fully serviced by public utilities, including sewer system. The project does not propose any on-site wastewater treatment system. Prior to approval, the project would need to acquire a letter of permission to connect to the local sewer from Department of Public Works (DPW) (or other sewer provider). The existing infrastructure in the area was able to support the previous use on the property, a gas station, and would therefore not be impacted by a use with similar needs.

19. MANDATORY FINDINGS OF SIGNIFICANCE

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Due to the small scale and size of the project, it would not have a potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory

b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The project achieves long term environmental goals by utilizing existing utility and service infrastructure, and compliance with the Green Building program, and Low Impact Development ordinance.

c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

Due to the small scale and size of the project, it would not have impacts that are individually limited, but cumulatively considerable. The project has no growth inducing affects. The project reduces environmental impact by utilizing existing utility and service infrastructure.

d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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As proposed, the project would be developed up to current building and safety standards and would not cause a substantial adverse effect on the human population.



COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

"Parks Make Life Better!"

Russ Guiney, Director

John Wicker, Chief Deputy Director

October 3, 2012

Sent via e-mail: mtashjian@planning.lacounty.gov

TO: Maral Tashjian
Department of Regional Planning

FROM: Julie Yom, Park Planner *by Jui Tung Chien*
Environmental and Regulatory Permitting Section

SUBJECT: **PROJECT CONSULTATION
COUNTY PROJECT NO. R2012-00103-(1)
CUP 201200012
3965 EAST OLYMPIC BOULEVARD
APN 5242-006-017**

The above project has been reviewed for potential impacts on the facilities of this Department. We have determined that the proposed project, which involves a new construction of a 99 cent only store, will not impact the facilities of this Department.

Thank you for including this Department in the review of this notice. If we may be of further assistance, please contact me at (213) 351-5127 or jyom@parks.lacounty.gov.

JY:R2012-00103-(1)/ East LA

c: Parks and Recreation (N. E. Garcia, K. King, J. Rupert, J. Barber, L. Bradley, O. Ruano)



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

BOARD OF SUPERVISORS

Gloria Molina
First District

Mark Ridley-Thomas
Second District

Zev Yaroslavsky
Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

March 16, 2012

TO: Maral Tashjian
Planner
Zoning Permits East Section
Department of Regional Planning

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

SUBJECT: PROJECT NO. R2012-00103-(1) / RCUPT 201200012
3965 EAST OLYMPIC BLVD., EAST LOS ANGELES, 90023

- 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 for the project identified above. The proposed project consists of new construction of a 14,927 square foot retail store and 60-space parking lot on a 1.13 acre vacant property.

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

Retail Food Establishment

- The project shall comply with all Public Health requirements relating to the construction and operation of food establishments. Three sets of construction plans for the proposed food establishments shall be submitted to the Department's Plan Check Program for review and approval prior to issuance of any building permits. The proposed food establishment must be issued a Public Health Permit to operate by this Department after construction.

For questions regarding the food facility requirements, please contact Emmanuel Egeonu at (562) 345-6840

Construction Noise: (less than significant with mitigation)

1. Limit construction activities to the hours of 7:00 am to 7:00 pm Monday through Saturday in accordance with the County of Los Angeles' Noise Control Ordinance. The contractor shall adhere to the County of Los Angeles Noise Control Ordinance.
2. Equip all construction fixed or mobile internal combustion engine powered equipment, with properly operating and maintained mufflers.
3. The contractor should locate portable equipment as far as possible from adjacent residents.
4. The contractor should store and maintain equipment as far as possible from adjacent residents.

Operational Noise: (less than significant)

1. The proposed loading dock is located adjacent to residential property to the west; therefore, to minimize noise disturbance loading or unloading operations, and refuse collection shall be prohibited between the hours of 10:00 PM and 6:00 AM.
2. The applicant shall adhere to the noise standards as contained in the County of Los Angeles Noise Control Ordinance, Title 12.

For questions regarding the above conditions, please contact Robert Vasquez or Evenor Masis at (213)738-3220.



COUNTY OF LOS ANGELES FIRE DEPARTMENT

Fire Prevention Division
Land Development Unit
5823 Rickenbacker Road
Commerce, California 90040-3027
Office (323) 890-4243 Fax (323) 890-9783

DATE: October 4, 2012

SITE PLAN DATE: _____

TO: Department of Regional Planning
Zoning Permits

PROJECT #: CUP R2012-00103

LOCATION: 3965 Olympic Blvd., ELA

- The Fire Department Land Development Unit has no additional requirements for this permit.
- The required fire flow for this development is 2000 gallons per minute for 2 hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 psi residual pressure. 2 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
- All fire hydrants shall be 6" X 4" X 2 1/2" and conform to AWWA C503-75 or approved equal standard. 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.

Install _____ public fire hydrant(s).

Install _____ private on-site fire hydrant(s).

Provide Fire Flow Test for _____ existing public fire hydrant(s).

- Water:** Per the fire flow test performed by California Water Service Company dated 05-10-12, the existing water system is adequate.
- Access:** The Fire Department access is adequate as shown on the site plan.
- Conditions for Approval:** Clearly delineate the on-site Fire Department vehicular access by labeling it as "Private Driveway and Fire Lane" on the construction site plan prior to building permit issuance.
Submit architectural/construction plans to the Fire Department for review and approval prior to building permit issuance. For submittal details, call (323) 890-4125.
- Comments:** The Fire Department recommends approval of this permit.

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

October 15, 2012

TO: Maria Masis
Zoning Permits East Section
Department of Regional Planning

Attention Maral Tashjian

FROM: Steve Burger
Land Development Division
Department of Public Works

**CONDITIONAL USE PERMIT (CUP) NO. 201200012
PROJECT NO. R2012-00103
3965 EAST OLYMPIC BOULEVARD
ASSESSOR'S MAP BOOK NO. 5242, PAGE 6, PARCEL NO. 17
UNINCORPORATED COUNTY AREA OF EAST LOS ANGELES**

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

We reviewed the revised site plan for CUP No. 201200012 in the unincorporated County of East Los Angeles. The project is for a new 14,927 square-foot retail store (99 Cent Store) with 60 parking spaces.

Prior to Regional Planning's scheduling of a public hearing, the following item need to be addressed, submitted, or shown on the revised site plan:

A. Traffic Study

1. The traffic impact analysis is under review. This project has the potential to significantly impact the County roadways and intersections in the area. The project is estimated to generate approximately 652 vehicle trips daily. Submit a traffic impact analysis for review and approval. The County's methodology shall be used when evaluating the County and/or County/City

intersections. A copy of our Traffic Impact Analysis Report guidelines may be obtained on the Public Works' website at <http://dpw.lacounty.gov/Traffic>.

For questions regarding the traffic study comment, please contact Jeff Pletyak at (626) 300-4721 or jpletak@dpw.lacounty.gov.

B. Grading

1. As previously requested, show benchmark information.
2. As previously requested Earthwork volume, including cut, fill, import, export, and overexcavation, as applicable.
3. Indicate maintenance responsibilities for all drainage devices.

For questions regarding the grading comments, please contact Patricia Constanza at (626) 458-4921 or pconstan@dpw.lacounty.gov.

C. Drainage

1. The drainage concept was reviewed on October 3, 2012 and corrections were sent to the representative's engineer by email.
2. Prior to site plan approval, submit a drainage concept showing the extent of drainage impacts and provide mitigation acceptable to the County. The analysis should address increases in runoff, any change in drainage patterns, debris producing areas, and the capacity of existing storm drain facilities. Provide line identification of all proposed drainage facilities. Preliminary soils and geology reports related to debris, retention, and detention basins may be required based on geographic and adverse geotechnical conditions. Provide engineering calculations to support sizing of debris, retention, and detention basins. Provide approximate flood hazard and bank erosion setbacks and lot identifications (as needed). Show slopes for existing and proposed streets. Provide a drainage/grading covenant for any offsite work.
3. A Low-Impact Development (LID) plan (as part of the drainage concept) is required prior to the approval of the site plan. Per County Code Section 12.84.460 comply with LID requirements and provide calculations in

accordance with the LID Standards Manual, which can be found at http://dpw.lacounty.gov/wmd/LA_County_LID_Manual.pdf

4. A Standard Urban Stormwater Mitigation Plan (SUSMP) (as part of the drainage concept) is required prior to site plan approval when any of the following conditions exist:
 - a. One acre or more of impervious surface in industrial/commercial development.
 - b. Redevelopment projects (creation, addition, or replacement of 5,000 square feet of impervious surface area.
 - c. Parking lot with 5,000 square feet or more of surface area or with 25 or more parking spaces.

For questions regarding the drainage comments, please contact Christopher Sheppard at (626) 458-4921 or csheppard@dpw.lacounty.gov.

E. Road

1. As previously requested additional right of way is required at the corner cutoff at the intersection of Ditman Avenue and Olympic Boulevard to provide a standard curb ramp that meets Americans with Disabilities Act (ADA) and Caltrans Standard Plan RSP A88A, Detail B curb ramp.
2. As previously requested revise the proposed sidewalk transition between the driveway and the property line on Hicks Avenue to a 20 feet radius reverse taper.

