



CITY OF LOS ANGELES
DEPARTMENT OF CITY PLANNING
City Hall 200 North Spring Street Los Angeles CA 90012
NOTICE OF PUBLIC HEARING

To Owners: ☐ Within a 100-Foot Radius
☒ Within a 500-Foot Radius
☐ Abutting a Proposed Development Site

And Occupants: ☐ Within a 100-Foot Radius
☒ Within a 500-Foot Radius
And: ☐ Interested Parties/Others

This notice is sent to you because you own property or are an occupant residing near a site for which an appeal from a Department action was filed with the Department of City Planning. All interested persons are invited to attend the public hearing where you may listen, ask questions, and/or present testimony regarding the project. The environmental document, if applicable, will be among the matters considered at the hearing. The decision-maker may consider all the testimony presented at the hearing, written communications received prior to or at the hearing, and the merits of the project as it relates to existing environmental and land use regulations. **Please note that your attendance at the hearing is optional.**

Project Site: 7419 South Western Avenue

Case No.: ZA-2016-2563-ZV-1A
CEQA No.: ENV-2016-2564-CE
Hearing Held By: South Los Angeles Area Planning Commission
Date: February 6, 2018
Time: After 4:30 p.m.
Place: Mark Ridley Thomas Constituent Service Ctr
8475 South Vermont Avenue
Los Angeles, CA 90044
Staff Contact: Etta Armstrong, Commission Executive Asst.
200 N. Spring St., Room 532
Los Angeles, CA 90012
apcsouthla@lacity.org
(213) 978-1128

Council No: 8 – Harris Dawson
Plan Area: South Los Angeles
Zone: C2-1VL
Plan Overlay: N/A
Land Use: General Commercial
Applicant: Robert & Leila Rouzbehi,
DDS Collision, Inc.
Appellant: Robert & Leila Rouzbehi,
DDS Collision

APPEAL:

An appeal of the Zoning Administrator's determination to deny a Zone Variance from the Los Angeles Municipal Code Section 12.14.A to allow an enclosed auto body spray booth within 500 feet of a residential zone.

Puede obtener información en Español acerca de esta junta llamando al (213) 978-1300

GENERAL INFORMATION

FILE REVIEW - The complete file is available for public inspection between the hours of 8:30 a.m. to 4:00 p.m., Monday through Friday. Please call or email the staff identified on the front page, at least three (3) days in advance to assure that the files will be available. **Files are not available for review the day of the hearing.**

AGENDAS AND REPORTS- Commission agendas are posted for public review in the Main Street lobby of City Hall East, 200 N. Main Street, Los Angeles, California, and are accessible online at planning.lacity.org. Appeal Recommendation Reports will be available on-line seven (7) days prior to the public hearing and will be accessible at planning.lacity.org, by selecting "Commissions & Hearings". Appeal Recommendation Reports are hyperlinked to the case numbers on the agendas. If you are appealing a determination of an Associate Zoning Administrator (AZA), please note that the letter of determination is the report which is forwarded to the Commission. Appeal Recommendation Reports are not prepared for AZA appeals. The Commission may consider the entire action even if only a portion of the action has been appealed.

TESTIMONY AND CORRESPONDENCE - Your attendance is optional; oral testimony can only be given at the hearing and may be limited due to time constraints. Written testimony or evidentiary documentation may be submitted prior to the hearing. Commissions function in a quasi-judicial capacity and therefore, cannot be contacted directly. Any materials submitted to the Department or Commission become City property and will not be returned. This includes any correspondence or exhibits used as part of your testimony.

Be advised that the Commission may RECONSIDER and alter its action taken on items listed on the meeting agenda at any time during this meeting or during the next regular meeting, in accordance with the Commission Policies and Procedures and provided that the Commission retains jurisdiction over the case. **If a Commission meeting is cancelled or adjourned due to lack of quorum, all remaining agenda items shall be continued to the next regular meeting or beyond, as long as the continuance is within the legal time limits of the case or cases.**

REQUIREMENTS FOR SUBMISSION OF MATERIALS - Written testimony may be submitted via email, in person or by U.S. mail to the staff identified on the front of this page. Correspondence should be presented on letter size (8 ½ " x 11") or legal size (8 ½ " x 14") paper. All oversized exhibits must be folded to fit into a legal-sized folder. Plans (i.e. site plans, floor plans, grading plans) must be presented on paper size not smaller than ledger size (11" x 17"). The case number must be written on all communications, plans and exhibits. **To the extent possible, please also submit all materials electronically (flash drive, CD or via email).**

- **Regular Submissions** - Written materials not limited as to volume must be received **ten (10) days** prior to the hearing date. Provide an **original** plus **twelve (12) copies** of all correspondence or exhibits. You may submit written testimony to the Commission Office directly at **200 North Spring Street, Room 532, Los Angeles, CA 90012** in attention to the Commission Secretariat.
- **Rebuttal Submissions** - All written materials in response to the Appeal Recommendation Report and/or additional comments must be submitted no later than **by 3:00 p.m. on Thursday before the Commission meeting**. Submissions, including exhibits, shall not exceed ten (10) pages.
- **Day of Hearing Submissions** - Submissions after 3:00 p.m. on Thursday up to and including the day of the public hearing, must not exceed two (2) written pages, including exhibits. Photographs do not count toward the page limitation.
- **Non-Complying Submissions** - Submissions that do not comply with these rules will be stamped "*File Copy. Non-complying Submission*". Non-complying submissions will be placed into the official case file, but they will not be delivered to, or considered by the Commission.

EXHAUSTION OF ADMINISTRATIVE REMEDIES AND JUDICIAL REVIEW - If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agenzized here, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

ACCOMMODATIONS - As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability. The hearing facility and its parking are wheelchair accessible. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. Other services, such as translation between English and other languages, may also be provided upon written request submitted a minimum of seven (7) working days in advance to: per.planning@lacity.org. Be sure to identify the language you need English to be translated into, and indicate if the request is for oral or written translation services. If translation of a written document is requested, please include the document to be translated as an attachment to your email.

MASTER APPEAL FORM

WITH ATTACHMENTS



APPLICATIONS:

APPEAL APPLICATION

This application is to be used for any appeals authorized by the Los Angeles Municipal Code (LAMC) for discretionary actions administered by the Department of City Planning.

1. APPELLANT BODY/CASE INFORMATION

Appellant Body:

☒ Area Planning Commission ☐ City Planning Commission ☐ City Council ☐ Director of Planning

Regarding Case Number: ZA-2016-2563-ZV

Project Address: 7419 South Western Avenue Los Angeles, CA 90047

Final Date to Appeal: October 26, 2017

Type of Appeal: ☒ Appeal by Applicant/Owner
 ☐ Appeal by a person, other than the Applicant/Owner, claiming to be aggrieved
 ☐ Appeal from a determination made by the Department of Building and Safety

2. APPELLANT INFORMATION

Appellant's name (print): ROBERT ROUZBEHI

Company: DDS COLLISION, INC.

Mailing Address: 7419 South Western Avenue

City: Los Angeles

State: CA

Zip: 90047

Telephone: (310) 720-9705

E-mail: martindarya@icloud.com

- Is the appeal being filed on your behalf or on behalf of another party, organization or company?

☒ Self

☐ Other: _____

- Is the appeal being filed to support the original applicant's position?

☒ Yes

☐ No

3. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): _____

Company: _____

Mailing Address: _____

City: _____

State: _____

Zip: _____

Telephone: _____

E-mail: _____

4. JUSTIFICATION/REASON FOR APPEAL

Is the entire decision, or only parts of it being appealed?

☒ Entire ☐ Part

Are specific conditions of approval being appealed?

☐ Yes ☒ NoIf Yes, list the condition number(s) here: N/AAttach a separate sheet providing your reasons for the appeal. Your reason must state: **(See Attachment 'A')**

- The reason for the appeal
- How you are aggrieved by the decision
- Specifically the points at issue
- Why you believe the decision-maker erred or abused their discretion

5. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature: _____

Date: 10/23/2017**6. FILING REQUIREMENTS/ADDITIONAL INFORMATION**

- Eight (8) sets of the following documents are required for each appeal filed (1 original and 7 duplicates):
 - Appeal Application (form CP-7769)
 - Justification/Reason for Appeal
 - Copies of Original Determination Letter
- A Filing Fee must be paid at the time of filing the appeal per LAMC Section 19.01 B.
 - Original applicants must provide a copy of the original application receipt(s) (required to calculate their 85% appeal filing fee).
- All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of the receipt.
- Appellants filing an appeal from a determination made by the Department of Building and Safety per LAMC 12.26 K are considered Original Applicants and must provide noticing per LAMC 12.26 K.7, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt.
- A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.
- Appeals of Density Bonus cases can only be filed by adjacent owners or tenants (must have documentation).
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (ZA, APC, CPC, etc.) makes a determination for a project that is not further appealable. [CA Public Resources Code ' 21151 (c)].

This Section for City Planning Staff Use Only		
Base Fee: <u>5480.80</u>	Reviewed & Accepted by (DSC Planner): <u>NOAH J. MCCOY</u>	Date: <u>10/24/2017</u>
Receipt No: <u>0301109414</u>	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

THE REASON FOR THE APPEAL is the Associate Zoning Administrator determined that the mandated findings/requirements and pre-requisites had not been established by the following facts given the applicants/applicant's representative enumerated all of the five mandated findings in support of the variance request to maintain the existing spray booth which is a supplemental use/accessory use to the existing legal Auto Repair/Auto Body Shop/Auto Storage Building. The applicant/applicant's representative provided proof and evidence to support the approved permitted uses and the existence of a spray booth prior to the regulation changes. Although the Auto Repair/Auto Body Shop/Auto Storage Building although currently non-conforming to the community plan or the proposed CPIO, the uses existed legally and the building permit records presented the facts herein.

In addition to substantiate the existing auto body paint/spray booth accessory use, active regulatory permits/certificates issued from the Department of Toxic Substances Control, City of Los Angeles Dept. of Public Works Bureau of Sanitation Industrial Wastewater, South Coast Air Quality Management District, and the Fire Prevention Bureau remained active and were inspected for current issuance of the legal regulatory operating permits.

Orders to comply issued to seek remedy for the continued use and maintenance of the legally existing and permitted Auto Repair/Auto Body

Shop/Auto Storage Building paint and spray booth accessory use after the municipal code required discretionary approvals be obtained to allow the continued use and maintenance of non-conforming uses be requested for discretionary approval were submitted with the required substantiated documents in accordance with the application submittal required exhibits, the discretionary application fees paid, and request clauses met.

The Zone Variance – a discretionary approval - to permit the continued use and maintenance of the paint and spray booth accessory use due to the changes in municipal code AFTER the established use is the correct remedy in lieu of a conditional use and due to the proximity of residentially-zoned properties within 500' required that a discretionary approval be sought.

Therefore, to help mitigate neighboring concerns for the continued use and maintenance of the legally permitted Auto Repair/Auto Body Shop/Auto Storage Building paint and spray booth accessory use , the applicant/applicant's representative engaged in a Dispute Resolution Program (CEIS Case#77857) set-up by the City of Los Angeles Office of the City Attorney, Mike Feuer and the Office of Councilmember, Marqueece Dawson-Harris accompanied by LAPD, DOT parking enforcement, LADBS Code Enforcement Bureau to assist in remedying and addressing long-standing and historical problems of parking, traffic, enforcement, and safety measures along the

Transportation/Transit Corridor of Western Avenue s and remedy caused by businesses, offices, and frequent vehicle uses. This "Good-Faith" effort and attempt to cure long-standing historical measures were due in part to legal and illegal business practices in the area creating concerns in which the only legal business that was present was DDS Collision, Inc although council outreached to businesses in the surrounding area. The resulting effect was to further agree to a Memorandum of Understanding (MOU) on shared ideas and commitments agreed upon by the applicant if the continued use and maintenance of the paint and spray booth accessory use was granted.

Furthermore, since the majority of commercially-zoned commercial use retail/wholesale/restaurant/office including auto-related uses as historically established in the City of Los Angeles to serve the communities/neighborhoods for which they served where adjacent to (or within the general vicinity of 100 ft. to 500 ft) and those commercial/industrial/manufacturing uses that abutted Transportation/Transit Corridors also in close proximity to residential properties, to penalize, restrict, or clearly deny rights for those commercially-zoned commercial use retail/wholesale/restaurant/office including auto-related uses for no other reason than to prevent what is perceived as "outdated or unwanted local businesses" that operate fully within the communities/neighborhoods for which they serve is discriminatory in its' practice and applicability is economic dispossession strictly outlawed and/or prohibitive

by action contrary to local, state, and federal mandates and protections under the US Constitution and Fair Business Practices.

Lastly but not exclusively, the findings and mandates laid-out in the case for the discretionary approval to seek cursory administrative approval for the continued use and maintenance of the existing legally permitted Auto Repair/Auto Body Shop/Auto Storage Building paint and spray booth accessory use as laid out in the hearing arguments were similar in justifications, rights, and privileges as was approved in subsequent cases heard that date for the same discretionary request to maintain or establish spray booth accessory use in already established primary uses along Transportation/Transit Corridors also in close proximity to residential properties and those uses establishing a history of business within the vicinity. With the only obvious difference is the council district in which the "non-conforming uses" were located and discretionary actions granted to existing legally permitted Auto Repair/Auto Body Shops/Auto Storage Buildings requesting the establishment of or the continued use and maintenance of paint and spray booth accessory uses – a deliberate effort to deter the economic growth and development of an already established, thriving, and legally permitted business.

WE BELIEVE THE DECISION-MAKER ERRED OR ABUSED THEIR DISCRETION due to the lack of real substantive administrative considerations for the historical significance of legally established and permitted primary uses of "auto-related uses" in the City of Los Angeles along similarly designated Transportation/Transit Corridors but moreover for the following reasons,

The decision maker(s) did not take into account of the already established regulatory permits issued from the Department of Toxic Substances Control, City of Los Angeles Dept. of Public Works Bureau of Sanitation Industrial Wastewater, South Coast Air Quality Management District, and the Fire Prevention Bureau and their enforcement mechanism which support the use of the existing permitted Auto Repair/Auto Body Shop/Auto Storage Building and the existing paint and spray booth accessory use. This is a unique condition found not withstanding or found within the surrounding area or supported by other legal/illegal business operating the close proximity or vicinity. There is no special privilege or circumstances being requested as described in the denial of the decision-maker(s) but only the continued use and maintenance of an accessory use currently operating, accessory to the main or primary use.

The decision maker(s) did not acknowledge or strongly consider the "good faith efforts" of the applicant/applicant's representative to engage in a Dispute

Resolution Program (CEIS Case#77857) set-up by the City of Los Angeles Office of the City Attorney, Mike Feuer and the Office of Councilmember, Marqueece Dawson-Harris to assist in remedying and addressing long-standing and historical problems of parking, traffic, enforcement, and safety measures along the Transportation/Transit Corridor of Western Avenue. No other commercial businesses, auto-related, business offices or retail/restaurants participated in remedial efforts to improve negative impacts, nuisances and problematic traffic conditions prevalent along Western Avenue.

The decision maker(s) did not consider that the actual spray booth is further concealed within an approved sealed metal spray booth container that does not allow toxins or fumes to oxygenate within the existing legal Auto Repair/Auto Body Shop/Auto Storage Building concrete block building with one entrance and one exit. The site contains a building wholly enclosed by concrete block, creates a buffer from the residentially-zoned property at the rear, and given the utilized building, conceals noise, nuisance inside the building and does not intrude or impede into the residential area.

And furthermore, the decision maker(s) did not weigh the decisions based on other similar request for discretionary approvals where others in the same vicinity, surrounding areas, along historically established commercially-zoned

Transportation/Transit Corridors also in close proximity to residential properties or those auto-related businesses maintain existing spray booth which is a supplemental use/accessory use to existing legal Auto Repair/Auto Body Shop/Auto Storage Building have been granted before and after this decision. The legally permitted Auto Repair/Auto Body Shop is a small "Mom & Pop" employer employing 12 employees from the surrounding area. DDS also performs a service to the community and is nationally-recognized Auto Repair/Auto Body Shop given the existing improved site conditions and working environment provided by the operator and the owner.

THE APPLICANT IS AGGRIEVED BY THE DECISION rendered by the Associate Zoning Administrator because the decision maker did not consider the historical or legally established and permitted primary use of the Auto Repair/Auto Body Shop/Auto Storage Building with the existing issued and active regulatory agency approvals mitigating the paint and spray booth accessory use. The requirement of the accessory use in conjunction with the primary use being utilized/maintained in proximity to the residentially-zoned area although non-conforming should have rendered and "approval with conditions" similar to other recent cases heard before this discretionary case and due to the actions of the AZA deprived the applicant and owner the substantial property rights granted to others in the same vicinity, surrounding areas, along historically established commercially-zoned Transportation/Transit Corridors also in close proximity to residential properties.

Furthermore, due to the decision rendered by the AZA, the applicant directly and the owner indirectly is being forced to remove an existing paint and spray booth accessory to the existing legal Auto Repair/Auto Body Shop/Auto Storage Building and to discontinue or terminate already established regulatory permits issued from the Department of Toxic Substances Control, City of Los Angeles Dept. of Public Works Bureau of Sanitation Industrial Wastewater, South Coast Air Quality Management District, and the Fire Prevention Bureau. This decision is an

egregious effort to force "non-conforming" uses - non-conforming only to current zoning regulations – for auto-related businesses to abandon their businesses, deprive operators of an economic base or employment opportunities, and to force auto-related businesses to work underground, illegally, or within a shadow of fear and uncertainty.

