

# Hearing Officer Transmittal Checklist

Hearing Date  
August 2, 2016  
Agenda Item No.  
8

**Project Number:** R2014-00411-(2)  
**Case(s):** Conditional Use Permit Case No. 201400110  
Environmental Assessment Case No. 201400188  
**Planner:** Martin Gies

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

Reviewed By: 



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

July 18, 2016

TO: Pat Hachiya  
Hearing Officer

FROM: Martin Gies  
Zoning Permits West Section

**SUBJECT: DENIAL DUE TO INACTIVITY**  
**Project No. R2014-00411-(2)**  
**Conditional Use Permit No. 201400110**  
**HO Meeting: August 2, 2016**

Project No. R2014-00411-(2) is an application for a contractor's equipment yard and outdoor industrial storage yard. The project is located at 522 East Airline Way, Gardena (APN: 6125-012-002) in the West Rancho Dominguez-Victoria Zoned District.

Regional Planning staff has made repeated attempts to inform the applicant of the information that is required to proceed with their application for a conditional use permit. The correspondence dated March 16, 2016 requesting project revisions and the public meeting notice for denial due to inactivity dated May 26, 2016 are attached. Staff attempted to reach the applicant by email on January 20, 2016, February 18, 2016, and March 16, 2016. Staff further attempted to reach the applicant by telephone on March 9, 2016 and May 23, 2016. Staff received a telephone response from the applicant on June 1, 2016 stating a desire to meet with Staff. Staff met with the applicant on June 8, 2016 and explained all of the missing items and required actions. Staff attempted to contact the applicant again by email on June 21, 2016 and by phone on July 6, 2016.

The applicant contacted staff by phone on July 7, 2016 and stated that the revisions were completed and were ready to be submitted. Staff met with the applicant July 11, 2016 to receive revised information and plans. After reviewing the revised materials, staff emailed and called the applicant on July 11, 2016 and notified the applicant that the revisions were still inadequate and that additional corrections were needed to proceed with processing the application. Staff has not received the requested information nor received any further communication and as a result, is unable to process the application.

Section 22.56.060 of the County Code (Zoning Ordinance) provides that the Hearing Officer may deny, without public hearing, an application for a conditional use permit if such application does not contain the required information contained in Sections 22.56.030 and 22.56.040 of the County Code. Therefore staff recommends that Conditional Use Permit No. 201400110 be denied pursuant to the attached findings.

**PROJECT NO. R2014-00411-(2)**  
**CONDITIONAL USE PERMIT NO. 201400110**

**SUGGESTED MOTION:**

**I, THE HEARING OFFICER, DENY CONDITIONAL USE PERMIT NUMBER 201400110  
SUBJECT TO THE ATTACHED FINDINGS.**

07/18/16  
MK:MG

**DRAFT FINDINGS AND ORDER OF THE HEARING OFFICER  
COUNTY OF LOS ANGELES  
PROJECT NO. R2014-00411-(2)  
CONDITIONAL USE PERMIT NO. 201400110**

1. **ENTITLEMENT REQUESTED.** The applicant, Refaat Mina, is requesting a Conditional Use Permit (CUP) to authorize an existing contractor's equipment yard and outdoor industrial storage yard in the Light Manufacturing-Industrial Preservation (M-1-IP) Zone pursuant to Los Angeles County ("County") Code Sections 22.32.040 A. and 22.44.130 E.6.b.
2. **MEETING DATE.** August 2, 2016.
3. **PROCEEDINGS BEFORE THE HEARING OFFICER.** *Reserved for meeting proceedings.*
4. **LOCATION.** The project is located at 522 E. Airline Way in the community of West Rancho Dominguez and in the West Rancho Dominguez-Victoria Zoned District, and also within the West Rancho Dominguez Community Standards District (CSD) within the unincorporated Los Angeles County.
5. The outdoor contractor's equipment yard and outdoor industrial storage yard was unlawfully established without a CUP. Pursuant to County Code Sections 22.32.040 A. and 22.44.130 E.6.b, a CUP is required for all activities conducted outside of an enclosed structure and located within 500 feet of a residential zone.
6. The Department of Regional Planning, Zoning Enforcement Section, issued a Notice of Violation letter on March 20, 2013, a Final Zoning Enforcement Order on April 30, 2013, and a Second Notice of Non-Compliance on June 4, 2013, for the maintenance and operation of a contractors equipment yard and outdoor industrial storage yard within 500 feet of a residential zone in the West Rancho Dominguez CSD without a valid Conditional Use Permit.
7. The project application was filed on August 12, 2014. Since the application was filed, staff of the County Department of Regional Planning ("staff") has asked the applicant for additional materials needed to proceed with the project. Staff sent letters to the applicant requesting additional materials on March 16, 2016 and May 26, 2016. In addition, staff attempted to reach the applicant by phone and email on January 20, 2016, February 18, 2016, March 9, 2016, March 16, 2016, May 23, 2016, June 21, 2016, and July 6, 2016. Staff has not received the requested information or materials to enable further project evaluation.
8. Staff sent the attached letter to the applicant dated March 16, 2016 informing the applicant of the information that is required to proceed with processing the application. Staff did not receive a response or any additional information from the applicant.