For questions regarding the road comments, please contact Patricia Constanza at (626) 458-4921 or pconstan@dpw.lacounty.gov.

PRIOR TO SCHEDULING A PUBLIC HEARING, AN APPROVAL LETTER FROM PUBLIC WORKS IS REQUIRED. THE FOLLOWING ARE TENTATIVE PUBLIC WORKS REQUIREMENTS.

1. Road

- 1.1 Dedicate right of way 30 feet from centerline along the property frontage on Hicks Avenue. Ten feet of additional right of way is required along the property frontage.
- 1.2 Provide property line return radii of 27 feet at the intersection of Ditman Avenue and Olympic Boulevard and at the intersection of Hicks Avenue and Olympic Boulevard plus additional right of way for corner cut off to meet current guidelines of the Americans with Disabilities Act (ADA) to the satisfaction of Public Works.
- 1.3 Construct new driveways along the property frontage on Olympic Boulevard and Hicks Avenue to meet current ADA to the satisfaction of Public Works.
- 1.4 Relocate the existing bus shelter and bus signs in the vicinity of the proposed driveway on Olympic Boulevard to the satisfaction of Public Works and the Transit Authorities. A conceptual approval of the site plan from the Transit Authorities (Metro and El Sol) has been obtained by Land Development. Construct additional bus pad to the new bus stop location to the satisfaction of Public Works. Coordinate with Fred Wong from Programs Development Division at (626)458-3907 prior to the final approval of the bus stop relocation.
- 1.5 Close any unused driveways with standard curb, gutter, and sidewalk along the property frontage on Hicks Avenue, Olympic Boulevard and Ditman Avenue to the satisfaction of Public Works.
- 1.6 Construct additional base and pavement, curb, gutter, full-width sidewalk and a 20 feet radius reverse taper transition for widening of Hicks Avenue to the satisfaction of Public Works. The curb and gutter shall be located 20 feet from the centerline.
- 1.7 Construct full width sidewalk and curb ramp at all returns along the property frontage to meet current ADA to the satisfaction of Public Works.
- 1.8 Plant street trees along the property frontage to the satisfaction of Public Works. Existing trees in dedicated or to be dedicated right of way shall be removed and replaced if not acceptable as street trees.
- 1.9 Repair any improvements damaged during construction along the property frontage to the satisfaction of Public Works.

- 1.10 Execute a covenant for private maintenance of new or existing curb/parkway drains; if any, to the satisfaction of Public Works.
- 1.11 Assign employee parking to the parking stalls adjacent to the driveway entrances along Olympic Boulevard and Hicks Avenue, 20 feet from the driveway aisle and/or right of way to avoid excess queuing overflow into the public parkway to the satisfaction of Public Works.
- 1.12 Obtain a separate traffic signal plan approval for any proposed relocation of traffic signals to the satisfaction of Public Works.
- 1.13 Submit street improvement plans and acquire street plan approval or direct check status before obtaining grading or drainage permit.
- 1.14 Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.

For questions regarding the road conditions, please contact Patricia Constanza at (626) 458-4921 or pconstan@dpw.lacounty.gov.

2. Street Lighting

- 2.1 Provide street lights on concrete poles with underground wiring along the property frontage on Olympic Boulevard, Ditman Avenue and Hicks Avenue 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 district 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 or road improvements permits, whichever occurs first. 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 Arnel Dulay at (626) 300-4754 or adulay@dpw.lacounty.gov.

3. Grading

- 3.1 Submit a grading plan to Public Works for approval. The grading plans must show and call out the construction of at least all drainage devices and details, paved driveways, elevation and drainage of all pads, SUSMP devices if applicable, and any required landscaping and irrigation not within a common area or maintenance easement.. Acknowledgement and/or approval from all easement holders may be required.
- 3.2 Agency/regulatory permits or letters of non-jurisdiction may be required prior to grading plan approval.
- 3.3 Provide approval of the latest drainage concept/hydrology/Standard Urban Stormwater Mitigation Plan (SUSMP) by the Storm Drain and Hydrology Section of Land Development Division.
- 3.4 Conform with applicable Low Impact Development (LID) requirements to the satisfaction of Public Works (if applicable).
- 3.5 Comply with any offsite drainage mitigations to provide adequate access to the site to the satisfaction of Public.
- 3.6 A maintenance agreement or CC&R may be required for all privately maintained drainage devices, slopes, and other facilities.

Maria Masis
October 15, 2012
Page 7

For questions regarding the grading conditions, please contact Patricia Constanza at (626) 458-4921 or pconstan@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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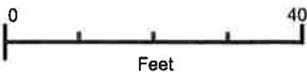




R2012-00103-(1); CUP201200012

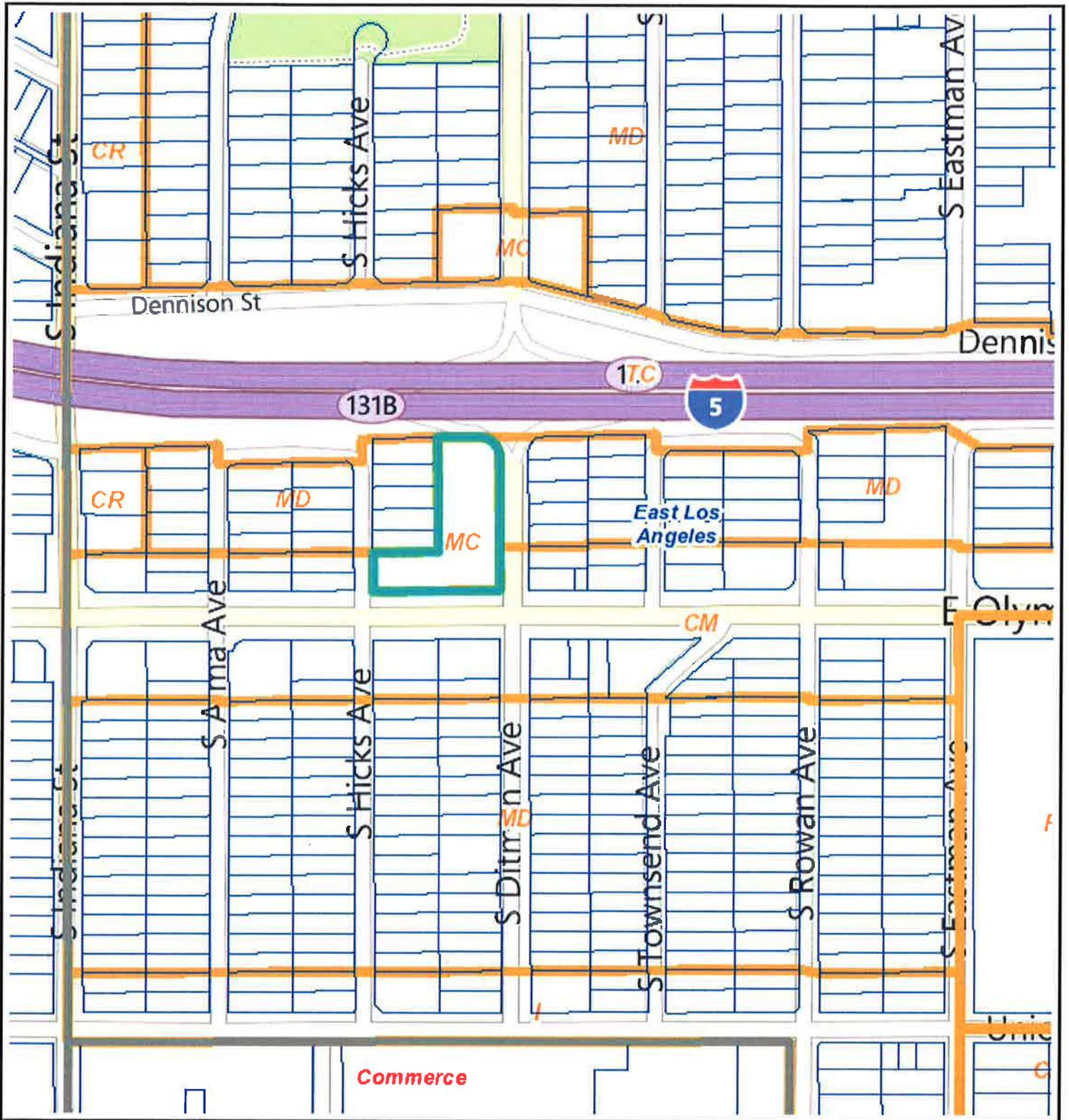
Aerial Image

Printed: Nov 27, 2012



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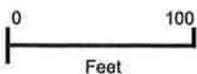