These attempts by outside sources coupled with the decision rendered by the Associate Zoning Administrator directly aggrieves the applicant unfairly and unjustly especially given other discretionary request before and after have been granted similarly for the identical request, accessory uses and within the same proximity of residentially-zoned uses for existing legally permitted Auto Repair/Auto Body Shops/Auto Storage Buildings requesting establishment of or the continued use and maintenance of paint and spray booth accessory uses

SPECIFICALLY THE POINTS OF ISSUE FOR THE APPEAL BEING FILED due to the decision rendered by the Associate Zoning Administrator is that there is already a precedence to support the use of the existing permitted Auto Repair/Auto Body Shop/Auto Storage Building and the existing paint and spray booth accessory use in C2-1 commercially-zoned properties abutting residentially-zoned uses.

The decision rendered is contrary to other decision made by similar request made and approved before and after this case being heard. The applicant/applicant's represented presented a case that supported the continued use and maintenance of the existing permitted Auto Repair/Auto Body Shop/Auto Storage Building and the existing paint and spray booth accessory structure. The applicant/applicant's representative presented historically documents from already established regulatory depts. from Department of Toxic Substances Control, City of Los Angeles Dept. of Public Works Bureau of Sanitation Industrial Wastewater, South Coast Air Quality Management District to the Fire Prevention Bureau. Significant and substantial evidence that would ordinarily, if the auto-related business were requesting accessory uses or maintain established uses under a conditional use discretionary approvals would be grounds, basis and justification to be granted approval.

The applicant/applicant's representative provided accounts of the business practice, work-related environment, business hours of operations, addressed correctly concerns raised by the decision maker(s), and equally addressed those in attendance who were speaking - not directly in opposition to the auto repair or spray booth currently in existence which they acknowledged was previously operated by an African-American, but to the new operator and his origins, impacts by negative communications amongst this operator due to lack of cultural understanding by both parties, and the negative impacts in the area that have been historically prevalent in the subsequent years that culminated into anger and disposition with all business along the corridor but also the perceived lack of response by their elected officials, previous and currently.

Given these testimonials presented themselves at the public hearing with those in attendance provided with the opportunity to voice grievances, to confront their elected officials, and provide an opportune moment to be heard, in lieu of these issues being addressed and remediated by their council, it was clear that the deflections were going to be directed toward the sole business and used as the reason for all of the negative impacts and nuisances historically occurring at this site, even though we were the sole business owners that participated in the Dispute Resolution Program (CEIS Case#77857) set-up by the City of Los Angeles

Office of the City Attorney, Mike Feuer and the Office of Councilmember, Marqueece Dawson-Harris.

It is clear, that the auto-related business although non-conforming to current land use designation operates legally and within all regulatory measure is being used as the cause, brunt and bearer of all of the historically negative impacts occurring regularly along the corridor.

The appeal is being filed to establish rights currently being taken away by the denial of the auto-related business and accessory uses currently existing at the site, which other auto-related businesses have had the right to fully engage and enjoy through discretionary requests, whereas this one specific auto-related business in this specific council district is not being allowed to utilize. The appeal is being sought to establish the right to operate legally and with all issued agency permits without threat or fear to remain vital in the neighborhood and to residents being serviced by the existing legal Auto Repair/Auto Body Shop with the paint and spray services currently in use.

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

VINCENT P. BERTONI, AICP
DIRECTOR
(213) 978-1271

KEVIN J. KELLER, AICP
DEPUTY DIRECTOR
(213) 978-1272

LISA M. WEBBER, AICP
DEPUTY DIRECTOR
(213) 978-1274

VACANT
DEPUTY DIRECTOR
(213) 978-1273

<http://planning.lacity.org>

ASSOCIATE ZONING ADMINISTRATORS

JACK CHIANG
HENRY CHU
LOURDES GREEN
THEODORE L. IRVING
ALETA D. JAMES
FERNANDO TOVAR
DAVID S. WEINTRAUB
MAYA E. ZAITZEVSKY

OFFICE OF ZONING ADMINISTRATION

LOS ANGELES CITY HALL
200 NORTH SPRING STREET
ROOM 763
LOS ANGELES, CALIFORNIA 90012

October 11, 2017

213 978-1277

Frank McHugh (O)
Raysack Holding, LLC
11050 Santa Monica Boulevard, Ste. 41
Los Angeles, CA 90025

Robert & Leila Rouzbehi (A)
DDS Collision, Inc.
7419 S. Western Ave
Los Angeles, CA 90047

E.B.E Associates, LLC. (R)
3125 North Andrita Street
Los Angeles, CA 90025

CASE NO. ZA-2016-2563-ZV
ZONE VARIANCE
7419 S. Western Avenue
South Los Angeles Planning Area
Zone : C2-1VL
D. M. : 102-B193
C. D. : 8
CEQA : ENV-2016-2564-CE
Legal Description: Tract 5107, Lots 7 & 8

Pursuant to Los Angeles Municipal Code Section 12.27.B, I hereby DENY:

a Zone Variance from Section 12.14.A to allow an enclosed auto body spray booth within 500 feet of a residential zone.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the statements made at the public hearing on November 17, 2016, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the five requirements and prerequisites for granting a variance as enumerated in Section 562 of the City Charter and Section 12.27.B of the Municipal Code have not been established by the following facts:

BACKGROUND

The project site is two level, rectangular lots with an approximate area of 6,548 square feet, with a frontage of approximately 50 feet on the west side of Western Avenue, and a depth

of 130 feet. The property is zoned C2-1VL and is developed with a one-story 5,766-square-foot commercial building used as an automotive repair garage.

The northern adjacent property, is zoned C2-1VL and is developed with a one-story commercial building. The southern adjacent property is zoned C2-1VL and is developed with a one-story commercial building which is being used as a church. The properties to the west across the alley are zoned R1-1 and are developed with one-story single-family dwellings. The properties to the east, across Western Avenue are zoned C2-1VL and developed with one and two-story commercial buildings.

Western Avenue is an Avenue II improved to a width of 86 feet with asphalt roadway, concrete curb, gutter, and sidewalk.

75th Avenue is a Local Street improved to a width of 60 feet with asphalt roadway, concrete curb, gutter, and sidewalk.

Alley is improved to a width of 15 feet.

No previous related zoning actions on the site or in the vicinity

LETTERS AND OTHER COMMUNICATIONS TO THE FILE

A total of eight written communications were received regarding this case, five email, two letters and one petition. The petition was submitted at the hearing and was signed by a total of eleven stakeholders, all opposed to the proposal to permit the spray booth.

March 20, 2017 – Bradley, E.B.E. Associates, Representative : Email with attached “Memorandum of Understanding” from the City Attorney’s Office, intended to memorialize the discussion and understanding between DDS Collision and the resident stakeholders.

March 11, 2017 - Bradley, E.B.E. Associates, Representative: Email to the City Attorney regarding the violations at the subject property and notice to appear, and the pending decision from the Zoning Administrator.

January 23, 2017 – Lynell Washington, Planning Deputy, CD8: Email to Rajka Jones establishing that they are addressing the nuisance with the City Attorney, LADBS, and the LAPD.

December 15, 2016 - Bradley, E.B.E. Associates, Representative: Email thread getting input from the Council Office regarding traffic and infrastructure repair, and nuisance activities.

November 16, 2016 – Nolon Alexander, Stakeholder: Letter listing some of their concerns about the subject property including blocking the sidewalk in front of the business, and tow trucks and cars being worked on the street.

November 13, 2016 – Pastor Donald Clay, Sr., Rock Tabernacle Church: Letter establishing that the business appears too big for their site, cars are blocking the alley, that cars are parked and repaired along the street and sidewalk, and safety issues for

pedestrians.

November 9, 2016 – David Caneso, Stakeholder; Establishing that there are many negative impacts associated with the subject property including tow trucks double parking, traffic impacts, trash and cars parked on the sidewalk (photos attached to the email).

PUBLIC HEARING

The public hearing was conducted on November 17, 2016, in Los Angeles City Hall, with Associate Zoning Administrator David S. Weintraub. Testimony was given by a total of six 2 stakeholders at the hearing:

Bradley, E.B.E. Associates, Representative

- The proposed spray booth is located inside a structure, inside a building
- The spray booth has ventilation and AQMD and Fire Department approval
- There was an order to comply
- Property owner tries to keep area clean and safe
- The other body shops in the area are not permitted
- The request is only to continue this use at this location
- The C of O is for auto body
- The spray booth needs to be approved only do to its proximity to residential
- Access is to and from the alley
- Main access is from Western
- Use and maintenance of the use since 2011
- The spray booth was there already
- This is not an expansion
- Parking is onsite and adjacent

Lillie Alexander, Stakeholder

- She is the adjacent business owner
- The air quality and smells of paint drift off-site
- The applicant is an irresponsible operator
- They illegally park on the sidewalk and in the red zones
- The alley also has illegally parked tow trucks impeding the use of the alley
- They drive on the sidewalk
- They urinate on the sidewalk
- Officer Duran tries to help
- The business is doing well, but the site is too small, and has too many cars
- The tin fence and higher wall creates a noise echo

Robert Glover, Stakeholder

- Has been a community member most of his life
- The business is too big for the actual site

- At 2 a.m. the compressors go off to maintain the air pressure and creates noise.
- The paint smells are very significant
- His mother has an esophagus that is sensitive
- The day care use at 1816 West 74th is close and the kids are impacted
- There are cars parked everywhere
- Attempts at communication with the business operator have continued to fail

Juliet Bland, Stakeholder

- Agrees with both of the prior speakers
- What are the health effects of the paint and chemicals? Cancer?
- 7401- 7419 Western is a body shop that has been there for 40 years

Nolan Alexander, Stakeholder

- He is located next door to the applicant
- The prior owner of the body shop took all of his tools and the prior paint booth
- This operator has been there since 2011
- They drive down the sidewalk!!
- There is oil and grease on the sidewalk
- Independent tow trucks require Police Commission licenses to tow to his business
- The tow trucks without cars hooked up park on the sidewalk
- Oil is everywhere
- Cars are dropped off on the sidewalk
- The place is simply too small for their volume and success
- There is drinking and smoking on Fridays when they get paid

Bradley, E.B.E. Associates, Representative

- They appreciate the neighborhood concerns about nuisance
- There are an abundance of nuisance uses operating without permits and County, State and Local approvals
- The public right-of-way was used inappropriately
- They have industrial waste permits
- SCAQMD approvals
- Auto repair locations – non-enclosed and is likely the source of fumes
- Prior operator had a spray booth and dismantled it; the prior spray booth was non-compliant
- Access and egress in the alley, is a new issue and they were not aware
- Tow trucks – 80 to 90 percent of the trucks are from “Nationwide Insurance”
- Other issues and concerns can be mitigated through additional conditions of approval
- Parking – 7413 and 7315 Western (the owner controls 4, 25-foot wide parcels)
- Noise, air quality and public right-of-way can be solved with conditions
- The applicant wants to have a community relationship

- The compressor going off during early morning hours is unusual as they are closed
- The current operator has been there for about 3 years

Lynell Washington, Planning Deputy, CD8

- The testimony at today's hearing was disheartening
- Good neighbors and good operation is the desired outcome
- No one approached the Council Office
- Main concern regarding automotive use along Western Ave
- There is a proposed CPIO for automotive uses
- Ingress and egress is an issue for the adjacent residences across the alley
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APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after OCTOBER 26, 2017, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://planning.lacity.org>.** Public offices are located at:

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Los Angeles, CA 90012
(213) 482-7077

San Fernando Valley
Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Rm 251
Van Nuys, CA 91401
(818) 374-5050

West Los Angeles
West Los Angeles Development
Services Center
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MANDATED FINDINGS

In order for a variance to be granted, all five of the legally mandated findings delineated in City Charter Section 562 and Municipal Code Section 12.27 must be made in the affirmative. Following (highlighted) is a delineation of the findings and the application of the relevant facts of the case to same:

1. **The strict application of the provisions of the Zoning Ordinance would not result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.**

The project site is two level, rectangular lots with an approximate area of 6,548 square feet, with a frontage of approximately 50 feet on the west side of Western Avenue, and a depth of 130 feet. The property is zoned C2-1VL and is developed with a one-story 5,766-square-foot commercial building used as an automotive repair garage. The property has been maintained as an automotive repair facility since approximately 1998 when a certificate of occupancy was issued for an automotive repair and painting facility.

The northern adjacent property, is zoned C2-1VL and is developed with a one-story commercial building. The southern adjacent property is zoned C2-1VL and is developed with a one-story commercial building which is being used as a church. The properties to the west across the alley are zoned R1-1 and are developed with one-story single-family dwellings. The properties to the east, across Western Avenue are zoned C2-1VL and developed with one and two-story commercial buildings.

On March 24, 2007 the LAMC was amended by Ordinance No.178382 adding Section 12.22A.28 Automotive Use which in part reads "In the C2 or less restrictive zones, a new automotive use, change of use or addition of floor area to an existing automotive use may be established without first obtaining an approval pursuant to Section 12.24 W.4 of this Code if the development standards set forth in Paragraph (a) and the operating conditions set forth in Paragraph (b) of this subdivision are met. Notwithstanding the above, new automobile dealership franchises, and their associated activities, are exempt from the requirements of this subdivision." Additionally, Paragraph (b) of Section 12.22.A28 "Operating Conditions", provision (1) states, "Spray painting shall not be conducted."

The code provides in Subdivision 4 of Subsection W of Section 12.24 of the LAMC for a Conditional Use process for:

4. Automotive Uses in the C Zones that Do Not Comply with the Development Standards and Operating Conditions Enumerated in Sections 12.22 A.28 or in the M Zones that do not comply with Section 12.17.6 of this Code. (Amended by Ord. No. 178,382, Eff. 3/24/07.)

The issue here is that the conditional use process is not the appropriate process for relief as the required additional Finding Number 3 cannot be made in the affirmative at the site, because it is less than 500 feet from residential zoning (20 feet away, across an alley):

4. **The granting of such variance will be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located.**

The land use implications of allowing an automotive use, which is strictly prohibited in the C2-1VL Zone, can be cumulative. This area is characterized by a variety of zones in proximity to each other, including residential zoning. Residential use, particularly single-family dwellings, are located immediately adjacent to the property. As noted in public testimony, noise, fumes and dust are evident and widespread. The community has already been exposed to the noncompliant use of this property for at least seven years.

The granting of the variance would establish a precedent for uses prohibited in the Zone and proximity to existing residential, and sensitive uses. Such a grant would be particularly troublesome if an approval is not based on legitimate land use and zoning impediments or a valid disparity of privileges, both of which have not been established in this case.

5. **The granting of the variance will adversely affect any element of the General Plan.**

The South Los Angeles Community Plan Map designates the property for General Commercial uses with corresponding zones of C1.5, C2, C4, RAS3, and RAS 4 and Height District No. 1VL.

The zoning code is an implementing tool of the General Plan. Granting the requests will result in a use that is not consistent with the planned zone and plan designation. As such, granting the request will not be in conformance with the intent and purpose of the General Plan that promotes compatibility of land uses and preservation of residential neighborhoods.

The South Los Angeles Community Plan includes Objectives and Policies to guide commercial land uses and changes in the community:

Objective 2-2 - "Allow for the development of automobile-related uses in appropriate commercial designations along major arterials."

Policy 2-2.3 - "Permit the development of new automobile-related uses in some commercial and industrial areas."

Program: "The Plan retains areas where new automobile-related uses are permitted, primarily within the General Commercial and Industrial plan designations."

The subject property meets Objective 2-2, and the appropriate commercial land use designation along Florence Avenue. Automotive uses are allowed in the C2 zone, and are not prohibited, however they must comply with the development standards

(3) that any spray painting will be conducted within a fully enclosed structure located at least 500-feet away from a school or A or R zone, and that all spray painting will be conducted in full compliance with the provisions of Article 7, Chapter 5 of this Code, as well as South Coast Air Quality Management District Rules 1132 and 1151, regulating these installations.

The applicant has filed for a zone variance as provided for in Section 12.27 of the LAMC. Charter Section 562 states that a variance shall neither be used to grant a special privilege nor to permit a use substantially inconsistent with the limitation on other properties. A variance is an appropriate means to seek relief from a condition that is not self-imposed and to remedy a disparity of privileges. In this case, a grant of the variance request would be granting a special privilege which is otherwise not provided to other property owners who abide by applicable zoning provisions.

2. **There are no special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.**

The subject property is comprised of 2 record lots with essentially the same characteristics as other properties in the area. There are no special circumstances such as size, shape, topography, location or surroundings that are unique to this property and that would serve as justification to allow the continued use and maintenance of an illegal auto body spray booth. The site's characteristics do not constitute an impediment to the application of the zoning regulations as the use of the property is viable as permitted by the zone without the need for variances.

3. **Such variance is not necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships, is denied the property in question.**

The South Los Angeles Community Plan Map designates the property for General Commercial land uses with corresponding zones of C1.5, C2, C4, RAS3, and RAS 4 and Height District No. 1. The property is located in the area governed by the South Los Angeles Alcohol Sales specific plan. However, the subject property is not effected by the specific plan as the subject use does not involve the sale of alcohol.