9. Staff also sent the attached letter to the applicant dated May 26, 2016 informing the applicant that pursuant to Section 22.56.060 (denial for lack of information) of the County Code, the case would be scheduled before a Hearing Officer for denial due to inactivity on August 2, 2016.
10. The May 26, 2016 letter also directed the applicant to contact staff within 30 days for the project to remain active and to submit the requested information within 90 days. The applicant contacted staff on June 1, 2016 and met with staff on June 8, 2016. At the meeting, staff explained the requests for additional materials and information to the applicant. The applicant contacted staff within 30 days but has failed to provide the requested information within the required timeframe.
11. Staff requested updates on the submittal of the additional materials and information via email on June 21, 2016 and by phone on July 6, 2016. The applicant contacted staff by phone on July 7, 2016 and stated that the revisions were completed and were ready to be submitted.
12. Staff met with the applicant July 11, 2016 to receive revised materials. After reviewing the revised materials, staff emailed and called the applicant on July 11, 2016 and notified the applicant that the revisions were still inadequate and that additional corrections were needed to proceed with processing the application. To date, staff has not received the requested information nor received any further communication and as a result, is unable to process the application.
13. The applicant has failed to respond to repeated requests for information from staff and has failed to submit the required materials within the required timeframe. As a result, staff is unable to evaluate the projects consistency with the findings required Section 22.56.040 of the County Code including:

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

*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.*

*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.*

14. Pursuant to Los Angeles County Code, Section 22.56.020, no application shall be filed or accepted if final action has been taken within one year prior thereto by the Hearing Officer,

Commission, or Board of Supervisors on an application requesting the same, or substantially the same permit.

15. **ENVIRONMENTAL.** The project is a request to authorize an existing contractors equipment yard and outdoor industrial storage yard. Pursuant to the California Public Resources Code Section 15270, the California Environmental Quality Act does not apply to projects which a public agency rejects or disapproves. Therefore, the project qualifies as a Statutory Exemption (Projects Which Are Disapproved) and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.

THEREFORE, in view of the findings of fact and conclusions presented above, Conditional Use Permit No. 201400110 is **DENIED**.

MK:MG  
07/18/16



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



May 26, 2016

Richard J. Bruckner  
Director

Refaat Mina  
522 E. Airline Way  
Gardena, CA 90248

SENT VIA U.S. MAIL AND EMAIL TO [MINA@MINCOCONSTRUCTION.COM](mailto:MINA@MINCOCONSTRUCTION.COM)

**SUBJECT: PUBLIC MEETING NOTICE: DENIAL DUE TO INACTIVITY**  
**Project: R2014-00411-(2)**  
**Case: Conditional Use Permit (CUP) N. 201400110**  
**Address (APN): 522 E. Airline Way, Gardena. APN (6125-012-002)**

Dear Agent/Applicant:

The Los Angeles County ("County") Department of Regional Planning ("Regional Planning") has made repeated attempts to inform you of the information that is required to proceed with your application for a conditional use permit to authorize a contractor's equipment yard and outdoor industrial storage yard at the above referenced location. The correspondence dated March 16, 2016 requesting project revisions is attached for your review. Staff attempted to reach you by email on January 20, 2016, February 18, 2016, and March 16, 2016. Staff also attempted to reach you by telephone on March 9, 2016 and May 23, 2016. To date, we have not received the requested information and as a result, we are unable to proceed with processing your application.

If you wish to keep this project active, please send a written request to Regional Planning, Zoning Permits West Section, Room 1348, 320 West Temple Street, Los Angeles, CA 90012, Attention: Martin Gies. The request must be received within 30 days from the date of this letter in order to avoid being scheduled for denial.