R2012-00103-(1); CUP201200012

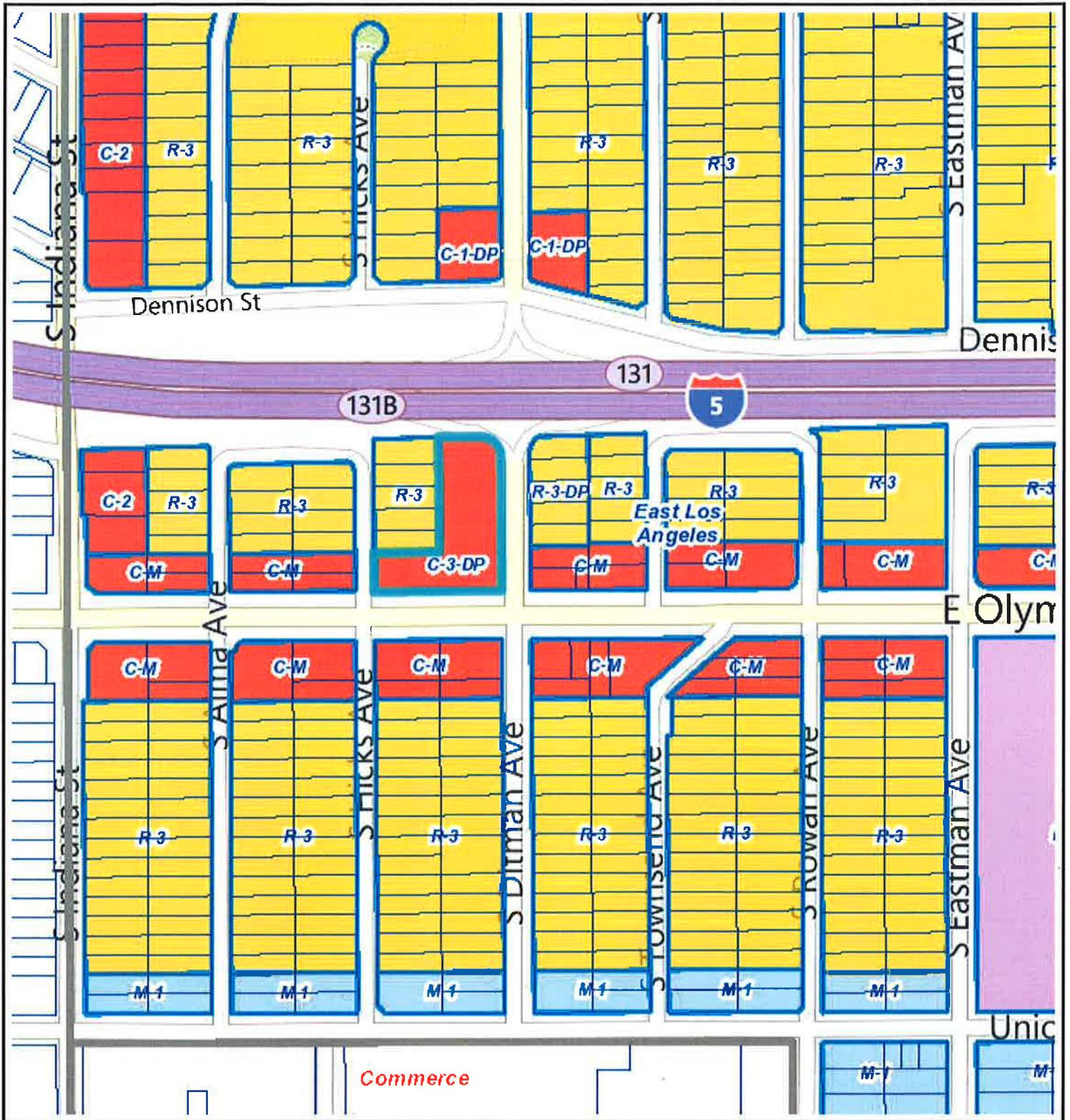
Land Use Map (East LA Community Plan)

Printed: Nov 27, 2012



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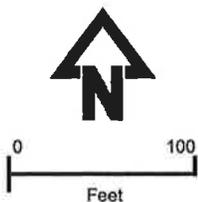




R2012-00103-(1); CUP201200012

Zoning

Printed: Nov 27, 2012



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Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

June 15, 2006

James E. Hartl AICP
Director of Planning

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Craig Lawson & Co., LLC
8758 Venice Boulevard, Suite 200
Los Angeles, CA 90034
Attn: Jim Ries

RE: **PROJECT NO: CUP 04-185-(1)**
3965 EAST OLYMPIC BOULEVARD, LOS ANGELES

Dear Applicant:

The Regional Planning Commission, by its action of June 14, 2006, **APPROVED** the above described conditional use permit.

The applicant or **ANY OTHER INTERESTED PERSON** may **APPEAL** the Regional Planning Commission's decision to the Board of Supervisors through the office of Sachi A. Hamai, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Contact the Executive Office for the necessary forms and the amount of the appeal fee at (213) 974-1426. The appeal must be postmarked or delivered in person within 15 days after this notice is received by the applicant.

If no appeal is made during this 15-day period, the Regional Planning Commission action is final. Upon completion of the 15-day appeal period, please notarize the attached acceptance forms and **hand deliver** this form and any other required fees or materials to the planner assigned to your case. It is advisable that you **make an appointment** with the case planner to assure that processing will be completed expeditiously. If you have any questions regarding this matter, please contact the Zoning Permits Section at (213) 974-6443.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP, Acting Director of Planning

Samuel Dea
Acting Supervising Regional Planner
Zoning Permits I Section

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion)

c: Board of Supervisors; Department of Public Works (Building and Safety); Department of Public Works (Subdivision Mapping); Zoning Enforcement

SD:AN

Hearing Footage: August 24, 2005 Tape 2 Side A 295-599, Tape 2 Side B 001-599, December 7, 2005 Tape 1 Side A 581-614, Tape 1 Side B 001-486; January 18, 2006 Tape 1 Side A 075-562; May 3, 2006 Tape 1 Side A 52-564

**CONDITIONAL USE PERMIT 04-185-(1)
FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES**

**REGIONAL PLANNING COMMISSION HEARING DATES: August 24, 2005,
December 7, 2005, and January 18, 2006**

SYNOPSIS:

The applicant is requesting a Conditional Use Permit to construct, operate and maintain a mixed use development, consisting of 125 senior dwelling units and a 9,992 square foot retail center in the C-2-DP (Neighborhood Commercial – Development Program) zone. The project is composed of four, multi-story buildings and a 121-space underground parking structure. The subject property is located at 3965 East Olympic Boulevard and 1131 North Ditman Avenue, in the Eastside Unit No. 1 Zoned District.

PROCEEDINGS BEFORE THE COMMISSION:

August 24, 2005 Public Hearing

A duly noticed public hearing was held on August 24, 2005 before the Regional Planning Commission. Commissioners Valadez, Bellamy, Rew, and Modugno were present. The applicant, the project architect, and the applicant's representatives presented testimony in favor of the request and answered questions presented by the Commission. The applicant requested an extension to the 20 year grant term and requested removal of the requirement that the residential units be made available to senior citizens within the range of 80% to 120% of the median area income, or moderate income level. Four persons spoke in opposition to the proposal. Concerns included that the building would exceed the height and density of the surrounding area, cast shadows on neighboring properties, increase traffic and parking problems on the neighboring streets due to the reduced amount of parking provided, and impact neighborhood safety.

The Commission expressed concern over shadows cast on to neighboring properties by the project. Commissioners Valadez and Rew instructed the applicant to provide measures to insure the safety of the residents, including controlled building access and security cameras. The Commission directed the applicant to address concerns of the project's impact on neighboring properties on Hicks Avenue, address access requirements from the Fire Department, and complete and obtain approval of a Drainage Concept and Standard Urban Stormwater Mitigation Plan (SUSMP) from the Department of Public Works. The Commission also requested that the applicant submit a complete landscaping plan and lighting plan.

The Commission continued the public hearing to December 7, 2005 in order for the applicant to address the concerns raised by the Commission and submit materials for staff review.

December 7, 2005 Public Hearing

All Commissioners were present at the continued public hearing. The Commission heard testimony and rebuttal from the applicant. The applicant submitted approval from the Department of Public Works for the Drainage Concept and (SUSMP) and Sewer Area Study and approval of a noise study from the Department of Health Services, Environmental Hygiene Division. The applicant modified the project and included a security plan, landscaping plan, and reduced the building by one story at the corner of Hicks Avenue and Olympic Boulevard. The Regional Planning Commission continued the case until January 18, 2006 to allow the applicant additional time to obtain the necessary approvals from the Fire Department and address issues regarding the height of the proposed structures.

January 18, 2006 Public Hearing

Commissioners Bellamy, Valadez, Helsley, and Rew were present at the continued public hearing. The applicant presented information addressing potential impacts due to the height of the project. The Commission reviewed the project, which had been modified to obtain clearance from the Fire Department. The Commission directed the applicant to maintain the number of residential units at 125 or less and provide additional on-site common area for the residents of the development.

There being no further testimony, the Regional Planning Commission closed the public hearing, indicated its intent to approve the permit, and directed staff to prepare the final environmental documentation and findings and conditions for approval, including changes to the conditions as discussed and as agreed to by the applicant.

May 3, 2006 Discussion

All Commissioners were present during the discussion regarding this project. The Regional Planning Commission reviewed the revised site plan submitted by the applicant and reiterated to the applicant to reduce the number of residential units to a maximum of 125 or less and provide a minimum of 2,000 square feet of on-site common area with improvements, such as kitchens and bathrooms, for the residents of the development. The applicant has subsequently reduced the proposed number of residential units and increased the common area as instructed by the Commission.