No other similarly zoned properties in the same vicinity have been granted any variances to allow a use prohibited by the underlying. An approval of the variance would allow a use not permitted in the C2 Zone when located in such proximity to residential uses. Therefore, there is no preservation and enjoyment of a substantial property right or use generally possessed by other properties in the same zone and vicinity which is denied to the property owner who already enjoys a nonconforming status for an auto-related use which is not permitted as a new use in the area and zone.

Granting a variance would have the effect of bestowing a special privilege to one property owner which is not enjoyed by others. No other property has been shown to have such a substantial property right in the same zone and vicinity.

and operating conditions in Section 12.22A.28 to be located at the subject property by right.

The Plan designation of General Commercial land uses, and present zone of C2-1VL allows auto related uses without obtaining a conditional use permit if the development standards set forth in Paragraph (a) and the operating conditions set forth in Paragraph (b) of this subdivision are met. " Additionally, Paragraph (b) of Section 12.22.A28 "Operating Conditions", provision (1) states, "Spray painting shall not be conducted."

The Community Plan and the LAMC recognize the potential incompatibility of residential uses near auto related uses. Therefore, the granting of the variance would adversely affect the objectives of the Community Plan regarding compatibility with adjacent parcels.

ADDITIONAL MANDATORY FINDING

6. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.
7. On August 23, 2016, the subject project was issued a Categorical Exemption (CE), ENV-2016-2564-CE.

Pursuant to Section 21080(b)(5) of the California Environmental Quality Act, projects which a public agency rejects or disapproves are not subject to environmental review. In denying the project, the ZA did not issue a finding regarding the environmental clearance for this project.

Inquiries regarding this matter shall be directed to Alan Como, City Planning Associate for the Department of City Planning at (213) 473-9985.



DAVID S. WEINTRAUB
Associate Zoning Administrator

213
229.4548

cc: Councilmember Marqueece Harris-Dawson
Eighth District
Adjoining Property Owners

DETERMINATION LETTER

ASSOCIATE ZONING ADMINISTRATORS

JACK CHIANG
HENRY CHU
LOURDES GREEN
THEODORE L. IRVING
ALETA D. JAMES
FERNANDO TOVAR
DAVID S. WEINTRAUB
MAYA E. ZAITZEVSKY

OFFICE OF ZONING ADMINISTRATION

LOS ANGELES CITY HALL
200 NORTH SPRING STREET
ROOM 763
LOS ANGELES, CALIFORNIA 90012

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

**DEPARTMENT OF
CITY PLANNING**

VINCENT P. BERTONI, AICP

DIRECTOR
(213) 978-1271

KEVIN J. KELLER, AICP

DEPUTY DIRECTOR
(213) 978-1272

LISA M. WEBBER, AICP

DEPUTY DIRECTOR
(213) 978-1274

VACANT

DEPUTY DIRECTOR
(213) 978-1273

<http://planning.lacity.org>

October 11, 2017

Frank McHugh (O)
Raysack Holding, LLC
11050 Santa Monica Boulevard, Ste. 41
Los Angeles, CA 90025

Robert & Leila Rouzbehi (A)
DDS Collision, Inc.
7419 S. Western Ave
Los Angeles, CA 90047

E.B.E Associates, LLC. (R)
3125 North Andrita Street
Los Angeles, CA 90025

CASE NO. ZA-2016-2563-ZV
ZONE VARIANCE
7419 S. Western Avenue
South Los Angeles Planning Area
Zone : C2-1VL
D. M. : 102-B193
C. D. : 8
CEQA : ENV-2016-2564-CE
Legal Description: Tract 5107, Lots 7 & 8

Pursuant to Los Angeles Municipal Code Section 12.27.B, I hereby DENY:

a Zone Variance from Section 12.14.A to allow an enclosed auto body spray booth within 500 feet of a residential zone.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the statements made at the public hearing on November 17, 2016, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the five requirements and prerequisites for granting a variance as enumerated in Section 562 of the City Charter and Section 12.27.B of the Municipal Code have not been established by the following facts:

BACKGROUND

The project site is two level, rectangular lots with an approximate area of 6,548 square feet, with a frontage of approximately 50 feet on the west side of Western Avenue, and a depth

of 130 feet. The property is zoned C2-1VL and is developed with a one-story 5,766-square-foot commercial building used as an automotive repair garage.

The northern adjacent property, is zoned C2-1VL and is developed with a one-story commercial building. The southern adjacent property is zoned C2-1VL and is developed with a one-story commercial building which is being used as a church. The properties to the west across the alley are zoned R1-1 and are developed with one-story single-family dwellings. The properties to the east, across Western Avenue are zoned C2-1VL and developed with one and two-story commercial buildings.

Western Avenue is an Avenue II improved to a width of 86 feet with asphalt roadway, concrete curb, gutter, and sidewalk.

75th Avenue is a Local Street improved to a width of 60 feet with asphalt roadway, concrete curb, gutter, and sidewalk.

Alley is improved to a width of 15 feet.

No previous related zoning actions on the site or in the vicinity

LETTERS AND OTHER COMMUNICATIONS TO THE FILE

A total of eight written communications were received regarding this case, five email, two letters and one petition. The petition was submitted at the hearing and was signed by a total of eleven stakeholders, all opposed to the proposal to permit the spray booth.

March 20, 2017 – Bradley, E.B.E. Associates, Representative : Email with attached “Memorandum of Understanding” from the City Attorney’s Office, intended to memorialize the discussion and understanding between DDS Collision and the resident stakeholders.

March 11, 2017 - Bradley, E.B.E. Associates, Representative: Email to the City Attorney regarding the violations at the subject property and notice to appear, and the pending decision from the Zoning Administrator.

January 23, 2017 – Lynell Washington, Planning Deputy, CD8: Email to Rajka Jones establishing that they are addressing the nuisance with the City Attorney, LADBS, and the LAPD.

December 15, 2016 - Bradley, E.B.E. Associates, Representative: Email thread getting input from the Council Office regarding traffic and infrastructure repair, and nuisance activities.

November 16, 2016 – Nolon Alexander, Stakeholder: Letter listing some of their concerns about the subject property including blocking the sidewalk in front of the business, and tow trucks and cars being worked on the street.

November 13, 2016 – Pastor Donald Clay, Sr., Rock Tabernacle Church: Letter establishing that the business appears too big for their site, cars are blocking the alley, that cars are parked and repaired along the street and sidewalk, and safety issues for

pedestrians.

November 9, 2016 – David Caneso, Stakeholder; Establishing that there are many negative impacts associated with the subject property including tow trucks double parking, traffic impacts, trash and cars parked on the sidewalk (photos attached to the email).

PUBLIC HEARING

The public hearing was conducted on November 17, 2016, in Los Angeles City Hall, with Associate Zoning Administrator David S. Weintraub. Testimony was given by a total of six 2 stakeholders at the hearing:

Bradley, E.B.E. Associates, Representative

- The proposed spray booth is located inside a structure, inside a building
- The spray booth has ventilation and AQMD and Fire Department approval
- There was an order to comply
- Property owner tries to keep area clean and safe
- The other body shops in the area are not permitted
- The request is only to continue this use at this location
- The C of O is for auto body
- The spray booth needs to be approved only do to its proximity to residential
- Access is to and from the alley
- Main access is from Western
- Use and maintenance of the use since 2011
- The spray booth was there already
- This is not an expansion
- Parking is onsite and adjacent

Lillie Alexander, Stakeholder

- She is the adjacent business owner
- The air quality and smells of paint drift off-site
- The applicant is an irresponsible operator
- They illegally park on the sidewalk and in the red zones
- The alley also has illegally parked tow trucks impeding the use of the alley
- They drive on the sidewalk
- They urinate on the sidewalk
- Officer Duran tries to help
- The business is doing well, but the site is too small, and has too many cars
- The tin fence and higher wall creates a noise echo

Robert Glover, Stakeholder

- Has been a community member most of his life
- The business is too big for the actual site

- At 2 a.m. the compressors go off to maintain the air pressure and creates noise.
- The paint smells are very significant
- His mother has an esophagus that is sensitive
- The day care use at 1816 West 74th is close and the kids are impacted
- There are cars parked everywhere
- Attempts at communication with the business operator have continued to fail

Juliet Bland, Stakeholder

- Agrees with both of the prior speakers
- What are the health effects of the paint and chemicals? Cancer?
- 7401- 7419 Western is a body shop that has been there for 40 years

Nolan Alexander, Stakeholder

- He is located next door to the applicant
- The prior owner of the body shop took all of his tools and the prior paint booth
- This operator has been there since 2011
- They drive down the sidewalk!!
- There is oil and grease on the sidewalk
- Independent tow trucks require Police Commission licenses to tow to his business
- The tow trucks without cars hooked up park on the sidewalk
- Oil is everywhere
- Cars are dropped off on the sidewalk
- The place is simply too small for their volume and success
- There is drinking and smoking on Fridays when they get paid

Bradley, E.B.E. Associates, Representative

- They appreciate the neighborhood concerns about nuisance
- There are an abundance of nuisance uses operating without permits and County, State and Local approvals
- The public right-of-way was used inappropriately
- They have industrial waste permits
- SCAQMD approvals
- Auto repair locations – non-enclosed and is likely the source of fumes
- Prior operator had a spray booth and dismantled it; the prior spray booth was non-compliant
- Access and egress in the alley, is a new issue and they were not aware
- Tow trucks – 80 to 90 percent of the trucks are from “Nationwide Insurance”
- Other issues and concerns can be mitigated through additional conditions of approval
- Parking – 7413 and 7315 Western (the owner controls 4, 25-foot wide parcels)
- Noise, air quality and public right-of-way can be solved with conditions
- The applicant wants to have a community relationship

- The compressor going off during early morning hours is unusual as they are closed
- The current operator has been there for about 3 years

Lynell Washington, Planning Deputy, CD8

- The testimony at today's hearing was disheartening
- Good neighbors and good operation is the desired outcome
- No one approached the Council Office
- Main concern regarding automotive use along Western Ave
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The issue here is that the conditional use process is not the appropriate process for relief as the required additional Finding Number 3 cannot be made in the affirmative at the site, because it is less than 500 feet from residential zoning (20 feet away, across an alley):

(3) that any spray painting will be conducted within a fully enclosed structure located at least 500-feet away from a school or A or R zone, and that all spray painting will be conducted in full compliance with the provisions of Article 7, Chapter 5 of this Code, as well as South Coast Air Quality Management District Rules 1132 and 1151, regulating these installations.

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No other similarly zoned properties in the same vicinity have been granted any variances to allow a use prohibited by the underlying. An approval of the variance would allow a use not permitted in the C2 Zone when located in such proximity to residential uses. Therefore, there is no preservation and enjoyment of a substantial property right or use generally possessed by other properties in the same zone and vicinity which is denied to the property owner who already enjoys a nonconforming status for an auto-related use which is not permitted as a new use in the area and zone.

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and operating conditions in Section 12.22A.28 to be located at the subject property by right.

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ADDITIONAL MANDATORY FINDING

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DAVID S. WEINTRAUB
Associate Zoning Administrator

cc: Councilmember Marqueece Harris-Dawson
Eighth District
Adjoining Property Owners

**DEPARTMENT OF
CITY PLANNING
APPLICATION**



APPLICATIONS:

DEPARTMENT OF CITY PLANNING APPLICATION

THIS BOX FOR CITY PLANNING STAFF USE ONLY	
Case Number	ZA 2016-2563-ZV
Env. Case Number	ENV-2016-2564-CE
Application Type	Zone Variance
Case Filed With (Print Name)	Steve Kim
Date Filed	7/20/16
Application includes letter requesting:	
<input type="checkbox"/> Waived hearing	<input type="checkbox"/> Concurrent hearing
<input type="checkbox"/> Hearing not be scheduled on a specific date (e.g. vacation hold)	
Related Case Number _____	

Provide all information requested. Missing, incomplete or inconsistent information will cause delays.

All terms in this document are applicable to the singular as well as the plural forms of such terms.

1. PROJECT LOCATION

Street Address¹ 7419 South Western Avenue Los Angeles, CA 90047 Unit/Space Number -
 Legal Description² (Lot, Block, Tract) Lot(s) 7 & 8 in Block 9 of Tract No. 5107 (MB 54-67/70 (SHTS 1-4))
 Assessor Parcel Number 6017-009-004 Total Lot Area 6,545.45 s.f.

2. PROJECT DESCRIPTION

Present Use Automotive Repair/Auto Storage Garage/Auto Body with Spray Booth
 Proposed Use No Change
 Project Name (if applicable) None
 Describe in detail the characteristics, scope and/or operation of the proposed project The primary use of the site is an Auto Repair/Auto Storage Building/Auto Body Shop with a 30' L x 15' W x 10'H prefab spray booth.

Additional information attached ☐ YES ☒ NO

Complete and check all that apply:

Existing Site Conditions

- | | |
|---|--|
| <input type="checkbox"/> Site is undeveloped or unimproved (i.e. vacant) | <input type="checkbox"/> Site is located within 500 feet of a freeway or railroad |
| <input checked="" type="checkbox"/> Site has existing buildings (provide copies of building permits) | <input type="checkbox"/> Site is located within 500 feet of a sensitive use (e.g. school, park) |
| <input type="checkbox"/> Site is/was developed with use that could release hazardous materials on soil and/or groundwater (e.g. dry cleaning, gas station, auto repair, industrial) | <input type="checkbox"/> Site has special designation (e.g. National Historic Register, Survey LA) |

¹ Street Addresses must include all addresses on the subject/application site (as identified in ZIMAS—<http://zimas.lacity.org>)

² Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site)

Proposed Project Information

- ☐ Demolition of existing buildings/structures
- ☐ Relocation of existing buildings/structures
- ☒ Interior tenant improvement
- ☐ Additions to existing buildings
- ☐ Grading
- ☐ Removal of any on-site tree
- ☐ Removal of any street tree

- ☐ New construction: _____ square feet
- ☒ Accessory use (fence, sign, wireless, carport, etc.)
- ☐ Exterior renovation or alteration
- ☐ Change of use and/or hours of operation
- ☐ Haul Route
- ☐ Uses or structures in public right-of-way
- ☐ Phased project

Housing Component Information

Number of Residential Units: Existing ____ - Demolish(ed)³ ____ + Adding ____ = Total ____

Number of Affordable Units⁴ Existing ____ - Demolish(ed) ____ + Adding ____ = Total ____

Number of Market Rate Units Existing ____ - Demolish(ed) ____ + Adding ____ = Total ____

Mixed Use Projects, Amount of Non-Residential Floor Area: N/A square feet

3. ACTION(S) REQUESTED

Provide the Los Angeles Municipal Code (LAMC) Section that authorizes the request and (if applicable) the LAMC Section or the Specific Plan/Overlay Section from which relief is sought; follow with a description of the requested action.

Does the project include Multiple Approval Requests per LAMC 12.36? ☐ YES ☒ NO

Authorizing section 12.27 Section from which relief is requested (if any): 12.24-W,4

Request: To permit the continued use and maintenance of an existing Automotive Repair Facility/Auto Storage/Auto Body Shop with the addition of a prefab spray booth.

Authorizing section _____ Section from which relief is requested (if any): _____

Request: _____

Authorizing section _____ Section from which relief is requested (if any): _____

Request: _____

Additional Requests Attached ☐ YES ☐ NO

³ Number of units to be demolished and/or which have been demolished within the last five (5) years.

⁴ As determined by the Housing and Community Investment Department

4. RELATED DEPARTMENT OF CITY PLANNING CASES

Are there previous or pending cases/decisions/environmental clearances on the project site? ☐ YES ☒ NO

If YES, list all case number(s) N/A

If the application/project is directly related to one of the above cases, list the pertinent case numbers below and complete/check all that apply (provide copy).

Case No. N/A

Ordinance No.: N/A

☐ Condition compliance review

☐ Clarification of Q (Qualified) classification

☐ Modification of conditions

☐ Clarification of D (Development Limitations) classification

☐ Revision of approved plans

☐ Amendment to T (Tentative) classification

☐ Renewal of entitlement

☐ Plan Approval subsequent to Master Conditional Use

For purposes of environmental (CEQA) analysis, is there intent to develop a larger project? ☐ YES ☒ NO

Have you filed, or is there intent to file, a Subdivision with this project? ☐ YES ☒ NO

If YES, to either of the above, describe the other parts of the projects or the larger project below, whether or not currently filed with the City:

N/A

5. OTHER AGENCY REFERRALS/REFERENCE

To help assigned staff coordinate with other Departments that may have a role in the proposed project, please check all that apply and provide reference number if known.

Are there any outstanding Orders to Comply/citations at this property? ☒ YES (provide copy) ☐ NO

Are there any recorded Covenants, affidavits or easements on this property? ☐ YES (provide copy) ☒ NO

☐ Development Services Case Management Number _____

☒ Building and Safety Plan Check Number BPA# 16016-70000-04637

☐ Bureau of Engineering Planning Referral (PCRF) _____

☐ Bureau of Engineering Hillside Referral _____

☒ Housing and Community Investment Department Application Number Case # 77857/ITC# A-3888035

☐ Bureau of Engineering Revocable Permit Number _____

☐ Other—specify _____

6. PROJECT TEAM INFORMATION (Complete all applicable fields)**Applicant⁵ name** ROBERT AND LEILA ROUZBEHICompany/Firm DDS COLLISION, INC.Address: 7419 South Western Avenue Unit/Space Number _____City Los Angeles State CA Zip Code: 90047Telephone (310) 720-9705 E-mail: LeilaR28@yahoo.comAre you in escrow to purchase the subject property? ☐ YES ☒ NO**Property Owner of Record** ☐ Same as applicant ☒ Different from applicantName (if different from applicant) FRANK J. McHUGH/RAYSACK HOLDING, LLC.Address 11040 Santa Monica Boulevard Unit/Space Number Suite 41City Los Angeles State CA Zip Code: 90025Telephone (213) 241-9063 E-mail: pmchugh805@gmail.com**Agent/Representative name** BRADLEYCompany/Firm E.B.E. ASSOCIATES, INC.Address: 3125 North Andrita Street Unit/Space Number _____City Los Angeles State CA Zip: 90065Telephone (323) 550-8335 E-mail: bradley@ebeassociates.com**Other** (Specify Architect, Engineer, CEQA Consultant etc.) NONE

Name _____

Company/Firm _____

Address: _____ Unit/Space Number _____

City _____ State _____ Zip Code: _____

Telephone _____ E-mail: _____

Primary Contact for Project Information
(select only one)☐ Owner☐ Applicant☒ Agent/Representative☐ Other _____

To ensure notification of any public hearing as well as decisions on the project, make sure to include an individual mailing label for each member of the project team in both the Property Owners List, and the Abutting Property Owners List.