Section 22.56.060 of the County Code (Zoning Ordinance) provides that the Hearing Officer may deny, without public hearing, an application for a conditional use permit if such application does not contain the required information contained in Sections 22.56.030 and 22.56.040. If we do not receive correspondence within the 30-day timeline reference above, the project will be scheduled for denial before a County Hearing Officer on August 2, 2016.

If you choose to keep your project active, you are required to submit all requested information within 90 days of the date of this letter. Failure to meet this deadline will cause the project to be scheduled for denial at the next available Hearing Officer meeting.

For questions or for additional information, please contact Martin Gies of the Zoning Permits West Section at (213) 974-6462 or by email at [mgies@planning.lacounty.gov](mailto:mgies@planning.lacounty.gov). Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,  
DEPARTMENT OF REGIONAL PLANNING  
Richard J. Bruckner

Martin Gies, RPA II  
Zoning Permits West Section

Enclosures: Incomplete Letter dated March 16, 2016

MK:MG

CC012914



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

March 16, 2016

Refaat Mina  
522 E. Airline Way  
Gardena, CA 90248

**SENT VIA U.S MAIL AND EMAIL TO MINA@MINCOCONSTRUCTION.COM**

**SUBJECT: INCOMPLETE APPLICATION: REQUEST FOR ADDITIONAL INFORMATION  
R2014-00411-(2)  
CONDITIONAL USE PERMIT NO. 201400110  
522. E. Airline Way, Gardena. APN (6125-012-002)**

Dear Mr. Mina:

The Los Angeles County ("County") Department of Regional Planning is currently reviewing the project identified above and has determined that the project file is incomplete and additional information is required before we can proceed with your application. Please submit the following items:

**1. PROJECT DESCRIPTION:**

Please provide a more accurate description of what type of use is present onsite, what is stored outside, and what activities take place in the office.

**2. SITE PLAN:**

**A. Parking:**

1. The parking spaces do not have dimensions listed. Please show the dimensions for all parking spaces.
2. Several parking spaces appear to be 15 feet in length. Parking spaces must be 18 feet in length and have an aisle width of 26 feet. Also, the Fire Department typically requires 26 feet wide access driveways and parking aisle ways.
3. The proposed parking configuration shows truck parking spaces adjacent to regular parking spaces and without adequate back up distance. Please redesign the parking spaces so they do not back up into one another.
4. The parking requirements are based on 1 space per each 2 employees OR 1 space for each 500 square feet of building, whichever is greater. Based on the building square footage, there should be a minimum of 11 parking spaces. Please provide how many employees are onsite. If you have less than 22 employees than you may only need to provide 11 spaces, which may help you in re-designing your parking configuration.
5. Please include any truck parking that you need for the operation separately from the spaces required for employees and customers. Please indicate the total number of parking spaces being provided.

CC 012914

**REFAAT MINA  
INCOMPLETE APPLICATION: REQUEST FOR ADDITIONAL INFORMATION  
MARCH 16, 2016  
PAGE 2**

**B. Screening/Fencing:**

The proposed screening materials in the front of the property consist of green fabric on a chain link fence. This is not allowed. All fences and walls open to view from any street shall be constructed of the following materials: Metallic panels at least .24 inches thick with a baked on enamel or similar permanent finish, OR, Masonry, OR other materials comparable to the foregoing is approved by the Director. Chain link fencing is permissible on the sides and rear of the property since those portions are not visible from the street. Please note that all fences or walls must be at least 8 feet in height and no more than 15 feet in height.

**C. Storage Containers**

All buildings and structures shall be set back a minimum of 10 feet from the front property line. Please revise the location of the storage containers to provide the 10 feet setback from the front property line.

**D. Landscaping**

Landscaping which is 10 feet deep must be provided in the front yard setback. The plans currently show only 6 feet of landscaping. Please revise the plans to show the required 10 feet of landscaping in the front set back.

Failure to provide all pertinent information required for the review of this case could result in delays, additional costs, or denial due to inactivity. Additional materials may also be required pending the outcome of consultation with other agencies.

For questions or for additional information, please contact Martin Gies of the Zoning Permits West Section at (213) 974-6462 or by email at [mgies@planning.lacounty.gov](mailto:mgies@planning.lacounty.gov) as soon as possible to discuss the above required items. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,  
DEPARTMENT OF REGIONAL PLANNING  
Richard J. Bruckner



Martin Gies, RPA II  
Zoning Permits West Section

MK:MG