Findings

1. The applicant is requesting a Conditional Use Permit to construct, operate and maintain a mixed use development consisting of 125 senior dwelling units and a 9,992 square foot retail center. The project is composed of four, four-story buildings and a 121-space underground parking structure. A driveway connecting Hicks Avenue to Ditman Avenue to the east provides access to the parking structure and separates the mixed use building from the three residential buildings.
2. The subject property encompasses three parcels, 3965 East Olympic Boulevard, 1131 North Ditman Avenue, and Assessor's Parcel Number 5242006013. The

subject property is located on the north side of Olympic Boulevard, between Hicks Avenue and Ditman Avenue, in the Eastside Unit No. 1 Zoned District.

3. The 1.14-acre subject property is level and vacant.
4. Zoning on the site is C-3-DP (Unlimited Commercial – Development Program). Pursuant to Section 22.40 Part 2, if a conditional use permit has been obtained, property in Zone ()-DP may be used for any use permitted in the basic zone subject to the conditions and limitations of the conditional use permit, including an approved development program. Residential uses are allowed in the C-3 zone with a conditional use permit.
5. The surrounding properties are zoned as follows:
 - North: R-3 (Limited Multiple Residence)
 - South: C-M, R-3
 - East: C-M (Commercial Manufacturing), R-3, R-3-DP (Limited Multiple Residence – Development Program)
 - West: C-M, R-2 (Two Family Residence), R-3
6. Surrounding land uses within 500' include:
 - North: Single-family and multi-family residences, Interstate 5, gas station
 - South: Single-family and multi-family residences, auto services, commercial
 - East: Single-family and multi-family residences, commercial, light industrial, auto repair, auto sales
 - West: Single-family and multi-residences, auto repair, market
7. Previous cases filed on the subject property include Plot Plan 25527, Plot Plan 38981, and Zone Change 01-062.
 - Plot Plan 25527 was approved on June 29 1987 and August 29, 2000 for new signs for an existing gas station.
 - Plot Plan 38981 was approved on May 7, 1990 for a remodel of an existing gas station. On March 25, 1991, approval was issued for new signs. On December 4, 2000, a request for a fast food restaurant was denied.
 - Zone Change 01-062 became effective on August 22, 2002 rezoning properties in the Union Pacific Neighborhood Area under the East Los Angeles Community Standards District. The subject property was rezoned from R-3 to C-3-DP.
8. The subject property is designated as "MC" or Major Commercial under the East Los Angeles Community Plan. Properties with this land use designation are suited for mixtures of small and large businesses in major areas. The inclusion of

residential uses in the C-3 zoning designation is an indication that this type of use is considered to be consistent with the commercial land use classifications, subject to discretionary review.

9. Policies of the East Los Angeles Community Plan include that new development should:
 - a. Maintain and enhance quality of healthy and stable residential neighborhoods (East Los Angeles Community Plan, Page 2)
 - b. Provide new development which is compatible with and complements existing neighborhoods (East Los Angeles Community Plan, Page 2)
 - c. Encourage infill development in residential neighborhoods which is compatible with the density of existing development (East Los Angeles Community Plan, Page 2)

The Regional Planning Commission finds that the project and the proposed density is compatible and will maintain and enhance the quality of healthy and stable residential neighborhoods and will not adversely impact existing uses, neighborhoods, nor adversely impact the existing character and density of the East Los Angeles Community.

10. The site plan, labeled Exhibit "A", depicts the residential and retail mixed-use on the subject property. The project consists of four multi-story buildings, to include 9,992 square feet of retail space and 125 senior residential units. The southernmost building will contain one story of retail space and three stories of residential units. The remaining three buildings will contain four floors of residential units. A driveway is shown from Hicks Avenue to Ditman Avenue. This driveway accesses the underground parking structure, which will contain 121-parking spaces. An emergency stairwell for the underground parking structure is shown along Ditman Avenue with a 9-foot decorative wrought iron enclosure. Approximately 6,750 square feet of landscaping will be provided throughout the site. A seven (7) foot, solid masonry wall topped with three feet of woven iron mesh and wrought iron fencing is shown along the boundary between the subject property and the residential property to the west. Security gates are shown throughout the project. The proposed buildings will be 47 feet in height. Amenities, such as laundry facilities, on-site manager, maintenance person, a roof-top deck, and three resident's lounges, totaling 2,207 square feet, will be provided. As modified by this permit, the proposed use complies with applicable development standards as provided in Section 22.44.118 of the Los Angeles County Code.
11. Pursuant to Section 22.44.118-C.2 of the Los Angeles County Code, the height requirement for the East Los Angeles Community Standards District is as follows:

- a. The maximum height of any structure shall be 40 feet except that devices or apparatus essential to industrial processes or communications related to public health and safety may be 50 feet in height or otherwise specified in this section and said heights may be modified subject to a conditional use permit.

The Commission has modified this standard and allowed the project at a height of 47 feet.

- 12. Section 22.44.118-D of the Los Angeles County Code states the following standards for development in the C-3 zone pursuant to the East Los Angeles Community Standards District:

- a. Pursuant to Section 22.44.118-D.4.c, where a commercial zone abuts a residence or residential zone, a landscaped buffer strip at least five feet wide shall be provided. 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.

Landscaping of varying widths, but less than five (5) feet have been provided along residential properties along the north and west boundaries. The Regional Planning Commission has modified this standard and allowed less than 5 feet of landscaping along the northern residential boundaries.

- b. Pursuant to Section 22.44.118-D.4.c.v, a solid 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 site plan shows the subject property and the neighboring property separated by a ten (10) foot wall composed of seven (7) feet of concrete block and three (3) feet of tightly woven wire mesh. The Regional Planning Commission has modified this standard and allowed walls up to ten feet adjacent to the residential properties and eight feet along Interstate 5 as, shown on the site plan.

- 13. Section 22.44.118-E.4 outlines specific requirements for outdoor advertising signs in the Union Pacific Area under the East Los Angeles Community Standards District.

- a. Outdoor advertising signs along Olympic Boulevard shall be permitted subject to the approval of a conditional use permit.

Outdoor advertising has not been proposed.

14. Pursuant to Section 22.28.220, development within the C-3 zone shall be subject to the following standards:

- a. Section 22.28.220-A states that 90 percent of the net area may be occupied by buildings and a minimum of 10 percent of the net area landscaped.

A total of 55% property is covered by buildings. Approximately 20% of the property is landscaped. The project complies with this requirement.

- b. Section 22.28.220-B states that there be parking facilities provided as required by Part 11 of Chapter 22.52. Section 22.52.1180 states that one parking space shall be provided for every 250 square feet of floor space of commercial space. Section 22.52.1210 states that multiple-family housing developments that are restricted to senior citizens shall provide one-half parking space for each dwelling unit plus one guest space for each eight units. One Type A loading space, dimensioned 24 feet by 12 feet, is required for commercial developments between 5,000 and 24,000 square feet.

The site plan shows 9,992 square feet of retail space, which will require 40 parking spaces. The proposed 125 senior residential units will require 63 parking spaces plus 16 guest spaces. A total of 119 parking spaces are required. The site plan shows 121 parking spaces, including 5 handicapped spaces, 17 compact spaces, and 99 regular spaces. The project complies with this requirement.

- c. Pursuant to Section 22.28.220-D, outside storage incidental to the primary use is permitted at the rear of a lot, provided that no storage is higher than the enclosure surrounding it nor nearer than 50 feet from the front property line.

No outside storage is proposed.

15. Part 10 of Chapter 22.52 outlines specific requirements for signage in the C-3 zone. No signage has been proposed. Any proposed signage shall be in accordance with Part 10 of Chapter 22.52.

16. The proposed project will comply with all requirements of the federal fair housing statutes and regulations regarding senior citizen housing (42 U.S.C. § 3601, et seq.). In that connection, the proposed project will qualify for, and satisfy the requirements of, "housing for older persons," as defined in 42 U.S.C. §3607 and the regulations promulgated thereunder.

17. The proposed project will also comply with all California fair housing statutes and regulations regarding senior citizen housing (Cal. Gov. Code § 12955, et seq.; Cal. Civ. Code § 51, et seq.). In that connection, the proposed project will qualify for,

and satisfy the requirements of, "housing for older persons," as defined in Cal. Gov. Code § 12955.9 and the regulations promulgated thereunder.