⁵ An applicant is a person with a lasting interest in the completed project such as the property owner or a lessee/user of a project. An applicant is not someone filing the case on behalf of a client (i.e. usually not the agent/representative).

PROPERTY OWNER

9. **PROPERTY OWNER AFFIDAVIT.** Before the application can be accepted, the owner of each property involved must provide a notarized signature to verify the application is being filed with their knowledge. Staff will confirm ownership based on the records of the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs or trusts the agent for service of process or an officer of the ownership entity so authorized may sign as stipulated below.

- **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying the agent for service of process or an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25% interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
- **Letter of Authorization (LOA).** A LOA from a property owner granting someone else permission to sign the application form may be provided if the property is owned by a partnership, corporation, LLC or trust or in rare circumstances when an individual property owner is unable to sign the application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized the file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items A-D below. In the case of partnerships, corporations, LLCs or trusts the LOA must be signed and notarized by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.
- **Grant Deed.** Provide a Copy of the Grant Deed If the ownership of the property does not match City Records and/or if the application is for a Coastal Development Permit. The Deed must correspond exactly with the ownership listed on the application.
- **Multiple Owners.** If the property is owned by more than one individual (e.g. John and Jane Doe or Mary Smith and Mark Jones) notarized signatures are required of all owners.

- A. I hereby certify that I am the owner of record of the herein previously described property located in the City of Los Angeles which is involved in this application or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC or trust as evidenced by the documents attached hereto.
- B. I hereby consent to the filing of this application on my property for processing by the Department of City Planning.
- C. I understand if the application is approved, as a part of the process the City will apply conditions of approval which may be my responsibility to satisfy including, but not limited to, recording the decision and all conditions in the County Deed Records for the property.
- D. By my signature below, I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

*Property Owner's signatures must be signed/notarized in the presence of a Notary Public.
The City requires an original signature from the property owner with the "wet" notary stamp.
A Notary Acknowledgement is available for your convenience on following page.*

Signature



Date 06/21/2016

Print Name FRANK J. McHUGH/RAYSACK HOLDING, LLC.

Signature

Date

Print Name

Space Below For Notary's Use

California All-Purpose Acknowledgement

Civil Code ' 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los AngelesOn July 05, 2016 before me, Faramarz Rabizadeh, Notary Public
(Insert Name of Notary Public and Title)

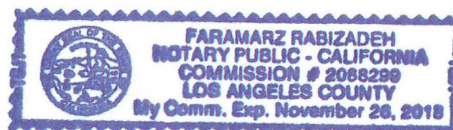
personally appeared Frank Joseph McHugh, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf on which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]
Signature

(Seal)



APPLICANT

10. APPLICANT DECLARATION. A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the application can be accepted.

- A. I hereby certify that the information provided in this application, including plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the Department of City Planning, I agree to revise the information as appropriate.
- B. I hereby certify that I have fully informed the City of the nature of the project for purposes of the California Environmental Quality Act (CEQA) and have not submitted this application with the intention of segmenting a larger project in violation of CEQA. I understand that should the City determine that the project is part of a larger project for purposes of CEQA, the City may revoke any approvals and/or stay any subsequent entitlements or permits (including certificates of occupancy) until a full and complete CEQA analysis is reviewed and appropriate CEQA clearance is adopted or certified.
- C. I understand that the environmental review associated with this application is preliminary, and that after further evaluation, additional reports, studies, applications and/or fees may be required.
- D. I understand and agree that any report, study, map or other information submitted to the City in furtherance of this application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.
- E. I understand that the burden of proof to substantiate the request is the responsibility of the applicant. Additionally, I understand that planning staff are not permitted to assist the applicant or opponents of the project in preparing arguments for or against a request.
- F. I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.
- G. I understand that if this application is denied, there is no refund of fees paid.
- H. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City"), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions"), arising out of any City process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but is not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.
- I. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

The City requires an original signature from the applicant. The applicant's signature below does not need to be notarized.

Signature: _____

Date: 06/09/2016

Print Name: BRADLEY/E.B.E. ASSOCIATES, INC.

OPTIONAL
NEIGHBORHOOD CONTACT SHEET

SIGNATURES of adjoining or neighboring property owners in support of the request are not required but are helpful, especially for projects in single-family residential areas. Signatures may be provided below (attach additional sheets if necessary).

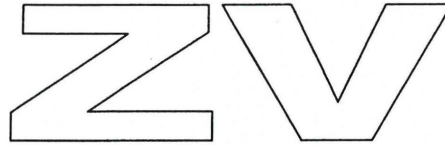
NAME (PRINT)	SIGNATURE	ADDRESS	KEY # ON MAP

REVIEW of the project by the applicable Neighborhood Council is not required, but is helpful. If applicable, describe, below or separately, any contact you have had with the Neighborhood Council or other community groups, business associations and/or officials in the area surrounding the project site (attach additional sheets if necessary).

PLEASE NOTE:

The Neighborhood Council will be/has been notified of the discretionary request. The Applicant/Owner/Agent may have appeared or will be requested to appear at the Neighborhood Council Meeting. A Letter of Interest, Letter of Approval with Advisory Council Concerns/Conditions may be found in the DCP Case File before the staff report is prepared or during the City of Los Angeles Department of City Planning Public Hearing.

(VARIANCE JUSTIFICATIONS/FINDINGS PER L.A.M.C. 12.27)



(15-3394RLR/2Of2)

ATTACHMENT 'A'

Page 1 Of 2

(7419 South Western Avenue – Los Angeles, CA 90047)

1. That the strict application of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

The strict application of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations. The "C" zone permits by right the use and maintenance of the Auto Repair/Auto Storage/Auto Body Shop with the addition of the Prefab Spray Booth - as long as it is conducted within a fully-enclosed structure, but due to its' location adjacent to an A or R Zone results in practical difficulties creating unnecessary hardships to permit the Auto Repair/Auto Storage/Auto Body Shop to utilize the self-contained prefab auto spray booth. Practical difficulties that may subject this site to perform an ancillary use through outsourcing or other means and expound capital and resources that would deplete economic resources in order to perform all of the duties of a full-service shop creating unnecessary hardships that could be detrimental to the business and work force currently employed from the surrounding areas if this variance is not granted.

2. That there are special circumstances applicable to the subject property such as size, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.

The location and surroundings present special circumstances applicable to the subject site that do not generally apply to other property in the same zone or vicinity. The subject property provides a legal regulated Auto Repair/Auto Storage/Auto Body Shop with auto spray booth operating safely in the area and maintains a well-kept facility that is not generally found in the along much of the Western Avenue Transit and Business Corridor. Furthermore, the facility currently operates within all mandated and regulated local, state and federal regulations and maintains current Dept. of Toxic Substances Control (DTSC), Industrial Wastewater Management Division (IWMD), the Los Angeles Fire Department (LAFD), and the South Coast Air Quality Management District (SCAQMD) permit and approvals insuring that the facility operates accordingly, which are not generally provided by other facilities in the vicinity or surrounding area performing similar auto body/auto-related services similarly zoned.

(7419 South Western Avenue – Los Angeles, CA 90047)

- 3. That such variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships is denied to the property in question.**

That such variance is necessary for the preservation and enjoyment of the substantial property right or use generally possessed by other properties in the same zone and vicinity. The Auto Repair/Auto Storage/Auto Body Shop with self-contained auto spray booth, if granted would provide customers with a full-service facility allowing the property owner to preserve substantial property rights and enjoyments possessed by other properties with similar uses similarly zoned or located in similar vicinities though-out the city. And if not granted relief to permit substantial property rights and enjoyments will unfairly subject the property owner and the business owner to impractical difficulties and unnecessary hardships not afforded to other with auto-related requests for auto-related spray booths. If it had not been for the subject property location within close proximity of residentially-zoned properties, the facility would be allowed the ancillary use of an auto-related spray booth by right without the need for a variance request to grant relief from the zoning code.

- 4. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the subject property is located.**

The granting of this variance will not be materially detrimental to the public welfare or injurious to the property or improvements in which the property is located given the subject site is well-kept, has had no LAPD or Dept. of Public Health (DPH) complaints, will maintain current operating hours from 7am – 6pm M – F, Sat. 8am – 6pm, closed on Sundays, conducted within a fully-enclosed building with spraying apparatus & hosing housed in a self-contained metal spray booth. Furthermore, the facility operates within the mandated local, state and federal regulations with permits and approvals from the DTSC, IWMD, and LAFD, and SCAQMD to mitigate any potential concerns to protect adjacent properties, the surrounding neighborhood, and the public safety, health, and welfare of the residents in the vicinity by keeping the abutting alley free of debris, vehicle storage and/or blighted nuisance.

- 5. That the granting of such variance will not adversely affect any element of the General Plan.**

Granting of this variance will not adversely affect any element of the General Plan and will preserve and enhance those positive characteristics currently maintained within the surrounding community or vicinity. Granting the request to permit the continued use and maintenance of the Auto Repair/Auto Storage/Auto Body Shop with the Spray Booth conforms to the purposes, intent and provisions of the General Plan, and any applicable community plans and subject ordinances governing auto-related uses on commercially-zoned properties.

ENVIRONMENTAL REPORT

COUNTY CLERK'S USE

CITY OF LOS ANGELES
 OFFICE OF THE CITY CLERK
 200 NORTH SPRING STREET, ROOM 360
 LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT

CITY CLERK'S USE

NOTICE OF EXEMPTION

(California Environmental Quality Act Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.

LEAD CITY AGENCY City of Los Angeles Department of City Planning	COUNCIL DISTRICT 8
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PROJECT TITLE * ZONE VARIANCE ZA 2016-2563-ZV	LOG REFERENCE ENV 2016-2564-CE
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PROJECT LOCATION
*** 7419 South Western Avenue**

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:
*** Request to permit continued use and maintenance of Auto Body Repair Shop with spray booth.**

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:

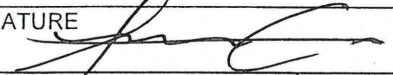
CONTACT PERSON * BRADLEY/EBE ASSOCIATES, INC.	AREA CODE * 323	TELEPHONE NUMBER * 550-8335	EXT. (bradley@ebeassociate.com)
---	---------------------------	---------------------------------------	---

EXEMPT STATUS: (Check One)

- | | STATE CEQA GUIDELINES | CITY CEQA GUIDELINES |
|--|---------------------------|----------------------------|
| <input type="checkbox"/> MINISTERIAL | Sec. 15268 | Art. II, Sec. 2b |
| <input type="checkbox"/> DECLARED EMERGENCY | Sec. 15269 | Art. II, Sec. 2a (1) |
| <input type="checkbox"/> EMERGENCY PROJECT | Sec. 15269 (b) & (c) | Art. II, Sec. 2a (2) & (3) |
| <input type="checkbox"/> CATEGORICAL EXEMPTION | Sec. 15300 <i>et seq.</i> | Art. III, Sec. 1 |
| Class <u>1</u> Category <u>22</u> (City CEQA Guidelines) | | |
| <input type="checkbox"/> OTHER (See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision. | | |

JUSTIFICATION FOR PROJECT EXEMPTION: Granting or renewal of a variance or conditional use for nonsignificant change of use in an existing facility.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

SIGNATURE 	TITLE CITY PLANNING ASSOC.	DATE 8-23-2016
FEE: 81-	RECEIPT NO. 30940	REC'D BY Stane Kim
		DATE 7/20/16

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record
 Rev. 11-1-03 Rev. 1-31-06 Word

IF FILED BY THE APPLICANT:

*** BRADLEY/E.B.E. ASSOCIATES, INC.**
 NAME (PRINTED)

 SIGNATURE

*** 06/29/2016**
 DATE

MISCELLANEOUS REPORTS

BOARD OF
BUILDING AND SAFETY
COMMISSIONERS

VAN AMBATIELOS
PRESIDENT
E. FELICIA BRANNON
VICE-PRESIDENT
JOSELYN GEAGA-ROSENTHAL
GEORGE HOVAGUIMIAN
JAVIER NUNEZ

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

(15-3394RLR/10F2)

DEPARTMENT OF
BUILDING AND SAFETY
201 NORTH FIGUEROA STREET
LOS ANGELES, CA 90012

RAYMOND S. CHAN, C.E., S.E.
GENERAL MANAGER

FRANK BUSH
EXECUTIVE OFFICER

ORDER TO COMPLY
ZA 2016-2563

ALI NOTGHI
7419 S WESTERN AVE
LOS ANGELES, CA 90047

CASE #: 77857

ORDER #: A-3888035

EFFECTIVE DATE: October 09, 2015
COMPLIANCE DATE: November 08, 2015

BUSINESS OPERATOR OF
SITE ADDRESS: 7419 S WESTERN AVE
ASSESSORS PARCEL NO.: 6017-009-004
ZONE: C2; Commercial Zone
NAME OF BUSINESS IN VIOLATION: DDS COLLISION INC

This order is a supplement to any and all preceding orders issued by the Department of Building and Safety relative to the case number noted above. You are hereby required to comply with the terms of this and all preceding orders.

In accordance to the Section(s) listed below, Pursuant to Chapter 1, Article 2 of the Los Angeles Municipal Code (L.A.M.C.), an inspection has been conducted at the property listed above.

Section 12.26 (I) of the Los Angeles Municipal Code, Vehicle Repair and/or Installation Establishments.

As a result of this inspection, the conditions listed below are in violation of the L.A.M.C. as follows:

VIOLATION(S):

1. (V #3-STANDARD) The spray booth was/is constructed without the required plans, permits, inspection, and approvals.

You are therefore ordered to: Demolish and remove all unapproved/unpermitted construction work performed with out the required plans, permits, inspections, approvals and clearances, and restore all buildings and the site to its originally approved condition.

Or

Submit plans, obtain all required permits, inspections, approvals, and all required clearances to secure a new Certificate of Occupancy to make the building/site conform and comply with all requirements of the L.A.M.C.

Code Section(s) in Violation: 91.8105, 91.106.1.1, 91.106.1.2, 91.108.4, 91.106.3.2, 91.103.1, 91.104.2.4, and 91.104.2.2 of t L.A.M.C.

Location: Located on the south west corner of the building

Comments: Application #01016-10000-08526 was submitted to plan check but was not issued a permit or Certificate of Occupancy.

2. Mechanical (heating, air conditioning, refrigeration or ventilation) work has been done without the required permits and approvals.

You are therefore ordered to: Obtain all required mechanical permits and approvals for the spray booth that was installed.

Code Section(s) in Violation: 95.112.1, 91.103.1, 12.21A.1.(a) of the L.A.M.C.

NON-COMPLIANCE FEE WARNING :

YOU ARE IN VIOLATION OF THE L.A.M.C. IT IS YOUR RESPONSIBILITY TO CORRECT THE VIOLATION(S) AND CONTACT THE INSPECTOR LISTED BELOW TO ARRANGE FOR A COMPLIANCE INSPECTION BEFORE THE NON-COMPLIANCE FEE IS IMPOSED. Failure to correct the violations and arrange for the compliance inspection within 15 days from the Compliance Date, will result in imposition of the fee noted below.

A proposed noncompliance fee in the amount of \$660.00 may be imposed for failure to comply with the order within 15 days after the compliance date specified in the order or unless an appeal or request for slight modification is filed within 15 days of the compliance date.

If an appeal or request for slight modification is not filed within 15 days of the compliance date or extensions granted therefrom, the determination of the department to impose and collect a non-compliance fee shall be final. Section 98.0411 L.A.M.C.

NOTE: FAILURE TO PAY THE NON -COMPLIANCE FEE WITHIN 30 DAYS AFTER THE DATE OF MAILING THE INVOICE, MAY RESULT IN A LATE CHARGE OF TWO (2) TIMES THE NON-COMPLIANCE FEE PLUS A 50 PERCENT COLLECTION FEE FOR A TOTAL OF \$2,310.00.

Any person who fails to pay the non-compliance fee, late charge and collection fee shall also pay interest. Interest shall be calculated at the rate of one percent per month.

PENALTY WARNING :

Any person who violates or causes or permits another person to violate any provision of the Los Angeles Municipal Code (L.A.M.C.) is guilty of a misdemeanor which is punishable by a fine of not more than \$1000.00 and/or six (6) months imprisonment for each violation. Section 11.00 (m) L.A.M.C.

