

NONCONFORMING REVIEW STATEMENT OF FINDINGS

Pursuant to County Code Section [22.172.060.C](#): Findings and Conditions, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

2.a To require cessation of such use, building or structure would impair the property rights of any person to such an extent as to be an unconstitutional taking of property.

See attached response.

2.b Such use, building or structure does not now and will not during the extension period requested:

- i. Adversely affect the health, peace or welfare of persons residing or working in the surrounding area, or
- ii. Be materially detrimental to the use, enjoyment, or valuation of the property of other persons located in the vicinity of the site, or
- iii. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

See attached response.

Non Conforming Review- Statement of Findings

2.a

It would be unfair to cease the use of the existing swapmeet that has been in operation for approximately 30 years and have been essential to the area which is highly lacking in retail stores that provide goods, services, and food. Ceasing the use would be unfair by negatively impacting the economic and well being of 120+ store owners and their families, and also negatively impacting the customers that would lose these shopping and food options close to their work or business.

(The property currently holds a Conditional Use Permit (02-270-(2)) for the operation of 3 Body Art Establishments. The CUP expires in 2025. We would like to continue operating the food establishments to at least match the CUP expiration date.)

2.b

For approximately 30 years the swapmeet has served the area with low cost clothing, shoes, electronics, food, photography studio, financial services and much more. We believe the swapmeet has increased the value of the area by having food and shopping options close to where people work and also providing jobs and entrepreneurship opportunities. Having more options for places to eat and shop, make this area more attractive to workers, other businesses, and property owners. If allowed to continue operating, the swapmeet will continue to provide shopping and food to the area without negatively impacting the area, public health, safety, or general welfare to anyone.

PROJECT NARRATIVE

The applicant, Thomas Kim, requests a Non Conforming Review to continue to operate an existing Multi-tenant indoor shopping center also known as a Swapmeet, with approximately 126 tenants, operating inside a warehouse type building in a newly zoned M-2-IP area. The applicant also requests to allow the continued use of all the retail businesses inside of the shopping center that are not allowed in the new M-2-IP zone area.

The existing shopping center was established in 1989 and has operated continuously in the same location. The subject site was recently rezoned from M-2 to M-2-IP.