18. An Initial Study was prepared for this project and circulated for public review in compliance with the California Environmental Quality Act ("CEQA" California Public Resources Code Section 21000 et seq.), the State CEQA Guidelines, and the environmental guidelines and reporting procedures of the County of Los Angeles. The Initial Study identified potentially significant impacts relating to traffic, noise, sewerage, solid waste, and environmental safety. Prior to the release of the proposed Mitigated Negative Declaration and Initial Study for public review, the applicant made or agreed to revisions in the project which would avoid or mitigate the effects to a point where clearly no significant effects would occur. There is no substantial evidence, in light of the whole record before the Commission, that the project as revised may have a significant effect on the environment. Based on the Initial Study and project revisions, the Department of Regional Planning has prepared a Mitigated Negative Declaration for this project.
19. Changes in the proposed project or conditions of approval are necessary in order to ensure that the proposed project will not have a significant effect on the environment, and such conditions or changes have been included in the Mitigation Monitoring Program prepared for the project. The Mitigation Monitoring Program is contained in the Mitigated Negative Declaration and identifies in detail the manner in which compliance with the measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured. The Commission finds that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation.
20. A total of 149 public hearing notices were mailed out to property owners within 500 feet of the subject property on July 21, 2005 regarding the subject request. The notice was published in the East Los Angeles Tribune and in La Opinion on July 22, 2005. Case-related material, including the hearing notice, factual and burden of proof were sent on July 21, 2005 to the East Los Angeles County Library at 4801 E. 3rd Street in Los Angeles. According to the applicant, the hearing notice has been posted on the property for 30 days prior to the public hearing.
21. One letter was received in opposition regarding the project. Four persons spoke in opposition to the project at the August 24, 2005 public hearing, citing concerns regarding the size and density and the impacts of shadows cast by the project.
22. The Regional Planning Commission finds that the proposed use is consistent with the East Los Angeles Community Plan and the proposed site is adequate in size and shape to accommodate the development features prescribed in Title 22 of the County Code, or as otherwise required in order to integrate said uses with the uses in the surrounding area.

23. The Regional Planning Commission finds that the proposed project will not disrupt or adversely impact local traffic conditions and the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
24. The Regional Planning Commission finds that the proposed project is compatible with surrounding uses in terms of scale, intensity, and design. The requested use at the proposed location will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
25. As conditioned, the Regional Planning Commission finds that the proposed project, comprised of four, multistory buildings, consisting of a 125-unit senior housing complex and retail center, will be compatible with the surrounding area and will not pose adverse impacts, nor overburden existing public services and facilities.
26. 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 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 I Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. The proposed use is consistent with the adopted general plan for the area;
- B. With the attached conditions and restrictions, the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare;
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22 of the Los Angeles County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area;

- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private facilities as are required;
- E. The requested use at the proposed location will not adversely affect the economic welfare of the surrounding community; and The development has provided adequate vehicular access, parking and loading so as to prevent undue traffic congestion;
- F. The proposed use complies with all state and federal housing laws regarding senior citizen housing;

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

REGIONAL PLANNING COMMISSION ACTION:

1. The Regional Planning Commission has considered the Mitigated Negative Declaration and the Mitigation Monitoring Program together with any comments received during the public review process, finds on the basis of the whole record before the Regional Planning Commission that there is no substantial evidence the project will have a significant effect on the environment, finds that the Mitigated Negative Declaration and the Mitigation Monitoring Program reflects the independent judgment and analysis of the Commission, and adopts the Mitigated Negative Declaration and the Mitigation Monitoring Program for the project.
2. The Mitigation Monitoring Program for the project is approved and adopted and, pursuant to Section 21081.6 of the Public Resources Code, the Commission finds that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation.
3. In view of the findings of fact presented above, Conditional Use Permit 04-185-(1) is **APPROVED** subject to the attached conditions.

VOTE 5-0-0

Concurring: Valadez, Bellamy, Helsley, Rew, Modugno

Dissenting: None

Abstaining: None

Absent: None

Z.E.



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

March 6, 2008

CERTIFIED MAIL - RETURN RECEIPT REQUESTED
Bruce W. McClendon FAICP
Director of Planning

Tim Riley & Associates
8537 Wakefield Avenue
Panorama City, CA 91402

Dear Project Representative:

**SUBJECT: APPROVAL OF MINOR MODIFICATION TO
CONDITIONAL USE PERMIT 04-185-(1)
VILLA GARDENIAS
3965 EAST OLYMPIC BOULEVARD,
EASTSIDE UNIT NO. 1 ZONED DISTRICT**

Dear Applicant:

The Regional Planning Commission, by its action on February 27, 2008, **APPROVED** the above described minor modification to an approved conditional use permit.

The applicant or **ANY OTHER INTERESTED PERSON** may **APPEAL** the Regional Planning Commission's decision to the Board of Supervisors through the office of Sachi A. Hamai, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Contact the Executive Office for the necessary forms and the amount of the appeal fee at (213) 974-1426. The appeal must be postmarked or delivered in person within 15 days after this notice is received by the applicant.

If no appeal is made during this 14-day period, the Regional Planning Commission action is final. Upon completion of the 14-day appeal period, please notarize the attached acceptance forms and **hand deliver** this form and any other required fees or materials to the planner assigned to your case. It is advisable that you **make an appointment** with the case planner to assure that processing will be completed expeditiously. If you have any questions regarding this matter, please contact the Zoning Permits Section at (213) 974-6443.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING
Bruce W. McClendon, FAICP, Director of Planning

Mark Child, AICP
Supervising Regional Planner
Zoning Permits I Section

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion)
c: Board of Supervisors; Department of Public Works (Building and Safety); Zoning Enforcement

MC:AN
Hearing Footage: 328

**CONDITIONAL USE PERMIT NUMBER 04-185-(1)
FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES**

**REGIONAL PLANNING COMMISSION DISCUSSION DATES: January 16, 2008,
January 30, 2008, February 27, 2008**

SYNOPSIS:

A modification request to approved Conditional Use Permit 04-185-(1) to convert all spaces designated for commercial use in to additional common space for a senior housing development and to modify required parking accordingly. Proposed common space will include a fitness center, library, and lounge. Conversion of the commercial space to common space will reduce required parking from 121 spaces to 79 spaces. Conditional Use Permit 04-185-(1) was approved on January 18, 2006 for the construction, operation, and maintenance of a four-story senior residential and retail mixed use complex within the C-3-DP (Unlimited Commercial – Development Program) zone. The previously approved project consisted of a 125-unit senior housing complex, 10,100 square feet of retail space, and a 120-space underground parking garage. The approved residential units are to be made available to senior citizens within the range of 80% to 120% of the median income. The subject property is within the C-3-DP (Unlimited Commercial – Development Program) zone.

PROCEEDINGS BEFORE THE COMMISSION:

January 16, 2008 Discussion

Due to the absence of the applicant's representative, this item was continued to January 30, 2008.

January 30, 2008 Discussion

Commissioners Valadez, Helsley, Rew, and Modugno were present. Commissioner Bellamy was absent. The applicant's representatives, Mr. Tim Riley presented testimony in favor of the request and answered questions presented by the Commission. Mr. Riley acknowledged that a minimum of four disabled parking spaces were required for the project and that there was adequate room in the structure for these spaces. The Commission noted that the project would result in more common space for the senior residences and requested that the applicant provide additional modified plans for the underground parking arrangement.

February 27, 2008 Discussion

Commissioners Valadez, Bellamy, Helsley, Rew, and Modugno were present. The Regional Planning Commission stated their support of vertical mixed use and residential development, commended the provision of additional common space for the development, and approved the modification to the conditional use permit.

Findings

1. The applicant, Villa Gardenias Senior Housing LP, has requested a minor modification to the conditions of approval for Conditional Use Permit 04-185-(1), to convert space designated for commercial uses in to additional common space for the approved senior housing development and to modify the required parking accordingly. Common space will include a fitness center, library, and lounge. Conversion of the commercial space to common space will reduce required parking from 121 spaces to 79 spaces.
2. Conditional Use Permit 04-185-(1) was approved January 18, 2006 and authorized the construction, operation, and maintenance of a four-story senior residential and retail mixed use complex within the C-3-DP (Unlimited Commercial – Development Program) zone. The project consisted of a 125-unit senior housing complex, 10,100 square feet of commercial space, and a 121-space underground parking garage. The approved residential units are to be made available to senior citizens within the range of 80% to 120% of the median income. The approved modification removes the 10,100 square foot commercial space and reduces parking to 79 required spaces.
3. The 1.14-acre subject property is level and vacant. The subject property is located at 3965 East Olympic Boulevard, in the Eastside Unit No. 1 Zoned District. The subject property is within the C-3-DP (Unlimited Commercial – Development Program) zone.
4. The surrounding properties are zoned R-3 (Limited Multiple Residence) to the north, C-M (Commercial Manufacturing) and R-3 to the south, C-M, R-3, and R-3-DP (Limited Multiple Residence – Development Program) to the east, and C-M and R-2 (Two Family Residence) to the west.
5. Surrounding land uses within 500' include:

North: Single-family and multi-family residences, Interstate 5, gas station
South: Single-family and multi-family residences, auto services, commercial
East: Single-family and multi-family residences, commercial, light industrial, auto repair, auto sales
West: Single-family and multi-residences, auto repair, market
6. The subject property is designated as "MC" or Major Commercial under the East Los Angeles Community Plan. Properties with this land use designation are suited for mixtures of small and large businesses in major areas. The inclusion of residential uses in the C-3 zoning designation is an indication that this type of use is considered to be consistent with the commercial land use classifications. The Regional Planning Commission finds this project appropriate with the Major Commercial land use designation.
7. In accordance with the requirements for a modification to an approved

conditional use permit as specified in Section 22.56.1620 of the County Code, notices were sent to homeowners within a 1,000-foot radius of the subject property, legal advertising was placed in two newspapers, the East Los Angeles Tribune and La Opinion, and the subject property was posted for a 15-day period.