REVOCATION OF CERTIFICATE OF OCCUPANCY and FINE WARNING :

The failure to correct the violations on or before the compliance date or any authorized extension thereof may result in commencement of proceedings to revoke the Certificate of Occupancy. Such proceedings may involve a Revocation Hearing. A personal appearance at the hearing may only be avoided if the violation is corrected and a fine paid according to the fine schedule in Section 12.26 F 14 or 12.26 I. 16 of this subsection. Sections 12.26 F. 9, 12.26 I. 11, 98.0402(f)2A L.A.M.C.

The compliance date as specified in the notice may be extended for an additional period not to exceed 45 days if the owner or operator of the yard presents satisfactory evidence to the Superintendent that unusual difficulties prevent substantial compliance without such extension.

APPEAL PROCEDURES:

Notwithstanding any provisions of the Municipal Code to the contrary, there shall be no appeal to the Board of Building and Safety Commissioners from any notice issued or determination made by the Superintendent pursuant to Subsection 12.26 F. 13, 12.26 I. 15.

and/or

Except for extensions of time granted by the Department of Building and Safety and the Board of Building and Safety Commissioners as authorized in Subdivision 12.26 F. 4(b) and/or 12.26 I. 7(b), and notwithstanding any provisions of this code to the contrary, there shall be no appeal to the Board of Building and Safety Commissioners from any notice issued or determination made by the Department pursuant to Subsection(s) 12.26 F. and/or 12.26 I. Appeals may be made from Department determinations of violations of

Appeal rights for Code Sections other than Sections 12.26 F. and 12.26 I. are as follows.

There is an appeal procedure established in this city whereby the Department of Building and Safety and the Board of Building and Safety Commissioners have the authority to hear and determine error or abuse of discretion, or requests for slight modification of the requirements contained in this order when appropriate fees have been paid. Section 98.0403.1 and 98.0403.2 L.A.M.C.

REPEAT VIOLATIONS:

If an Order to Comply is issued pursuant to Sections 12.26 F. or 12.26 K. of the Los Angeles Municipal Code, and after compliance with the Order, a subsequent Order to Comply is issued for violation of the same provisions occurring within one year of the date of the initial Order, the repair/installation facility or storage yard facility operator shall pay a fine as specified in Section 98.0402(f)1 L.A.M.C. as follows:

A. For each auto dismantling, junk yard, scrap metal or recycling materials processing yards, recycling collection and/or buyback centers, recycling materials sorting facilities and cargo container storage yards....\$200.00


B. For each vehicle repair garage, installation facility, or used car sales violation....\$200.00

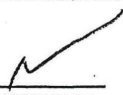
Sections 12.26 F. 15, 12.26 I. 17 L.A.M.C.

If you have any questions or require any additional information please feel free to contact me (213)252-3395. (15-3394RLR/1OF2)
Office hours are 7:00 a.m. to 4:30 p.m. Monday through Friday.

Inspector: _____

Date: October 02, 2015


CLAUDIO MORENO
3550 WILSHIRE BLVD. SUITE 1800
LOS ANGELES, CA 90010
(213)252-3395
Claudio.Moreno@lacity.org

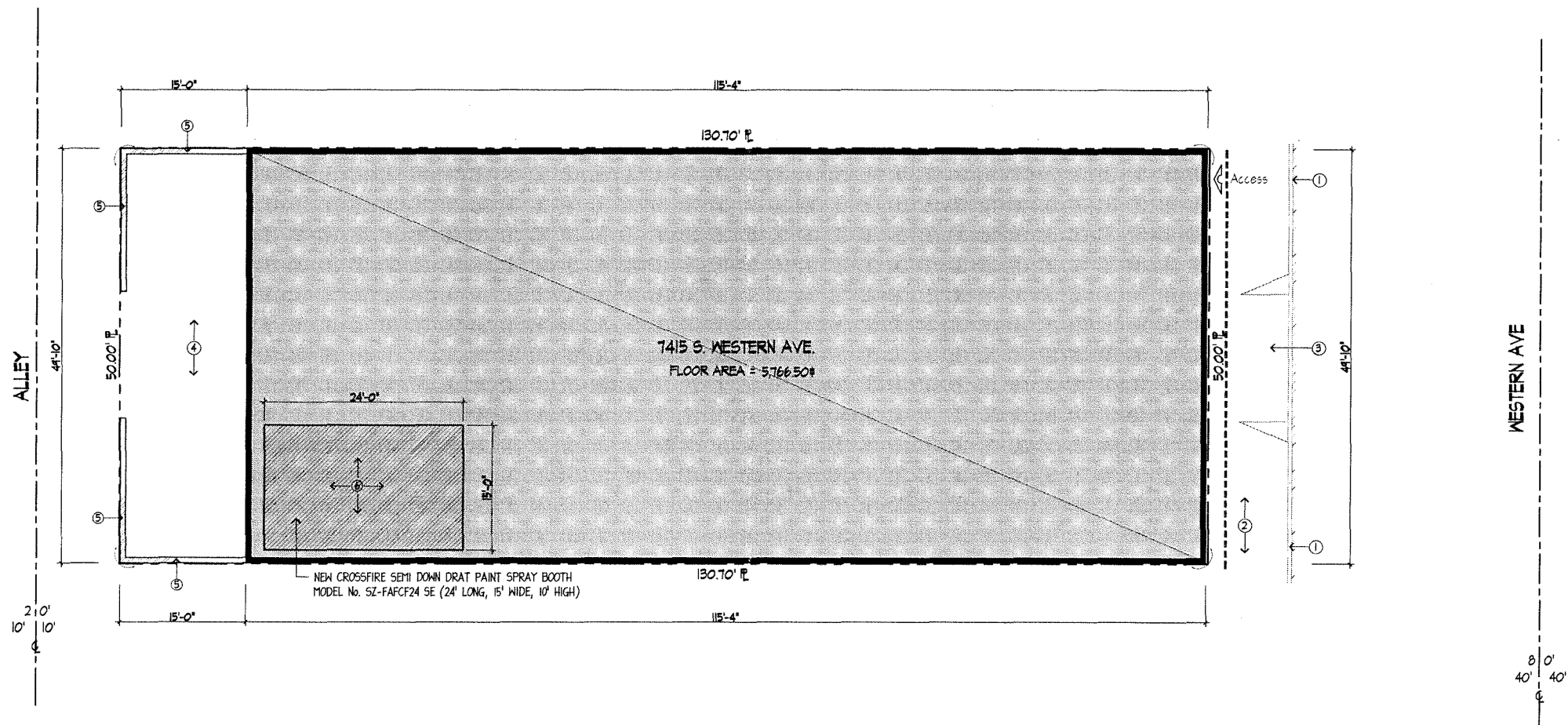

REVIEWED BY

PLOT PLANS

CONSULTANT INDEX

I HEREBY CERTIFY THAT THESE CONSTRUCTION DOCUMENTS WERE PREPARED BY ME, OR UNDER MY SUPERVISION.

EDSEL VERA - DESIGNER
B-721460



GENERAL NOTES

BEST MANAGEMENT PRACTICES FOR CONSTRUCTION ACTIVITIES

1. ERODED SEDIMENTS AND OTHER POLLUTANTS MUST BE RETAINED ON SITE & MAY NOT BE TRANSPORTED FROM THE SITE VIA SHALES, AREA DRAINS OR NATURAL DRAINAGE COURSES.
 2. STOCKPILES OF EARTH AND OTHER CONSTRUCTION RELATED MATERIALS MUST BE PROTECTED FROM BEING TRANSPORTED FROM THE SITE BY THE FORCES OF WIND OR WATER.
 3. FUELS, OILS, SOLVENTS AND OTHER TOXIC MATERIALS MUST BE STORED IN ACCORDANCE WITH THEIR LISTING & ARE NOT TO CONTAMINATE THE SOIL & SURFACE WATERS. ALL APPROVED STORAGE CONTAINERS ARE TO BE ARE TO BE PROTECTED FROM THE WEATHER. SPILLS MUST BE CLEANED UP IMMEDIATELY & DISPOSED OFF IN A PROPER MANNER. SPILLS MAY NOT BE WASHED INTO THE DRAINAGE SYSTEM.
 4. NON-STORM WATER RUNOFF FROM EQUIPMENT AND VEHICLE WASHING AND ANY OTHER ACTIVITY SHALL BE CONTAINED AT THE PROJECT SITE.
 5. EXCESS OR WASTE CONCRETE MAY NOT BE WASHED INTO THE PUBLIC WAY OR ANY OTHER DRAINAGE SYSTEM. PROVISIONS SHALL BE MADE TO RETAIN CONCRETE WASTES ON THE SITE UNTIL THE CAN BE DISPOSED OF AS A SOLID WASTE.
 6. TRASH AND CONSTRUCTION RELATED DEBRIS MUST BE DEPOSITED INTO A COVERED RECEPTACLE TO PREVENT CONTAMINATION OF RAINWATER AND DISPERSAL BY WIND.
 7. SEDIMENTS & OTHER MATERIALS MAY NOT BE TRACKED FROM THE SITE BY VEHICLE TRAFFIC. CONSTRUCTION ENTRANCE ROADWAYS MUST BE STABILIZED SO AS TO INHIBIT SEDIMENTS FROM BEING DEPOSITED INTO THE PUBLIC WAY. ACCIDENTAL DEPOSITIONS MUST BE SHEPT UP IMMEDIATELY AND MAY NOT BE WASHED DOWN BY RAIN OR OTHER MEANS.
 8. ANY SLOPES WITH DISTURBED SOILS OR DEBDED OF VEGETATION MUST BE STABILIZED SO AS TO INHIBIT EROSION BY WIND OR WATER.
 9. EVERY EFFORT SHOULD BE MADE TO ELIMINATE THE DISCHARGE OF NON-STORMWATER FROM THE PROJECT SITE AT ALL TIME.
- AS THE PROJECT OWNER OR AGENT FOR THE OWNER, I HAVE READ & UNDERSTAND THE REQUIREMENTS LISTED ABOVE, NECESSARY TO CONTRA STORM WATER POLLUTION FROM SEDIMENTS, EROSION AND CONSTRUCTION MATERIALS AND I CERTIFY THAT I WILL COMPLY WITH THESE REQUIREMENTS.

OWNER / AGENT Bradley
SIGNATURE _____ DATE _____

GOOD HOUSE KEEPING REQUIREMENTS

1. CONDUCT INVENTORY OF THE PRODUCTS USED AND/OR EXPECTED TO BE USED AND THE END PRODUCTS THAT ARE PRODUCED AND/OR EXPECTED TO BE PRODUCED. THIS DOES NOT INCLUDE TO BE OUTDOORS & EXPOSED TO ENVIRONMENTAL CONDITIONS (I.E. POLES, EQUIPMENT PADS, CABINETS, CONDUCTORS, BRICKS, ETC.)
2. COVER AND BERN LOOSE STOCKPILED CONSTRUCTION MATERIALS THAT ARE NOT ACTIVELY BEING USED (I.E. SOIL SPOILS, AGGREGATE, FLY-ASH, STUCCO, HYDRATED LIME, ETC.)
3. STORE CHEMICALS IN WATERTIGHT CONTAINERS (WITH APPROPRIATE SECONDARY CONTAINMENT TO PREVENT SPILLAGE OR LEAKAGE) OR IN A STORAGE SHED (COMPLETELY CLOSED).
4. MINIMIZE EXPOSURE OF CONSTRUCTION MATERIALS TO PRECIPITATION. THIS DOES NOT INCLUDE MATERIALS & EQUIPMENT THAT ARE DESIGNED TO BE OUTDOORS AND EXPOSED TO ENVIRONMENTAL CONDITIONS (I.E. POLES, EQUIPMENT PADS, CABINETS, CONDUCTORS, INSULATION, ETC.)
5. IMPLEMENT BMP'S TO PREVENT THE OFF-SITE TRACKING OF LOOSE CONSTRUCTION & LANDSCAPE MATERIALS.
6. PREVENT DISPOSAL OF ANY RINSE OR WASH WATERS, OR MATERIALS ON IMPERVIOUS OR PERVIOUS SITE SURFACES OR INTO STORM DRAIN SYSTEM.
7. ENSURE THE CONTAINMENT OF SANITATION FACILITIES (E.G. PORTABLE TOILETS) TO PREVENT DISCHARGES OF POLLUTANTS TO THE STORM WATER DRAINAGE SYSTEM OR RECEIVING WATER.
8. CLEAN OR REPLACE SANITATION FACILITIES AND INSPECTING THEM REGULARLY FOR LEAKS & PILLS.
9. COVER WASTE DISPOSAL CONTAINERS AT THE END OF EVERY BUSINESS DAY & DURING RAIN EVENT.
10. PREVENT ANY DISCHARGE FROM WASTE DISPOSAL CONTAINERS TO THE STORM WATER DRAINAGE SYSTEM OR RECEIVING WATER.
11. CONTAIN AND SECURELY PROTECT STOCKPILE WASTE MATERIAL FROM WIND & RAIN AT ALL TIMES UNLESS ACTIVELY BEING USED.
12. IMPLEMENT PROCEDURES THAT ADDRESS HAZARDOUS & NON-HAZARDOUS SPILLS. HAVE A PROCEDURE MANUAL ON THE SITE.
13. ENSURE THE CONTAINMENT OF CONCRETE WASHOUT AREAS AND OTHER WASHOUT AREAS THAT MAY CONTAIN ADDITIONAL POLLUTANTS SO THERE IS NO DISCHARGE INTO UNDERLYING SOIL & THE SURROUNDING AREAS.
14. PREVENT OIL, GREASE, OR FUEL TO LEAK INTO THE GROUND, OR STORM DRAINS.
15. CLEAN LEAKS IMMEDIATELY AND DISPOSE OF LEAKED MATERIALS PROPERLY.
16. CONTAIN STOCKPILED MATERIALS SUCH AS MULCHES & TOPSOIL WHEN THEY ARE NOT ACTIVELY BEING USED.
17. CONTAIN FERTILIZERS AND OTHER LANDSCAPE MATERIALS WHEN THEY ARE NOT ACTIVELY BEING USED.

18. DISCONTINUE THE APPLICATION OF ANY ERODIBLE LANDSCAPE MATERIAL WITHIN 2-DAYS BEFORE A FORECAST FOR A RAIN EVENT OR DURING PERIODS OF PRECIPITATION.
19. APPLY ERODIBLE LANDSCAPE MATERIAL AT QUANTITIES & APPLICATION RATES ACCORDING TO THE MANUFACTURER RECOMMENDATIONS OR BASED ON WRITTEN SPECIFICATIONS BY KNOWLEDGEABLE & EXPERIENCED FIELD PERSONNEL.
20. STACK ERODIBLE LANDSCAPE MATERIAL ON PALLETS & COVERING OR STORING SUCH MATERIAL WHEN NOT BEING USED OR APPLIED.
21. CONSIDER THE QUANTITY, PHYSICAL CHARACTERISTICS (E.G. LIQUID, POWDER, SOLID), AND LOCATIONS OF EACH POTENTIAL POLLUTANT SOURCE HANDLED, PRODUCED, STORED, RECYCLED, OR DISPOSED OF AT THE SITE.
22. CONSIDER THE DEGREE TO WHICH POLLUTANTS ASSOCIATED WITH THOSE MATERIALS MAY BE EXPOSED TO & MOBILIZED BY CONTACT WITH STORM WATER.
23. CONSIDER THE DIRECT AND INDIRECT PATHWAYS THAT POLLUTANTS MAY BE EXPOSED TO STORM WATER OR AUTHORIZED NON-STORM WATER DISCHARGES. THIS SHALL INCLUDE & ASSESSMENT OF PAST SPILLS OR LEAKS, NON-STORM WATER DISCHARGES, AND DISCHARGES FROM ADJOINING AREAS.
24. ENSURE EFFECTIVENESS OF BMP'S TO REDUCE OR PREVENT POLLUTANTS IN STORM WATER DISCHARGES & AUTHORIZED NON-STORM WATER DISCHARGES.
25. CONTROL ALL NON-STORM WATER DISCHARGES DURING CONSTRUCTION.
26. WASH ALL VEHICLES IN SUCH A MANNER AS TO PREVENT NON-STORM WATER DISCHARGES TO SURFACE WATERS OR TSSA DRAINAGE SYSTEMS.
27. IMPLEMENT EFFECTIVE WIND EROSION CONTROL.
28. PROVIDE EFFECTIVE SOIL COVER FOR INACTIVE AREAS AND ALL FINISHED SLOPES, OPEN SPACES, UTILITY BACKFILL, AND COMPLETED LOTS.
29. WHERE PLASTIC MATERIALS ARE DEEMED NECESSARY, THE DISCHARGER SHALL CONSIDER THE USE OF PLASTIC MATERIALS RESISTANT TO SOLAR DEGRADATION.
30. MAINTAIN EFFECTIVE PERIMETER CONTROLS AND STABILIZE ALL CONSTRUCTION ENTRANCES AND EXITS TO SUFFICIENTLY CONTROL EROSION AND SEDIMENT DISCHARGES FROM THE SITE.