8. Staff did not receive any comments or requests for additional information in regards to the applicant's request during the 15-day comment period.
9. Pursuant to Section 22.56.1630 of the County Code, a request for a minor modification to a conditional use permit may be approved if not more than one protest received during the notification period.
10. As approved on January 18, 2007, Condition No. 1 read:

"This grant authorizes the construction, operation, and maintenance of a residential and mixed use development, to consist of 125 senior dwelling units, 9,992 square feet of commercial space, and a 121-space underground parking lot, as depicted on the approved Exhibit "A", subject to the following conditions of approval."

With the approved modification, Condition No. 1 shall read:

"This grant authorizes the construction, operation, and maintenance of a senior residential development, to consist of 125 dwelling units and an underground parking lot, as depicted on the approved Exhibit "A", subject to the following conditions of approval."

11. As approved on January 18, 2007, Condition No. 24 read:

"A minimum of 121 parking spaces shall be provided on-site. At least four (4) of these spaces shall be reserved for persons with disabilities and at least one (1) shall be van-accessible. All compact spaces shall be labeled accordingly. The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, automobile repair, or any other unauthorized use. A minimum of one (1) Type A, 12'x24' loading space shall be provided."

With the approved modification, Condition No. 24 shall read:

"A minimum of seventy- nine (79) parking spaces shall be provided on-site. A minimum of sixty-three (63) parking spaces shall be reserved for residents. At least four (4) of these spaces shall be reserved for persons with disabilities and at least one (1) shall be van-accessible. A minimum of sixteen (16) parking spaces shall be reserved and labeled for guests. The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, automobile repair, or any other unauthorized use. A minimum of one (1) Type A, 12'x24' loading space shall be provided."

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

REGARDING THE MINOR MODIFICATION OF THE CONDITIONAL USE PERMIT:

- A. That not more than one protest to the granting of the application was received within the specified protest period;
- B. That the burden of proof for the conditional use permit as modified has been satisfied as required by Los Angeles County Code Section 22.56.040;
- C. That approval of the application will not substantially alter or materially deviate from the terms and conditions imposed in the granting of the previously approved conditional use permit; and
- D. That approval of the application is necessary to allow the reasonable operation and use granted in the conditional use permit.

AND, THEREFORE, the information submitted by the applicant and presented at the hearing substantiates the required findings for a minor modification to a conditional use permit as set forth in Section 22.56.1630, Title 22, of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

- 1. The Regional Planning Commission finds that the project is categorically exempt (Class 1 – Existing Facilities) from the requirements of the California Environmental Quality Act and that the project will not have a significant effect on the environment.

In view of the findings of fact presented above, the requested minor modification to Conditional Use Permit No. 04-185-(1) is approved subject to the attached addendum.

VOTE : 5-0-0

Concurring: Valadez, Bellamy, Helsley, Rew, Modugno

Dissenting: None

Abstaining: None

Absent: None

Action Date: February 27, 2008

MC:AN

ADDENDUM TO CONDITIONAL USE PERMIT NO. 04-185-(1)

**MINOR MODIFICATION TO CONDITIONS NO. 1 AND NO. 24 OF
CONDITIONAL USE PERMIT 04-185-(1)**

Pursuant to Part 11 of the County Zoning Ordinance (Conditional Use Permits – Modifications or Eliminations of Conditions), and in conformance with the Hearing Officer approval action regarding minor modification to Conditional Use Permit 04-185-(1) is hereby modified to read as follows:

Condition No. 1:

"This grant authorizes the construction, operation, and maintenance of a senior residential development, to consist of 125 dwelling units and an underground parking lot, as depicted on the approved Exhibit "A", subject to the following conditions of approval."

Condition No. 24:

"A minimum of seventy- nine (79) parking spaces shall be provided on-site. A minimum of sixty-three (63) parking spaces shall be reserved for residents. At least four (4) of these spaces shall be reserved for persons with disabilities and at least one (1) shall be van-accessible. A minimum of sixteen (16) parking spaces shall be reserved and labeled for guests. The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, automobile repair, or any other unauthorized use. A minimum of one (1) Type A, 12'x24' loading space shall be provided."

Regional Planning Commission Action Date: February 27, 2008



**Mark Child, Supervising Regional Planner
Zoning Permits I Section
Department of Regional Planning
County of Los Angeles**

**PROJECT CHANGES/CONDITIONS
DUE TO ENVIRONMENTAL EVALUATION**

PROJECT No. 04-185-(1)

The Department of Regional Planning (DRP) staff has determined that the following conditions or changes in the project are necessary in order to assure that there will be no substantial evidence that the proposed project may have a significant effect on the environment.

The applicant shall deposit the sum of \$3,000 with the DRP within 30 days of permit approval in order to defray the cost of reviewing and verifying the information contained in the reports by a Mitigation Monitoring Program (MMP).

1. Prior to the issuance of a building permit, the applicant shall obtain approval from the Department of Public Works Traffic and Lighting Division of signal plans and striping plans for the improvements at Indiana Street and Olympic Boulevard.
2. The applicant shall contribute to the Department of Public Works 24.9 percent of the cost to restripe the north approach on Indiana Street to Olympic Boulevard from one shared left/through/right turn lane to one exclusive left-turn lane and one shared through/right-turn lane.
3. Prior to the issuance of a building permit, the applicant shall obtain approval from the Department of Public Works Traffic and Lighting Division and Land Development Review Section for 40-foot-scale site plans showing trash pick-up area, location of trash bin(s), and trash pick-up day(s), driveway at Ditman Avenue restricted to right-turn egress only, drop-off/ loading zone for both residential and retail/ commercial off-loading, adequate turning radius for a typical SUV for on-site down and up the ramp and at the basement parking area, adequate turning radius for a typical wheel-chair equipped mini-van into handicapped spaces, provide adequate space in the retail parking area to allow vehicles to turn around if all the parking spaces are occupied, direction of the gate when opened, existing bus stop and proposed parking controls along the project frontage on Olympic Boulevard, and parking shall prohibited along the project frontage on Hicks Avenue.
4. Prior to the issuance of a grading permit, applicant shall contact California Department of Transportation (Caltrans) to determine if an Encroachment Permit will be required for the proposed improvements and obtain said permit if required by Caltrans.
5. During construction activities, all large size truck trips shall be limited to off-peak commute periods. In addition, any transportation of heavy construction equipment and/or materials which requires the use of oversized-transport vehicles on State highways shall require a Caltrans transportation permit.

6. This grant shall expire unless used within 2 years from the date of approval. A one-year time extension may be requested in writing with the applicable fee, at least six months before the expiration date.
7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Recorder and a recorded copy be provided to the Director of Planning. In addition, upon any transfer or lease of the property during the term of this grant, the permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee, as applicable, of the subject property.
9. **This grant shall terminate on June 14, 2046.** Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six months prior to the termination date of this grant, whether or not any modification of the use is requested at that time.
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. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of **\$3,000.00**. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including adherence to development in accordance with the site plan on file. The fund provides for **twenty (20) biennial inspections**. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible for and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150.00 per inspection).

11. Within fifteen (15) days of the approval date of this grant, the permittee shall remit a \$25.00 processing fee payable to the County of Los Angeles in connection with the

filling and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code. The Mitigated Negative Declaration in this case qualifies for a Minimus Finding of Impact and is exempt from Fish and Game fees pursuant to Section 711.2 of the Fish and Game Code.

12. The permittee shall comply with the attached "Project Mitigation Measures Due to Environmental Evaluation" and the corresponding Mitigation Monitoring Program. The applicant shall deposit the sum of \$3,000 with the Department of Regional Planning to defray the cost of reviewing and verifying the information contained in the required mitigation monitoring reports. This deposit is due and payable within 30 days of the approval date of this grant.
13. 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's health or safety or so as to be a nuisance. In the event that the county deems it necessary to initiate such proceedings pursuant to Part 13 of Chapter 22.56 of the County Code, the applicant shall compensate the county for all costs incurred in such proceedings.
14. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
15. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided to the satisfaction of and within the time periods established by said bureau.
16. The subject property shall be developed and maintained in compliance with the requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department.
17. All structures shall comply with the requirements of the Division of Building and Safety of the Department of Public Works.
18. 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 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 such extraneous marking occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence,

- weather permitting. Paint utilized in covering such marking shall be of a color that matched, as closely as possible, the color of the adjacent surfaces.
19. File and record a covenant and agreement to hold the parcels as one. Submit a copy of the document to be recorded for review and approval. Upon recordation, an official copy of the recorded covenant and agreement shall be provided to the Director.
 20. Within ninety (90) days of the approval date of this grant, the permittee shall submit to the director for review and approval, five (5) copies of site plans, similar to Exhibit "A" as presented at the public hearing. The property shall be developed and maintained in substantial conformance with the approved Exhibit "A". In the event that subsequent revised plans are submitted, the permittee shall submit three (3) copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner.
 21. Within ninety (90) days of the approval date adherence to development in accordance with the site plan on file of this grant, the permittee shall submit to the Director for review and approval five (5) copies of a landscape plan, which may be incorporated into the revised Exhibit "A" described above. The landscape plan shall show the size, type, and location of all plants, trees, and watering facilities. The permittee shall maintain all landscaping in a neat, clean and healthy condition, including proper pruning, weeding, litter removal, fertilizing and replacement of plants when necessary. Watering facilities shall consist of a permanent water-efficient irrigation system, such as "bubblers" or drip irrigation, for irrigation of all landscaped areas except where there is turf or other ground cover.
 22. Within ninety (90) days of the approval date of this grant, the permittee shall submit to the director for review and approval, three (3) copies of a lighting plan. All exterior lighting shall be hooded and directed away from neighboring residences to prevent direct illumination and glare, and shall be turned off after 9 p.m., with the exception of sensor-activated security lights and/or low level lighting along all pedestrian walkways leading throughout the complex.
 23. Within ninety (90) days of the approval date of the grant, the permittee shall submit for review and approval by the Community Development Commission and County Counsel a deed restriction, covenant or similar document running with the land for the benefit of the County of Los Angeles, suitable for recordation in the office of the County Recorder, providing that the residential occupancy of the development be limited to a senior citizens housing development for the lifetime of the facility. The covenant shall also set forth all of the requirements under state and federal fair housing laws to qualify it for treatment as a "housing for older persons," as defined in those state and federal laws. Said document shall contain remedies for violations of

the covenant including but not limited to monetary penalties. The approved document shall be recorded prior to the issuance of a building permit.

24. A minimum of 121 parking spaces shall be provided on-site. At least four (4) of these spaces shall be reserved for persons with disabilities and at least one (1) shall be van-accessible. All compact spaces shall be labeled accordingly. The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, automobile repair, or any other unauthorized use. A minimum of one (1) Type A, 12'x24' loading space shall be provided.
25. In the event the units are no longer restricted to occupancy by senior citizens, the permittee shall develop the on-site parking spaces needed to bring the use and/or occupancy of the property in to conformance with Chapters 22.52 and 22.56 of the County Code.
26. The permittee shall comply with all conditions set forth in the attached County of Los Angeles Department of Public Works memorandum dated August 24, 2005, except as otherwise required by said Department. The permittee shall plant or provide the expenses for planting a minimum of eight (8) 36" *Tristania converta* or Brisbane Box trees within the public right-of-way along Olympic Boulevard to the satisfaction of Public Works.
27. The permittee shall comply with all conditions set forth in the attached County of Los Angeles Fire Department memorandum dated March 10, 2006, except as otherwise required by said Department.
28. Pursuant to Chapter 22.72 of the County Code, the permittee shall pay a fee to the County of Los Angeles Public Library prior to the issuance of any building permit in the amount required by Chapter 22.72 at the time of payment and provide proof of payment to the Department of Regional Planning. The permittee may contact the County Librarian at (562) 940-8430 regarding payment of fees.

Attachments:

Department of Public Works letter dated August 24, 2005

Fire Department letter dated March 10, 2006

Project Changes/Conditions Due to Environmental Evaluation and Mitigation Monitoring Program

SD:AN

06-08-06



DONALD L. WOLFE, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

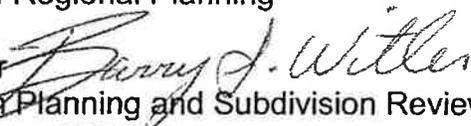
900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

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

August 24, 2005

IN REPLY PLEASE
REFER TO FILE: LD-0

TO: Russell Fricano
Zoning Permits Section I
Department of Regional Planning

FROM: Barry S. Witler 
Transportation Planning and Subdivision Review Section
Land Development Division

CONDITIONAL USE PERMIT NO. 04-185

We have further reviewed the subject Permit in the East Los Angeles area in the vicinity of Olympic Boulevard (3965 East Olympic Boulevard) and Ditman Avenue. This case is for the construction of a four-story mixed-use building with retail on the first floor and 123 senior residential units for the three floors above. The following revised conditions supersede our previous comments and recommended conditions dated August 25, 2004.

If this permit is approved, we recommend the following revised conditions:

1. Dedicate the right to restrict vehicular access on Olympic Boulevard along the property frontage.
2. Construct a curb ramp at the intersection of Olympic Boulevard and Hicks Avenue to the satisfaction of Public Works.
3. Close any unused driveways on Olympic Boulevard, Ditman Avenue, and Hicks Avenue with standard curb, gutter, and sidewalk.
4. Repair any displaced, broken, or damaged curb, gutter, sidewalk, driveway apron, and pavement on Olympic Boulevard, Ditman Avenue, and Hicks Avenue along the property frontage to the satisfaction of Public Works

Russell Fricano
August 24, 2005
Page 2

5. Comply with the following street lighting requirements to the satisfaction of Public Works.
 - a. Provide street lights on concrete poles with underground wiring on Olympic Boulevard, Ditman Avenue, and Hicks Avenue along the property frontage. Street lighting plans must be approved by the Street Lighting Section. For additional information, please contact Street Lighting Section at (626) 300-4726.
 - b. Upon Conditional Use Permit approval, the applicant shall enter into a secured agreement with the County of Los Angeles for the installation of the street lights in the amount of \$36,000. The applicant shall comply with the conditions of acceptance listed below in order for the lighting districts to pay for future operation and maintenance of street lights. The street lights shall be installed per approved plans prior to issuance of a Certificate of Occupancy.
 - c. All street lights in the project or approved project 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, and 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 Lighting District can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year. The transfer of billing could be delayed one or more years if the above conditions are not met.
6. Underground all utility lines to the satisfaction of Public Works. Please contact Construction Division at (626) 458-3129 for new location of any above ground utility structure in the parkway.
7. Plant street trees on Olympic Boulevard to the satisfaction of Public Works.
- 8., Comply with the mitigation measures identified in the attached letter dated April 20, 2005, from our Traffic and Lighting Division to the satisfaction of the Department of Public Works.

WH:ca

P:\LDPUB\TRANS\CUPS\CUP 04-185 CONSTRUCTION OF A FOUR STORY BUILDING..DOC

Attach.

cc: Traffic and Lighting (Abdelhadi, Alfonso, Chon)

6. Prior to the issuance of a grading permit, the applicant shall obtain a transportation permit or waiver from Caltrans if any oversize transport vehicles for the project use State Highways.
7. Construction equipment and activities at the project site shall comply with all provisions and restrictions in the County Noise Control Ordinance Chapter 12.12 and 12.18.
8. All stationary noise emitting-equipment shall be positioned so that noise is directed away from and be placed as far away as possible from the nearest sensitive receptor, residential units, or day care centers and away from the receptor's line of sight. Standard silencing devices and or mufflers shall be used on stationary and fixed noise-emitting equipment. A minimum 6' high temporary construction barrier shall be placed along the entire length of the east boundary.
9. All air conditioning units and other noise generating equipment shall be placed as far away as possible from the nearest sensitive receptor, residential units, or day care centers and away from the receptor's line of sight. The noise generated by any air conditioning or refrigeration equipment shall not exceed 55dBA at any point on the neighboring residential property line.
10. The applicant shall install 1-3/4" solid core doors for all doors leading to residential units.
11. The applicant shall arrange with the contracting waste management service provider to limit trash pickups between 6 a.m. and 10 p.m.
12. The applicant shall arrange with all delivery services to perform any loading and unloading activities between 6 a.m. and 10 p.m.
13. All north and east facing windows and glass doors shall be glazed with STC 36 glazing or greater. All south facing windows should be glazed with STC 32 glazing or greater. All east facing balconies shall have solid balcony walls with no openings, gaps, or cracks.
14. An interior ventilation system shall be provided for all habitable rooms.
15. Ventilation openings in the exterior walls or roof/ceilings shall have acoustical baffles approved by
16. The applicant shall comply with all requirements of the conceptually approved drainage concept/SUSMP to the satisfaction of the Department of Public Works.
17. The applicant shall comply with the sewerage study approved September 15, 2005 to the satisfaction of the Department of Public Works.
18. The applicant shall divert a minimum of 50 percent of construction and demolition waste from disposal. After project completion, applicant shall submit reports to the Environmental Programs Division of the DPW detailing the volume of waste

generated, recycled, and disposed of in landfills and/or transformation facilities, and the percentage of total waste that is recycled.

19. Prior to operation, applicant shall implement a mandatory recycling program for owners and/or tenants of all onsite businesses.
20. The project shall provide storage areas for collection and storage of recyclable and green waste materials.
21. If soil contamination is suspected, construction in the area shall stop and appropriate health and safety procedures should be implemented.

As a means of ensuring compliance of above mitigation measures, the applicant and subsequent owner(s) are responsible for submitting annual mitigation compliance report to the DRP for review, and for replenishing the mitigation monitoring account if necessary until such time as all mitigation measures have been implemented and completed.

As the applicant, I agree to incorporate these changes/conditions into the project, and understand that the public hearing and consideration by the Hearing Officer and/or Regional Planning Commission will be on the project as changed/conditioned.

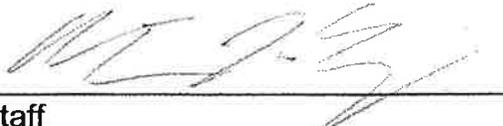
Applicant

Date

No response with 10 days. Environmental Determination requires that these changes/conditions be included in the project.