SITE PLAN KEYED NOTES

- ① EXISTING CONCRETE CURB AND GUTTER
 - ② EXISTING SIDEWALK
 - ③ EXISTING CONCRETE DRIVEWAY
 - ④ EXISTING CONCRETE PARKING AREA
 - ⑤ EXISTING 6'-0" CONCRETE BLOCK FENCE
 - ⑥ NEW FACTORY BUILT SEMI DOWN DRAFT SPRAY BOOTH TO BE INSTALLED PER MANUFACTURER STANDARDS AND SPECIFICATIONS.
- EXISTING 40' PATH OF TRAVEL

SITE PLAN NOTES

1. CONSTRUCTION DUST CONTROL:
DURING CONSTRUCTION, DUST CONTROL MEASURES SHALL BE REQUIRED IN ACCORDANCE WITH THE DUST CONTROL ORDINANCE. GRADING WILL BE DISCONTINUED DURING FIRST STAGE OF ANY SHOG ALERTS & SUSPENDED DURING PERIODS OF HIGH WIND (I.E. OVER 15 MILES PER HOUR). ALL HAULING TRUCKS SHALL HAVE LOADS COVERED OR NETTED & LOADED BELOW THE SIDE-BOARDS TO MINIMIZE DUST.
2. THE CONSTRUCTION SHALL NOT RESTRICT A 5 FOOT CLEAR & UNOBSTRUCTED ACCESS TO ANY WATER OR POWER DISTRIBUTION FACILITIES SUCH AS (POMER POLES, PULL-BOXES, BOXES, TRANSFORMERS, VAULTS, PUMPS, VALVES, METERS OR TO THE LOCATION OF HOOR-UP). THE CONSTRUCTION SHALL NOT BE WITHIN TEN FEET OF ANY POWER LINES, WHETHER OR NOT THE LINES ARE LOCATED ON THE PROPERTY. FAILURE TO COMPLY MAY CAUSE CONSTRUCTION DELAYS AND OR ADDITIONAL EXPENSES.
3. CONSTRUCTION WASTE SHALL BE REDUCED BY 50% AND WILL BE HANDLED BY A CITY OF LOS ANGELES CERTIFIED HAULER.

SITE PLAN
SCALE: 1"=1'-0"



EBE
associates, inc.
3125 N. ANDRITA STREET
LOS ANGELES, CA 90065
323.550.8335 F 323.550.8336
ebe@ebeassociates.com

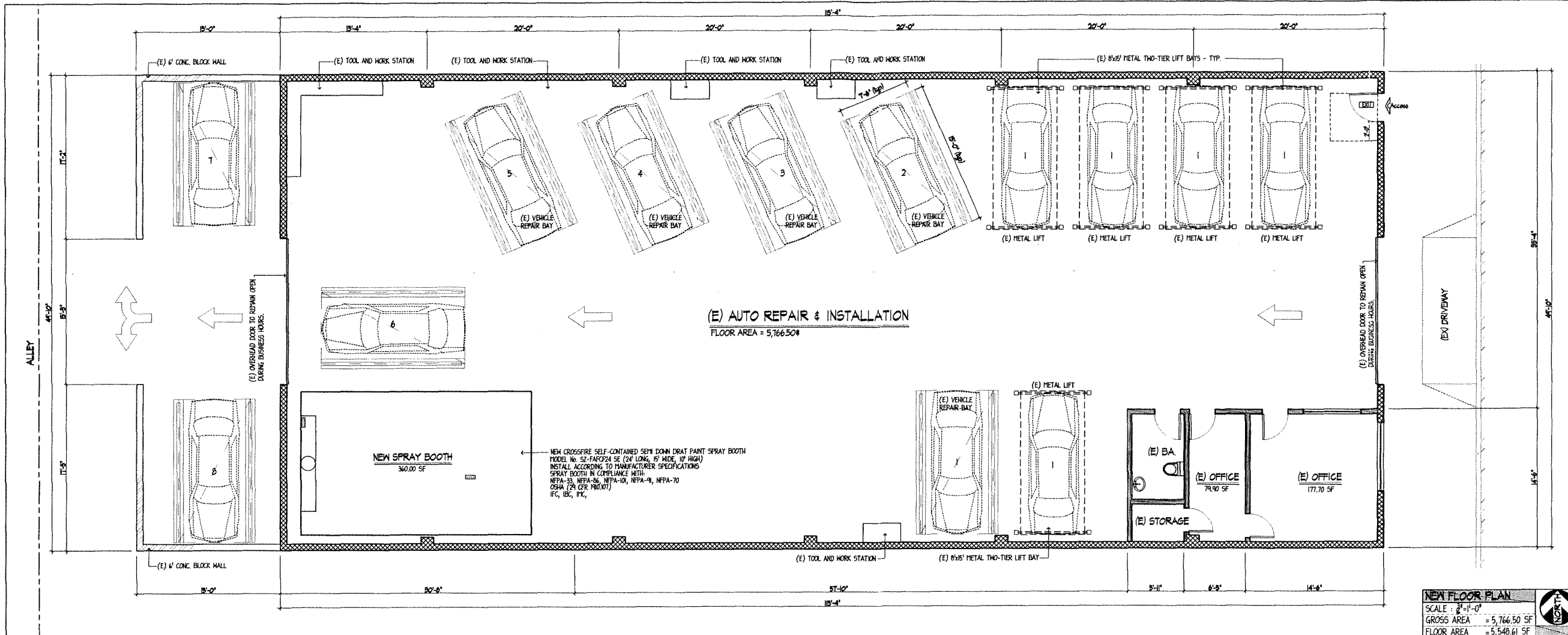
OWNER:
ROBERT AND LEILA ROUZBEHI
7419 S. WESTERN AVENUE
LOS ANGELES, CA 90047
323.750.1700

PROJECT:
**INSTALLATION OF A NEW
SELF-CONTAINED SPRAY BOOTH**
7419 S. WESTERN AVENUE
LOS ANGELES, CA 90047

MARK	DATE	DESCRIPTION
△		
△		
△		
△		

SITE PLAN
PROJECT NUMBER: 15-3394RLR/1of2
DRAWN BY: MBZ
DATE: 03/01/16
ALL RIGHTS RESERVED. NOT PART OF THESE DOCUMENTS
MAY BE REPRODUCED OR UTILIZED IN ANY FORM WITHOUT
THE PRIOR WRITTEN AUTHORIZATION OF E.B.E. ASSOC. INC.
SHEET NUMBER
A.05

I HEREBY CERTIFY THAT THESE CONSTRUCTION
DOCUMENTS WERE PREPARED BY ME, OR UNDER
MY SUPERVISION.
EDEL VERA - DESIGNER
B-72460



NEW FLOOR PLAN
 SCALE: 1/8" = 1'-0"
 GROSS AREA = 5,766.50 SF
 FLOOR AREA = 5,548.61 SF

SPRAYBOOTH : CODE COMPLIANCE

DOWNLOAD CATALOG
GET A QUOTE
FIND DISTRIBUTOR

CODE COMPLIANCE :

NFPA-33
 Standard for spray application using flammable or combustible materials.

NFPA-86
 Standard for ovens and furnaces. NFPA-101 Life Safety Code

NFPA-91
 Standard for exhaust systems for conveying of materials. NFPA-70 National Electric Code

OSHA Safety and Health Standards
 (29 CFR 1910, 1910.107)

IFC International Fire Code
IBC International Building Code
IMC International Mechanical Code

BOCA National Fire Prevention Code
National Building Code
National Mechanical Code

CODE COMPLIANCE :

UFC Uniform Fire Code, UBC Uniform Building Code, UMC Uniform Mechanical Code

SBCCI Standard Fire Prevention Code; Standard Building Code; Standard Mechanical Code

AUTO STANDARD / FRONTLINE : SPECS

CONSTRUCTION :

Pre-punched single wall panels
 18 ga. galvanized steel panels
 Self-support straight construction
 6" O.C. precision punched

MECHANICAL & MOTOR :

(1) - 30" 12,000 CFM Tube-axial fan
 (1) - 3HP-3PH-240v Baldor motor
 High capacity exhaust
 Dayton belt drive & pulley systems

FILTRATION :

(20) - Exhaust filter frame
 (20) - Intake filter frame
 (40) - W-Grade Dim: 20" x 20" x 2"
 Exhaust plenum located center back
 Fiberglass filter: Dim: 20" x 20" x 2"
 Tacky Filter: Dim: 36" x 120" x 2"

MAIN DOOR :

(2) 4'-6" wide x 9' high tubular frame
 Main access door: 36" x 84"

LIGHTING :

4 light fixtures with 4 fluorescent lamps
 (6) upper horizontal light fixtures
 (4) lower horizontal light fixtures
 Energy efficient ballast 120V 60Hz
 Heat-treated tempered glass
 60" x 48" x 13" safety glass

AUTO STANDARD / FRONTLINE : UPGRADES

BOOTH EXTENSION
 DRIVE THRU
 OBSERVATION WINDOWS

AUTO STANDARD / FRONTLINE : MODELS

Model	Dimension (w) x (l) x (h)	Tube Axial Fan	Lights
S2-PAF 24 SE	14'-4" x 24'-4" x 9'-2"	fan: 30" / motor: 2 hp	10 total
S2-PAF 27 SE	14'-4" x 27'-4" x 9'-2"	fan: 30" / motor: 2 hp	10 total
S2-PAF 30 SE	14'-4" x 30'-4" x 9'-2"	fan: 30" / motor: 2 hp	12 total

EBE ASSOCIATES, INC.
 3125 N. ANDRITA STREET
 LOS ANGELES, CA 90065
 323.550.8335 F 323.550.8336
 ebe@ebeassociates.com

OWNER:
ROBERT AND LEILA ROUZBEHI
 7419 S. WESTERN AVENUE
 LOS ANGELES, CA 90047
 323.750.1700

PROJECT:
INSTALLATION OF A NEW SELF-CONTAINED SPRAY BOOTH
 7419 S. WESTERN AVENUE
 LOS ANGELES, CA 90047

MARK	DATE	DESCRIPTION
1		
2		
3		
4		

NEW FLOOR PLAN

PROJECT NUMBER: 15-334RLR/10f2
 DRAWN BY: MBZ
 DATE: 03/01/16

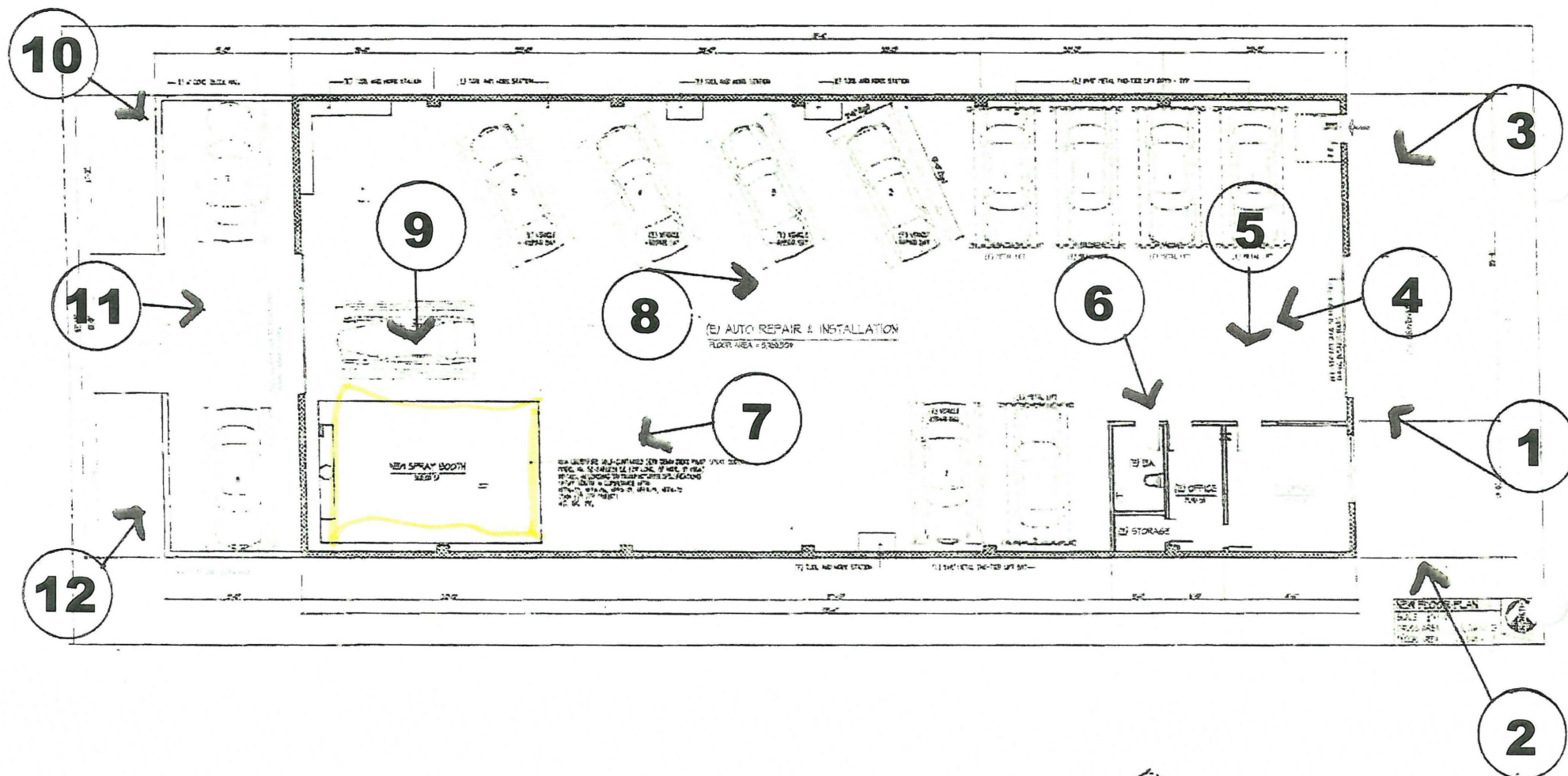
ALL RIGHTS RESERVED. NOT PART OF THESE DOCUMENTS MAY BE REPRODUCED OR UTILIZED IN ANY FORM WITHOUT THE PRIOR WRITTEN AUTHORIZATION OF E.B.E. ASSOC. INC.

SHEET NUMBER
A.07

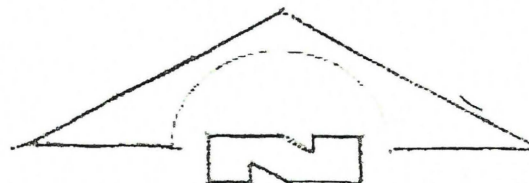
BUILDING PLAN CHECK SET
15-334RLR/10f2

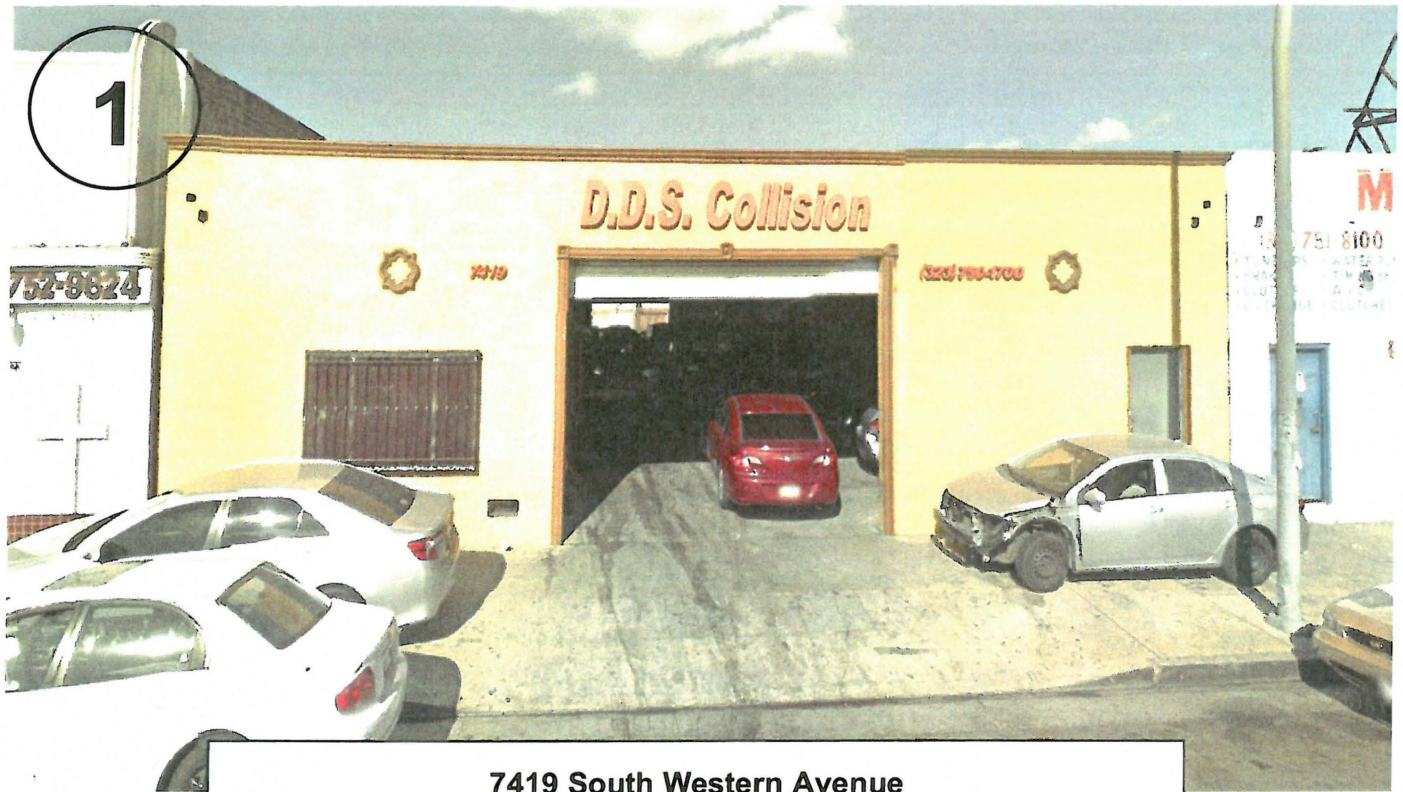
I HEREBY CERTIFY THAT THESE CONSTRUCTION DOCUMENTS WERE PREPARED BY ME, OR UNDER MY SUPERVISION.