Staff

Date



August 10, 2025



COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

R. P.
Adrienne

DATE: March 10, 2006
TO: Department of Regional Planning
Permits and Variances
SUBJECT: CUP 04-185
LOCATION: 3965 E. Olympic Blvd., East Los Angeles

- The Fire Department has no additional requirements for this permit.
- The required fire flow for this development is 3375 gallons per minute for 3 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.
- Install Public and/or On-site and/or 3 Verify / Upgrade 6" X 4" X 2 1/2" fire hydrants, 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: Fire flow requirements may be reduced during the building plan check phase.
- Location: Verify and/or upgrade the following existing public fire hydrants:
Northwest corner of Hicks Ave. and Olympic Blvd., Northwest corner of Ditman Ave. and Olympic Blvd.,
and Southwest corner of Ditman Ave. and the Freeway off-ramp.
- Access: Fire Department access shall be extended to within 150 feet distance, recommended to be clear to the sky, to all portions of exterior walls of all structures from vehicular access. Any obstructions to this distance shall be reviewed and approved during the building plan check.
- Special Requirements: Submit architectural drawing to the Los Angeles County Fire Department's Engineering Section for review and approval prior to issuance of the building permit. Contact the Engineering Section at 323-890-4125 for submittal information.

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 @ (323) 890-4243.

Inspector: Juan C. Padilla *JCP*

Co.CUP 04/04

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

**MITIGATION MONITORING PROGRAM
CONDITIONAL USE PERMIT 04-185-(1)**

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
Traffic				
Obtain approval from the Department of Public Works Traffic and Lighting Division for signal plans and striping plans for the improvements at Indiana Street and Olympic Boulevard.	Submit site plans for approval by the Department of Public Works for signal installation/modification plans prior to the issuance of grading permits. Submit a copy of the approval to the Department of Regional Planning	Prior to issuance of the building permit	Applicant	Public Works
Contribute to the Department of Public Works 24.9 percent of the cost to restripe the north approach on Indiana Street to Olympic Boulevard from one shared left/through/right turn lane to one exclusive left-turn lane and one shared through/right-turn lane.	Construct street improvements to the satisfaction to the Department of Public Works	Prior to issuance of the certificate of occupancy	Applicant	Public Works
Obtain approval from the Department of Public Works Traffic and Lighting Division and Land Development Review Section 40-foot-scale site plans showing the trash pick-up area, location of trash bin(s), and trash pick-up day(s), restrict the driveway at Ditman Avenue to right-turn egress only, drop-off/loading zone for both residential and retail/ commercial off-loading, adequate turning radius for a typical SUV on-site down and up the ramp and at the basement parking area, adequate turning radius for a typical wheel-chair equipped mini-van into handicapped spaces, provide adequate space in the retail parking area to allow vehicles to turn around	Submit site plans for approval by the Department of Public Works for signal installation/modification plans prior to the issuance of grading permits. Submit a copy of the approval to the Department of Regional Planning	Prior to issuance of the building permit	Applicant	Public Works

MITIGATION MONITORING PROGRAM
CONDITIONAL USE PERMIT 04-185-(1)

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
if all the parking spaces are occupied, direction of the gate when opened, existing bus stop and proposed parking controls along the project frontage on Olympic Boulevard, and parking shall not be allowed along the project frontage on Hicks Avenue.	Caltrans encroachment permit or provision of encroachment permit waiver. Submit a copy of the approval to the Department of Regional Planning	Prior to issuance of the grading permit	Applicant	Caltrans Regional Planning
Construction related truck trips shall be limited to off-peak commute periods.	Truck trips limited to off-peak commute periods.	During construction	Applicant	Caltrans
Obtain a transportation permit or waiver from Caltrans if any oversize transport vehicles for the project use State Highways.	Provision or waiver of Caltrans transportation permit. Submit a copy of the approval to the Department of Regional Planning	Prior to issuance of the grading permit	Applicant	Caltrans Regional Planning
Obtain approval or waiver from Caltrans for a truck/traffic construction management plan.	Approval or waiver of a truck/traffic construction management plan from Caltrans. Submit a copy of the approval or waiver to the Department of Regional Planning	Prior to issuance of the grading permit	Applicant	Caltrans Regional Planning
Noise Construction equipments and activities at the project site shall comply with all provisions and restrictions in the County Noise Control Ordinance Chapter 12.12 and 12.18	Agreement with contracted construction company	Prior to commencement of project construction	Applicant	Health Services
All stationary noise emitting equipment shall be positioned	Submittal and approval of building plans	Prior to issuance of the grading permit	Applicant	Health Services

MITIGATION MONITORING PROGRAM
CONDITIONAL USE PERMIT 04-185-(1)

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
so that noise is directed away from and be placed as far away as possible from the nearest sensitive receptors and residential units, away from the receptor's line of sight. Standard silencing devices and mufflers should be used on stationary and fixed noise emitting equipment.				Public Works
All air conditioning units and other noise generating equipment shall be placed as far away as possible from the nearest sensitive receptor, centers and away from the receptor's line of sight. The noise generated by any air conditioning or refrigeration equipment should not exceed 55dBA at any point on the neighboring residential property line.	Site plan depiction of all noise generating equipment	Submittal and approval of building plans. Prior to issuance of the building permit. DRP field inspection and/or review of Mitigation Monitoring Compliance Report	Applicant	Public Works Regional Planning
All entry doors should be 1-3/4" solid core flush wood doors with vinyl bulb weatherstripping on the sides and top. Panel doors with less than 1-3/4" shall not be accepted. Glazing and mail slots shall not be accepted.	Submit site plans for approval by the Department of Public Works.	Prior to issuance of the certificate of occupancy	Applicant	Public Works
Arrange with the contracted waste management services to limit trash pickups between 6 a.m. and 10 p.m.	Arrangement with contracted waste management services. A copy of the agreement shall be submitted to the Department of Regional Planning	Prior to issuance of the certificate of occupancy	Applicant	Regional Planning
Arrange with all delivery services to perform any loading	Arrangement with all delivery services. A copy of the	Prior to issuance of the certificate of occupancy	Applicant	Regional Planning

MITIGATION MONITORING PROGRAM
CONDITIONAL USE PERMIT 04-185-(1)

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
and unloading activities between 6 a.m. and 10 p.m.	agreement shall be submitted to the Department of Regional Planning			
All north and east facing windows and glass doors shall be glazed with STC 36 glazing or greater. All south facing windows should be glazed with STC 32 glazing or greater. All east facing balconies shall have solid balcony walls with no openings, gaps, or cracks.	Submit site plans for approval by the Department of Public Works.	Prior to issuance of the certificate of occupancy	Applicant	Public Works
Provision of an interior ventilation system for all habitable rooms.	Submit site plans for approval by the Department of Public Works.	Prior to issuance of the certificate of occupancy	Applicant	Public Works
Ventilation openings in the exterior walls or roof/ceilings shall have acoustical baffles which provide adequate sound dampening.	Submit site plans for approval by the Department of Public Works.	Prior to issuance of the certificate of occupancy	Applicant	Public Works
Water Quality Comply with all requirements of the conceptually approved drainage concept/SUSMP to the satisfaction of the Department of Public Works.	Compliance with approved drainage concept and Standard Urban Stormwater Mitigation Plan.	Prior to issuance of the building permit	Applicant	Public Works
Sewage Disposal Comply with the sewerage study approved September 15, 2005 to the satisfaction of the Department of Public Works.	Comply with the sewerage study	Prior to issuance of the grading permit	Applicant	Public Works Sanitation District
Solid Waste Divert a minimum of 50 percent of construction and demolition waste from disposal. After project completion, applicant	Agreement with contracted construction company	During project construction	Applicant	Public Works, Environmental Programs Division

MITIGATION MONITORING PROGRAM
CONDITIONAL USE PERMIT 04-185-(1)

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
shall submit reports to the Environmental Programs Division of the DPW detailing the volume of waste generated, recycled, and disposed of in landfills and/or transformation facilities, and the percentage of total waste that is recycled.				
The applicant shall implement a mandatory recycling program for owners and/or tenants of all onsite businesses.	Provision within all lease/rental agreements. Provide a copy of the agreement to Regional Planning	Prior to issuance of the certificate of occupancy	Applicant	Public Works Regional Planning
Provide storage areas for collection and storage of recyclable and green waste materials for this project.	Site plan depiction of all recycling areas	Prior to issuance of building permit	Applicant	Public Works Regional Planning
Environmental Safety If soil contamination is suspected, construction in the area shall stop and appropriate health and safety procedures should be implemented.	Approval and compliance of a hazardous waste clean-up work plan	Compliance will be verified by DPW field inspection during grading operations	Applicant	Department of Toxic Substances Control Fire Department Regional Water Quality Control Board
Mitigation Compliance As a means of ensuring compliance of the above mitigation measures, the applicant and subsequent owner(s) are responsible for submitting annual mitigation compliance report to the DRP for review, and for replenishing the mitigation monitoring account if necessary until such time as all mitigation measures have been implemented and	Submittal of annual mitigation compliance report; replenishing mitigation monitoring account	Annually until such time as all mitigation measures have been implemented and completed	Project Applicant and Subsequent Owner(s)	Regional Planning

**MITIGATION MONITORING PROGRAM
CONDITIONAL USE PERMIT 04-185-(1)**

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
completed.				