EBE ASSOCIATES, INC.
 3125 N. ANDRITA STREET
 LOS ANGELES, CA 90065
 323.550.8335 F 323.550.8336
 ebe@ebeassociates.com

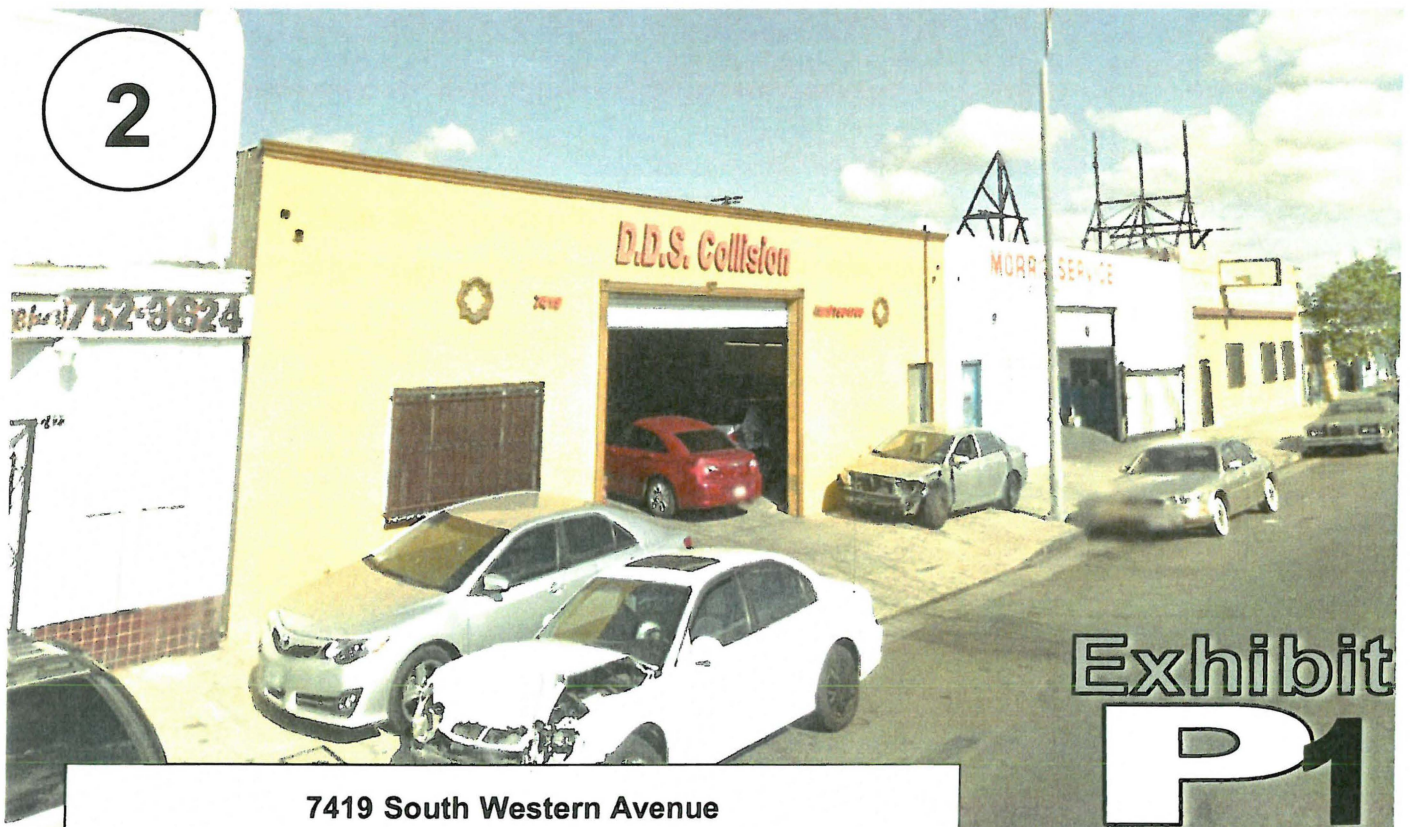


PICTURE KEY MAP





7419 South Western Avenue
(Front View of Subject Property)



7419 South Western Avenue
(Left-side View Along Frontage of Subject Property)

Exhibit
P1

Case No.



Right-Side View Along Frontage of Property



Interior View of Auto Body Shop



Front-View of Offices & Bathroom



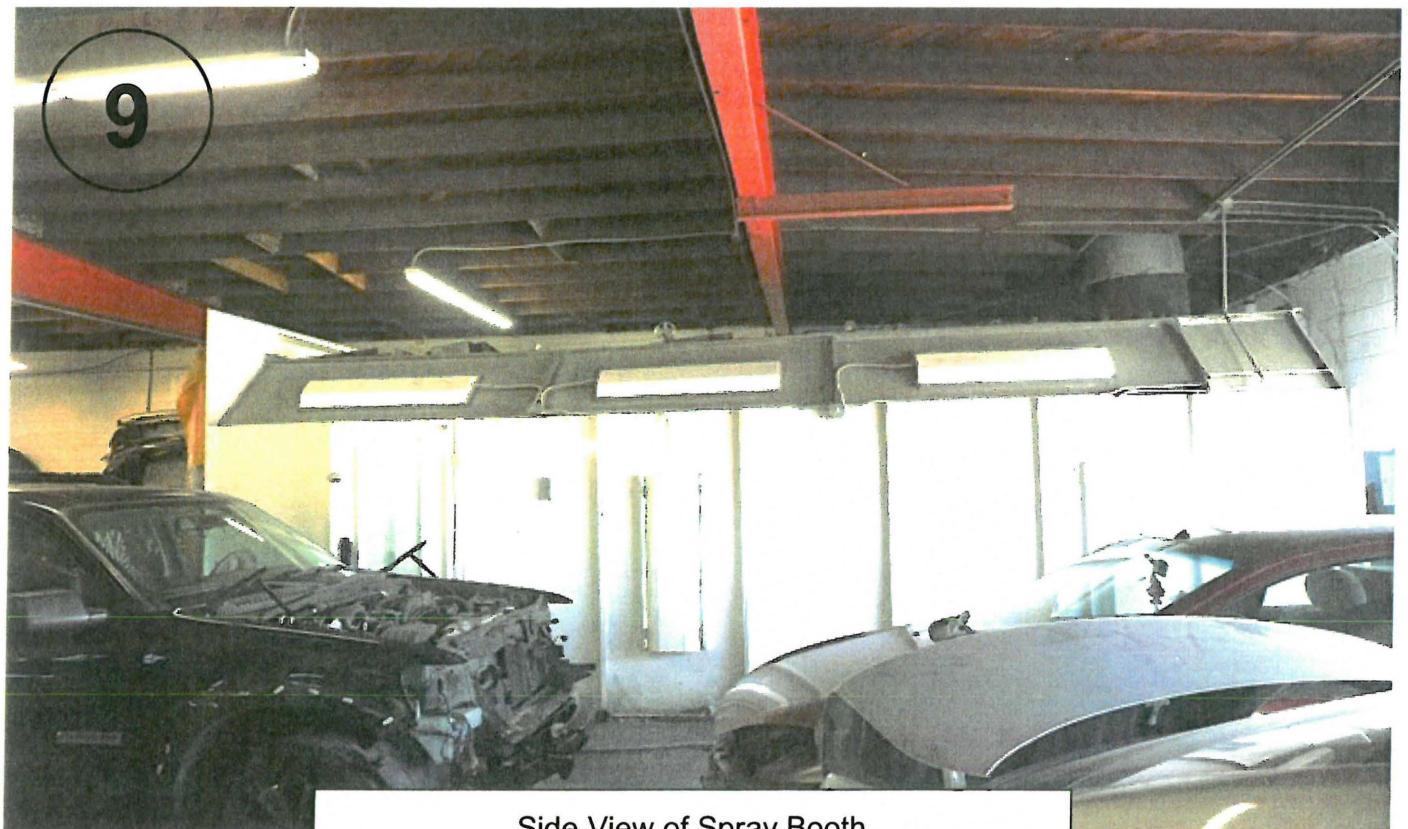
Rear View of Offices & Bathroom



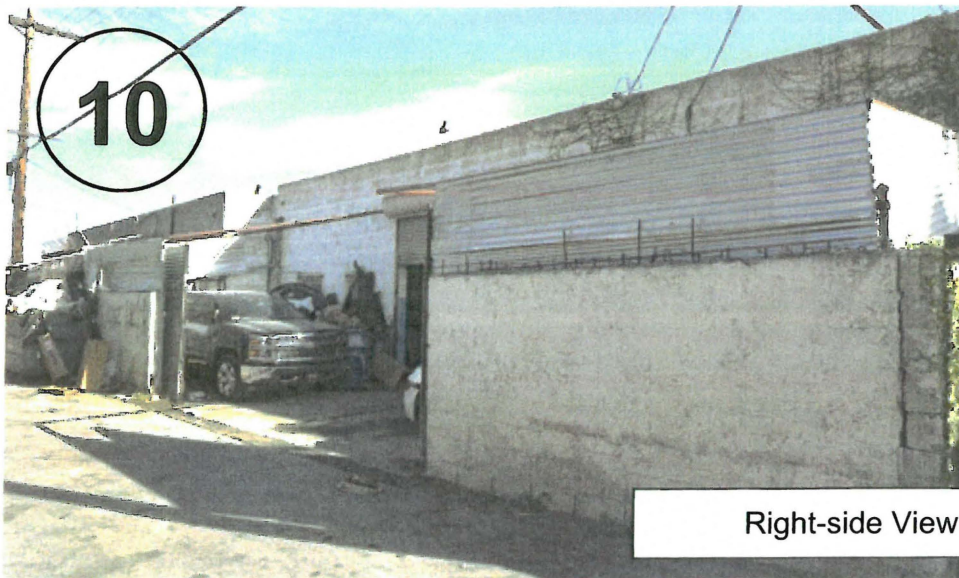
Interior View of Main Entrance



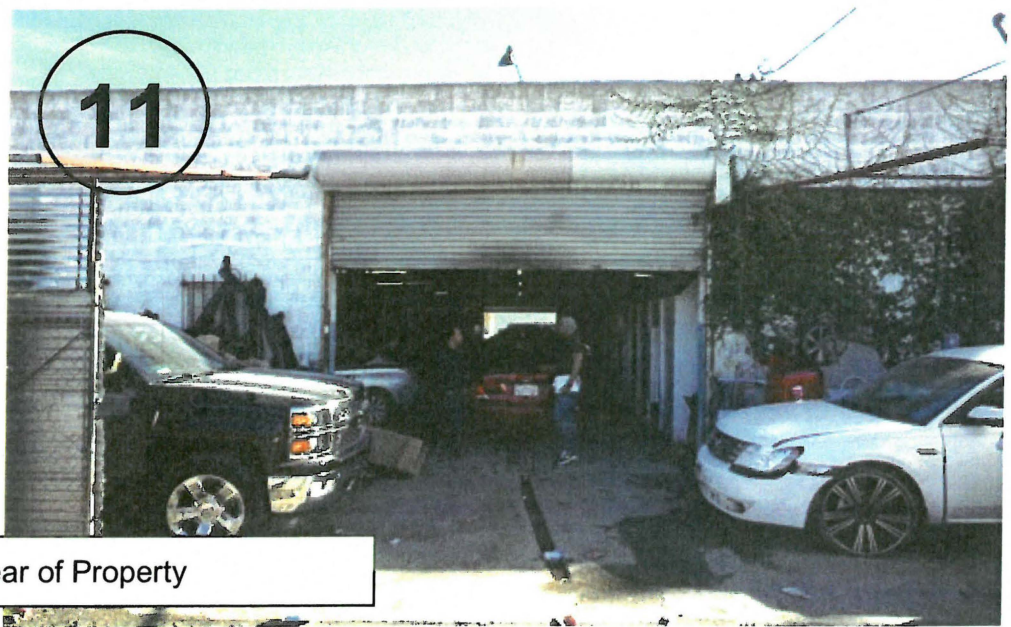
Front View of Spray Booth



Side View of Spray Booth



Right-side View Along Rear of Property

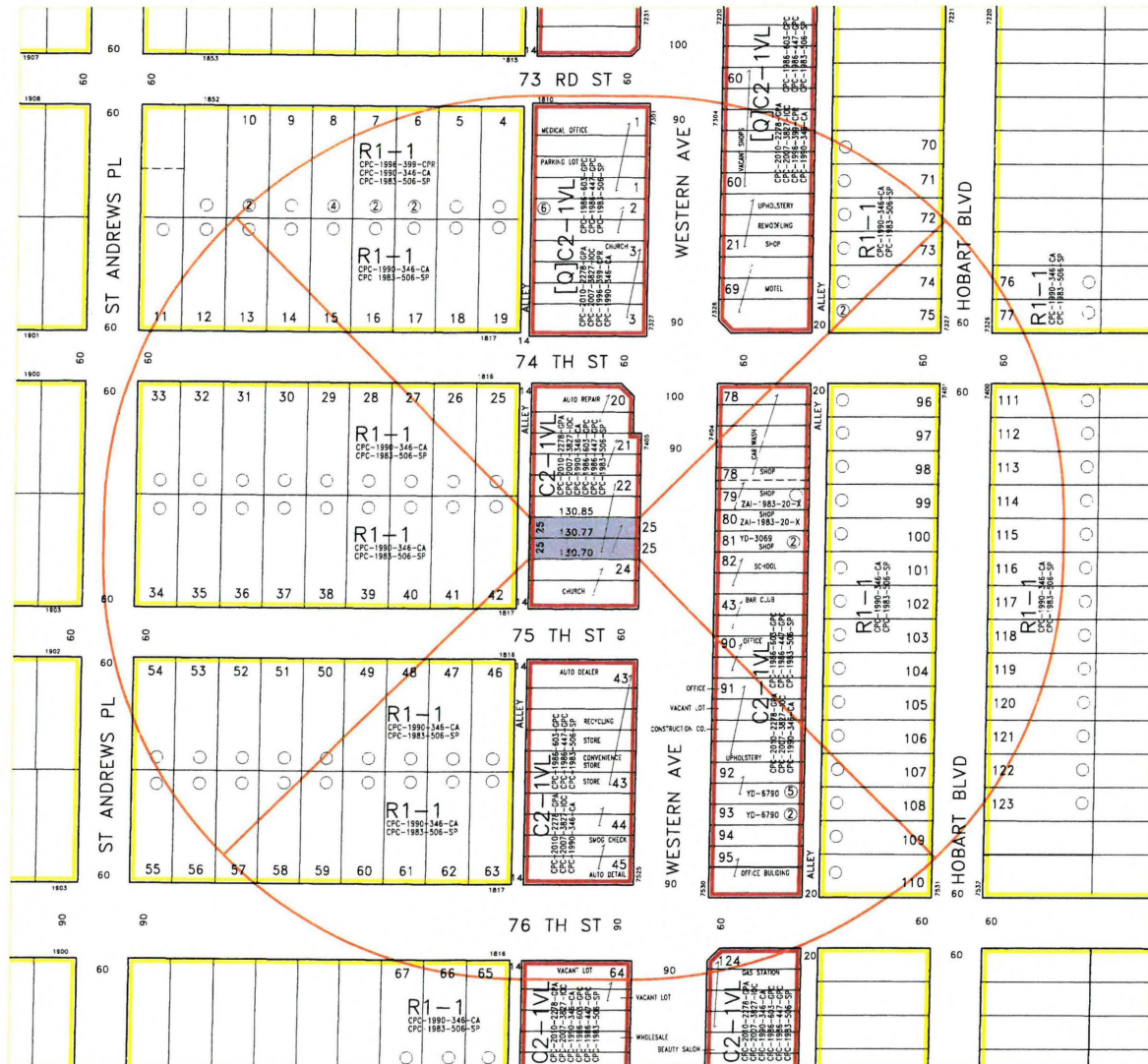


View along Rear of Property



Left-side View Along Rear of Property

RADIUS MAP



LEGAL DESCRIPTION

LOTS 7 AND 8 OF TRACT 5107 IN THE CITY OF LOS ANGELES,
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS PER MAP
RECORDED IN BOOK 54 PAGE 6170 OF MAPS AS RECORDED IN
THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.



ZONE VARIANCE

ZONING ATLAS
BOOK : PAGE :
GRID :

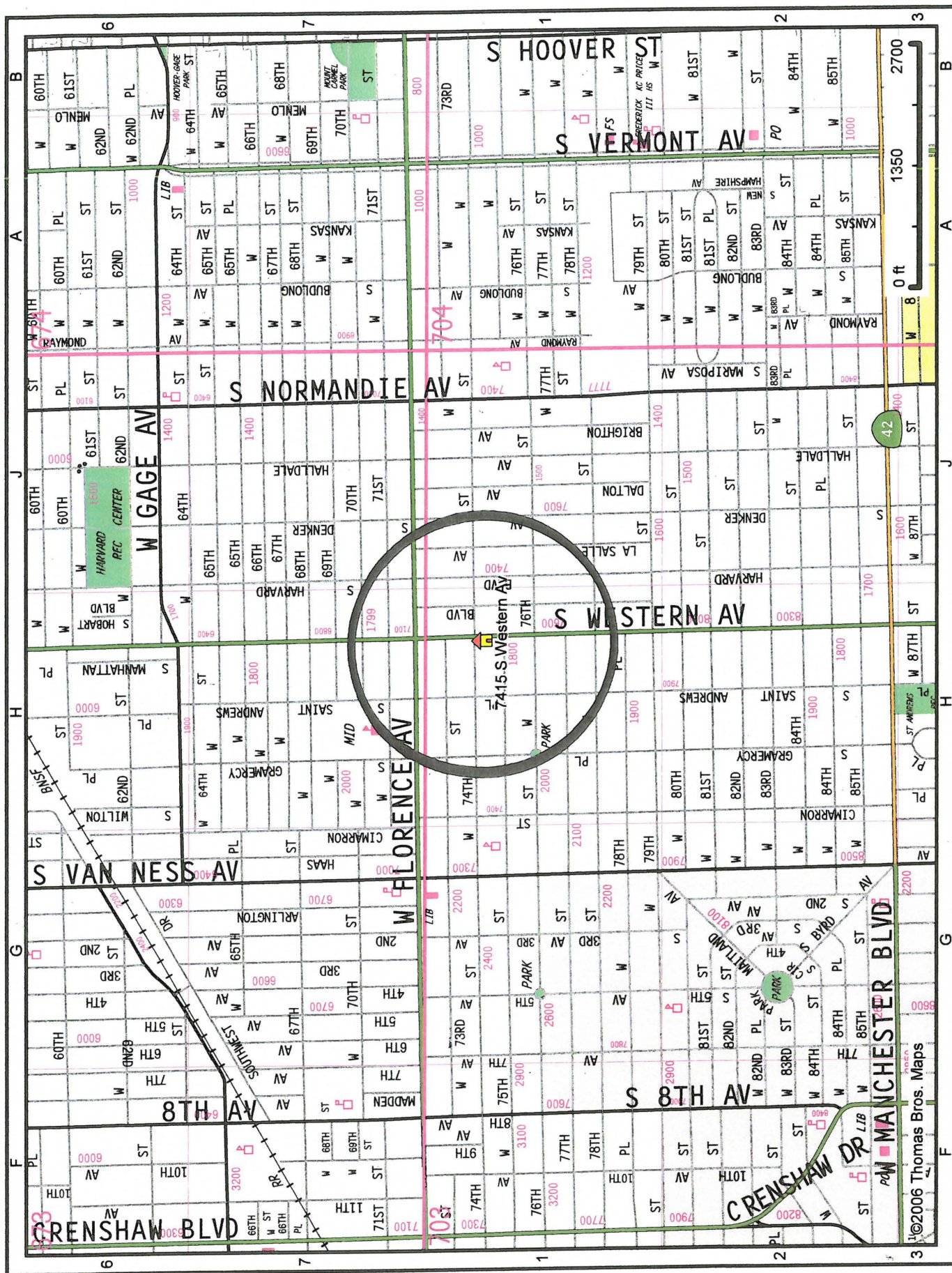
C.D. 8-Marquee Harris-Danson
C.T. 2379.00
P.A. South Los Angeles

CASE No.
DATE : 06/28/2016
DRAWN BY : E.B.E. ASSOCIATES, INC.
DM. OR CAD : 102B193, 099B193
SCALE : 1" = 100'
USE : FIELD
CONTACT PERSON : BRADLEY
PHONE : (323) 550-8335 Fax (323) 550-8336
e-mail : bradley@ebeassociates.com

T.B. : 2008
PAGE : 703
GRID : H-1

(15-3394RLR/2012)

2016-2563



ZA 2016-2563

CORRESPONDENCE

I'm opposed to the body shop located at 7419 S. Western Ave building a paint booth in our neighborhood.

1. Lisa Glover 1823 W. 75th St
2. Elsie Glover
3. Norman Chapman 1816 W 74 St
4. Yolanda Juere 1842 W. 74th St
5. Maxine Juere 1842 W. 74th St
6. Constance Hart 1858 W. 74th St
7. Walter Prophet 1859 W 75th St
8. William Prophet 1859 W 75th.
9. Jacque Blackwell 1827 W. 75th St.
10. Foster Mijares 1827 W. 75th St.
11. Gregory DAVIS 1839 W 75 St

Nolon Alexander
7427 South Avenue
Los Angeles, CA 90047
323 752-9178
November 16, 2016

To whom it may concern:

I, Nolon Alexander, Landlord and Business Owner of property located at 7423, 7425, 7427 S. Western Avenue, Los Angeles, CA 90047.

We have some serious problems with the tenants located at 7419 S. Western Avenue, Los Angeles, CA 900947, which is an auto body repair shop, located next door to the addresses listed above. Some of the concerns are as follows:

1. Established personnel of auto body repair shop have made a ramp from a wheel chair for in and out access to their business.
2. Sidewalk in front of their business is blocked so any foot traffic would have to go out on Western Avenue street and go around their barricade to continue down the block to other businesses.
3. Their tow trucks and the cars they are working on block all street parking so we have no place for our customers to park. They even park on sidewalks in front of the other businesses.

No, we do not want the business, namely: DDS Collision, located at 7419 S. Western Avenue, Los Angeles, CA 90047, to be able to renovate, as area is too congested as it is now.

Respectfully submitted,

Nolon Alexander
Business Owner and Landlord

Rock Tabernacle Church of God in Christ

7423 S. Western Ave. Los Angeles, Ca 90047 | (323) 752-9624 | Elder Donald Clay, Sr. - Pastor

November 13, 2016

Department of City Planning
Office of Zoning Administration

RE: Case No: **ZA-2016-2563-ZV**
 CEQA No: **ENV-2016-2564-CE**
 Project Location: **7419 South Western Avenue**

To Whom It May Concern:

I, Donald Clay, Sr. Pastor of Rock Tabernacle Church of God in Christ am writing on behalf of the Board of Trustees and the congregation of Rock Tabernacle Church to oppose the request of Robert & Leila Rouzbehi, DDS Collision Inc. Rock Tabernacle Church has been a next door neighbor of the body shop for the past 19 years. Unfortunately throughout that time, DDS Collision Inc. has not been a considerate neighbor. DDS Collision Inc. operations has negatively impacted the entire neighborhood.

DDS Collision Inc. seems to be operating at a level that is above the capacity of the location and have therefore been parking cars in need of repair all along the streets of Western Avenue and 76th Street - meaning they are taking available parking spaces from the residents in the homes along 76th Street and the businesses along Western Avenue. DDS Collision Inc. park cars in their possession on the sidewalk, which is a safety hazard for pedestrians. And they park cars blocking the alley-way parallel to Western Avenue. The cars are illegally parked both day and night.

Adding a paint bay will serve to increase the amount of business for DDS Collision Inc. As I mentioned before, their operations are already too big for their current location; adding the paint bay will only amplify the existing problem. We respectfully request that the application for the paint bay be denied.

Thank you in advance for your time and consideration of our input into this matter.

Sincerely,



Pastor Donald Clay, Sr.
Rock Tabernacle Church
7423 S. Western Ave.
Los Angeles, Ca 90047



Public hearing case ZA-2016-2563-ZV at address: 7419 South Western Avenue. for DDS Collision inc.

1 message

David Caneso <dmc@davidcaneso.com>
To: alan.como@lacity.org

Wed, Nov 9, 2016 at 3:47 PM

Mr Como,

Regarding the public hearing for Case No. ZA-2016-2563-ZV at address: 7419 South Western Avenue.

While I cannot comment on the environmental impact of the spray booth to be installed at the address above, I can tell you that the business at the address is a current nuisance to our area. They constantly leave broken down cars and auto parts, (bumpers fenders occasionally) and other debris all over the adjoining streets and alleys. Tow trucks constantly double park and block the flow of traffic on Western as well as 75th and 74th st. The alley is always blocked with inoperable cars, trash. However the most egregious violations are the ones on the Western Avenue sidewalk between 74th and 75th street. The noted business repeatedly parks cars on the sidewalk blocking access to pedestrians in front of their business on Western ave. There is currently a sign placed on their building stating no parking on the sidewalk, however there is always at least one car and a forklift parked there. This is especially harmful for anyone who is handicapped or requires use of a wheel chair. I have witnessed people in wheelchairs needing to navigate into the street on Western to get around blocked sidewalks. Western Avenue is not the only place that is constantly taken over by this business. It also impedes the vision of drivers attempting to make right hand turns onto Western from 75th st.

I have attached pictures of examples with this email.

and they are available for download at this link here as well - <https://www.dropbox.com/s/dmny8ibdvw2tu2f/ZA-2016-2563ZV.zip?dl=0>

Please let me know if you need them with any other documentation.

I appologize if this is not the kind of information that you are looking for as it doesn't particularly pertain to environmental impact, but it does cause significant nuisance to the residents that live on the two streets that fall within the 500 foot radius described in the documents that were sent out. I also have a hard time believing that a company that is lacks the capacity to control these simple aspects of its business, would regulate itself enough to prevent any environmental issues that may ef fect the surrounding residents.

Please feel free to reach out to me if you need any further information.

Thank You.



David Weintraub <david.weintraub@lacity.org>

Re: D.D.S. Collision Impact to 1800 block of West 75th Street

2 messages

Lynell Washington <lynell.washington@lacity.org>

Mon, Jan 23, 2017 at 1:07 AM

To: Rajka Jones <rajka.jones1128@gmail.com>

Cc: Mykel Jones <mykel.jones@gmail.com>, Sherilyn Correa <sherilyn.correa@lacity.org>, David Weintraub <david.weintraub@lacity.org>, Anthony Anderson <anthony.x.anderson@lacity.org>

Rajka

Council District 8 will be addressing these neighborhood issues with the City Attorney's nuisance division, Building & Safety and LAPD to develop a long term solution to this well documented problem. Please call me this week so that we may set a meeting with the affected residents.

Kind regards,

On Jan 22, 2017 8:28 PM, "Rajka Jones" <rajka.jones1128@gmail.com> wrote:

Dear Mr. Washington:

I hope this email finds you well. My name is Rajka(Ryka) Jones and my Father lives at 1822 West 75th Street. You met him at the zoning hearing on 11/17/16 then again in December at the neighborhood interest meeting. I am cc'ing my sister on this email.

Since our December meeting, I wanted to update you on the **continued issues** stemming from **D.D.S. Collision**, the commercial auto body business located on **7419 South Western Avenue, Los Angeles, CA** and other auto repair businesses in the area.

For some background for me, **D.D.S. Collision** owners, Robert & Leila Rouzbehi have a history of auto body businesses in South Los Angeles that have had **violations** from the City of Los Angeles Building and Safety attached to the properties:

1807 South 5th Avenue aka 1803 South 5th Avenue

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=15-0160-S717>

3501 West Washington Blvd.

http://clkrep.lacity.org/online/docs/2016/16-0160-S422_rpt_DBS_04-22-2016.pdf

Does the Rouzbehi family open business in distressed neighborhoods hoping to slide by the ordinances put in place to safeguard residents?

Since the initial public hearing between on 11.17.16 regarding the consideration of an enclosed auto body paint spray booth, **we have consistently documented daily negative impact** to the neighborhood and examples of **D.D.S. Collision**:

- 1) Parking dismantled, wrecked, inoperative vehicles in the 1800 block of West 75th Street
- 2) Parking tow trucks in the 1800 block of West 75th Street
- 3) Occupying the commercial space regularly for loud and disruptive parties, violating the noise guidelines according to the City of Los Angeles
- 4) **Utilizing a paint machine** that you can not only hear beyond regular business hours, but also and probably the most concerning and urgent issue, is the hazardous smell that permeates the air quality in the area. On Friday, December 29th, we opened the front door and were unable to breathe properly because of the strong smell from the paint fumes.

To your knowledge, is **D.D.S. Collision** licensed to operate the paint machine? We are under the impression the ruling is still being reviewed.

(see if you can see the photos with the link)

<https://drive.google.com/open?id=0By9rmlbUhX3HdEJVUnhaMjNPNVU>

In reviewing the ordinances cited in the initial public hearing request, there is consistent reference to the paint machine not "having a significant effect on the environment." It would seem that impact to proper breathing would qualify as a significant effect. We are extremely concerned with the health risks such as asthma, heart disease and other chronic diseases and health problems.

After beginning this email about the negative impact of **D.D.S. Collision** to the 1800 block of West 75th Street, I also reviewed the zone variance for the businesses in close proximity (see attached). There are 3 additional auto repair businesses within the 500 radius: 1) South corner of Western/West 75th Street and 2) Two in the alley between West 75th and West 76th Streets. Seemingly, there is a larger issue of these businesses coming into the community. Our neighborhood of largely low-income, elderly people has become a hot spot of businesses that utilize toxic materials. As 45+ home owning residents in this neighborhood, we have worked diligently to maintain a healthy and safe quality of life desired by all active community members. Besides the additional commercial traffic, blocking of streets and alleyways, clear violations rubbish dispose as they use the alleyways, and the parked cars leak fluids, physical pollution and air pollution, there is a significant negative impact to our property value. The neighborhood is seeing some minute benefits from the real estate market, but knowing the auto repair industry is so concentrated in the neighborhood specifically the 1800 block of West 75th Street, we will not be able to benefit 100% from the real estate interest in our community unless a master plan is put in place to remove the auto industry from this area.

We've observed city attendance from the parking enforcement in the past few weeks, but in an urgent effort to keep this open issue top of mind, I wanted to include more visual reference for the violations. Unfortunately, there is no smell reference I can provide to express the stagnant paint smell that permeates the neighborhood frequently, but please know, D.D.S. Collision is using their paint machine. If you'd like any additional information, please feel free to let me know. We will continue to be in communication and are looking forward to the next meeting. If you're able, please give me due notice to gather as many interested neighbors as possible to represent the block.

Thank you for becoming an advocate for this issue and for your continued community interest for the 1800 West 75th Street residents. I've attached a few more pictures for your file. Let me know if you need anything else.

Please respond upon receipt of this email. Looking forward to immediate next steps.

Sincerely,

Rajka Jones

The Jones Family

rajka.jones1128@gmail.com <rajka.jones1128@gmail.com>

Mon, Jan 23, 2017 at 7:38 AM

To: Lynell Washington <lynell.washington@lacity.org>

Cc: Mykel Jones <mykel.jones@gmail.com>, Sherilyn Correa <sherilyn.correa@lacity.org>, David Weintraub <david.weintraub@lacity.org>, Anthony Anderson <anthony.x.anderson@lacity.org>

Thank you for your immediate response. Are there any times that are better?

Thanks,
Rajka

Sent from my iPhone

[Quoted text hidden]















David Weintraub <david.weintraub@lacity.org>

DCP STATUS ZA2016.2563ZV.WesternAv7419

1 message

Bradley <Bradley@ebeassociates.com>
To: David.Weintraub@lacity.org

Mon, Mar 20, 2017 at 4:33 PM

Hello David:

Provided is the City of Los Angeles Office of City Attorney, Mike Feuer Dispute Resolution Program "Memorandum of Understanding" in reference to DCP Case No. ZA-2016-2563-ZV to correct the violation and "Legalize a self-contained Spray-Booth used in conjunction with an (Ex) Auto Repair/Auto Body Shop & Auto Storage" located at 7419 South Western Avenue. Please keep in mind the shop hours are from 7am – 6pm M – F and Saturday 8am – 5pm. However, the spray booth, if permit is to be operated as per the MOU. Thank-you for your patience.

Bradley,

Land Use Entitlement Consultant

EBE Associates, Inc.

(323) 806-7477

Virus-free. www.avast.com**CAO MOU.WesternAv7419.pdf**

182K

Dispute Resolution Program
200 N. Spring Street
Fourteenth Floor
Los Angeles, CA 90012

(213) 978-1880 Tel
(213) 978-1312 Fax



MICHAEL N. FEUER
CITY ATTORNEY

March 15, 2017

This Memorandum of Understanding is intended to memorialize the discussion and understanding between DDS Collision and the resident stakeholders.

Many of the residents surrounding the auto body collision repair business known as DDS Collision have voiced concerns about issues that affect the quality of life in their neighborhood.

Council District 8, Marqueece Harris-Dawson's office, contacted the L.A. City Attorney's Dispute Resolution Program (DRP) for assistance. The DRP conducted a facilitation on February 22, 2017. It was attended by residents, DDS Collision, representatives from the Dept. of Building and Safety, Parking Enforcement, and the LAPD. They shared their findings and provided pertinent information.

The facilitation yielded the following shared ideas that could be enacted in the future and commitments that were agreed to by DDS Collision:

Shared Ideas

- Reduce the number of shops or discontinue issuing new auto body repair business licenses
- Increase fines/fees for violations
- Enact street sweeping days and vigorously enforce it
- Apply for permit parking on the affected streets

DDS Collision Commitment

- A flagman directing tow traffic on Western Avenue will be used in order to reduce gridlock
- Continue to limit hours of operation from 8am to 6pm Monday thru Friday only. No weekends
- Require their tow truck drivers to contain any social activity inside the business office

It is understood that there are other auto body repair shops that are contributing to the nuisance. The council district will address the other businesses at a later date as part of the ongoing efforts of the Community Automotive Task Force.

Monica Turner
Volunteer Mediator

MTet

Saba Heritage
Program Coordinator

Saba Heritage

RECEIVED
BY: