

REPORT TO THE HEARING OFFICER

DATE ISSUED:	November 21, 2024	
HEARING DATE:	December 3, 2024	AGENDA ITEM: 7
PROJECT NUMBER:	PRJ2023-003825-(2)	
PERMIT NUMBER:	Conditional Use Permit ("CUP") RPPL2023006331	
SUPERVISORIAL DISTRICT:	2	
PROJECT LOCATION:	13205 -13209 South Inglewood Avenue	
OWNER:	Adam Berger and Patrick Burris	
APPLICANT:	Lawrence Andrews	
CASE PLANNER:	Elsa M. Rodriguez, Principal Planner erodriguez@planning.lacounty.gov	

RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

LA County Planning staff ("Staff") recommends **APPROVAL** of Project Number PRJ2023-003825-(2), CUP Number RPPL2023006331, based on the Findings (Exhibit C – Findings) contained within this report and subject to the Draft Conditions of Approval (Exhibit D – Conditions of Approval).

Staff recommends the following motions:

CEQA:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

ENTITLEMENT:

I, THE HEARING OFFICER, APPROVE CONDITIONAL USE PERMIT NUMBER RPPL2023006331 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

PROJECT DESCRIPTION

A. Entitlement Requested

- A CUP for the expansion and continued operation of an existing automobile body and fender repair shop in the C-3 (General Commercial) Zone pursuant to County Code Section 22.20.030-B (Principal Use Regulations for Commercial Zones) at 13205-13209 South Inglewood Avenue ("Project Site").

B. Project

The Project is the expansion and continued operation of an existing automobile body and fender repair shop with a spray booth. The business, Automotive Restoration Services ("ARS"), is expanding into the building immediately to the north of its current location. ARS is a small boutique classic automobile and custom automobile restoration service business that primarily restores private vehicle collections. The business employs five people full-time, and the hours of operation are 8:00 a.m. to 5:30 p.m. Monday through Friday. All work is conducted, and will continue to be conducted, in an enclosed structure. All vehicles that need repairs and panel adjustments are assembled or disassembled in an indoor workshop. To reduce noise pollution, the primary tools are electric instead of air pneumatic. Typically, one or two vehicles are painted per day.

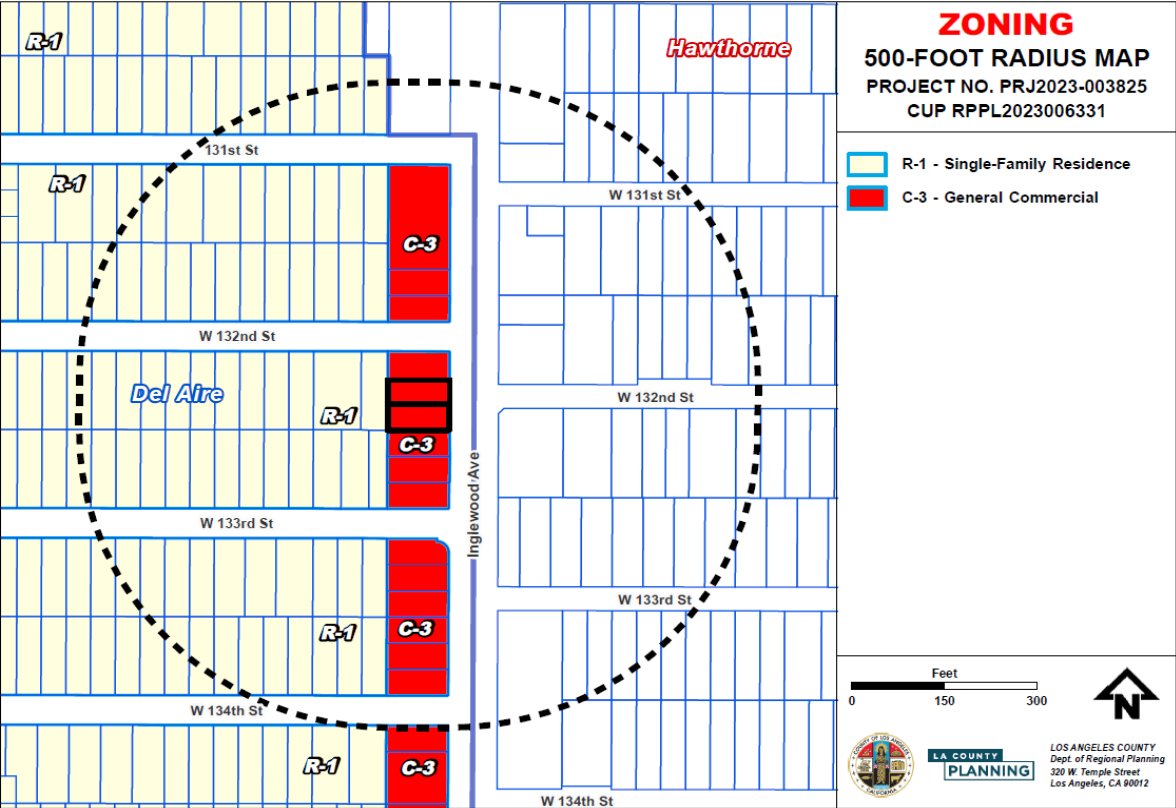
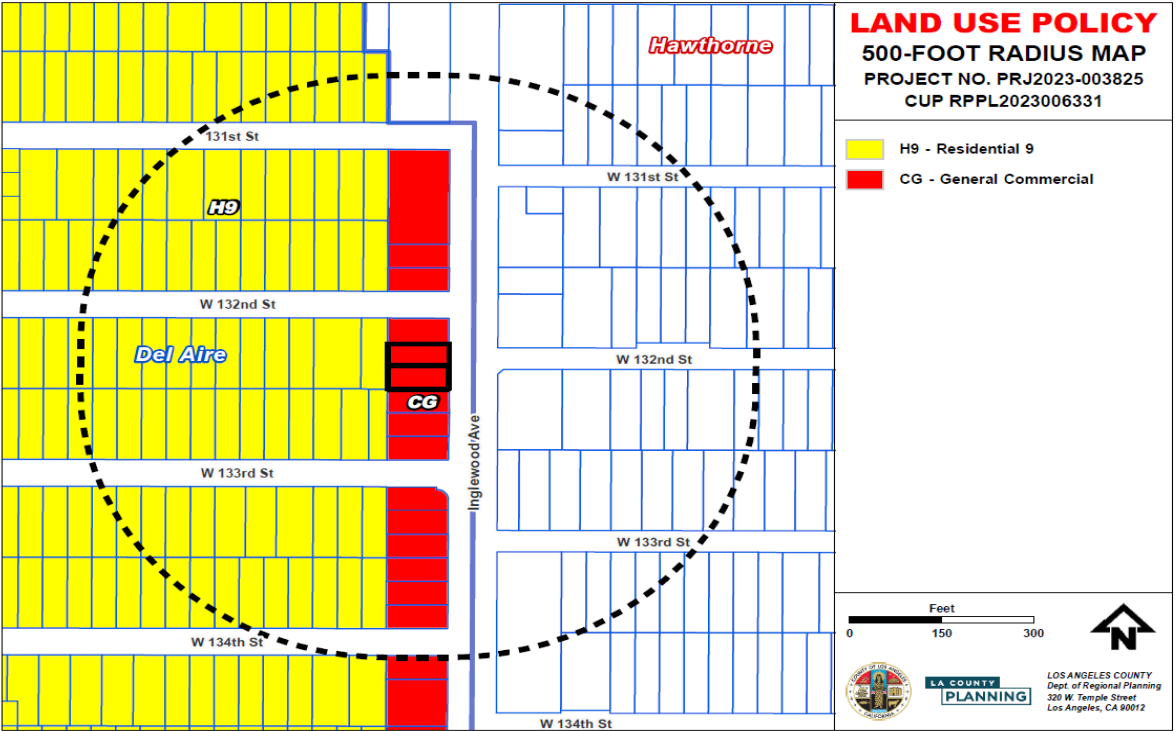
There is no change in floor area proposed to either building or any interior connection proposed between the two buildings, but the two buildings will operate as one business. The existing spray booth will be relocated from the building at 13209 South Inglewood Avenue to the newly acquired building at 13205 and 13207 South Inglewood Avenue to provide an additional buffer between the spray booth and the adjoining residential uses. The applicant will voluntarily construct a new six-foot-tall solid concrete masonry unit (CMU) wall on the southern and western property lines adjoining the residential uses. The existing chain link fence will be removed.

The Project Site is 0.19 acres in size and consists of two parcels with two one-story buildings totaling 5,280 square feet. The two parcels will be tied together through a covenant after the CUP is approved and before Staff approves the Exhibit "A." Vehicles enter and exit the Project Site from Inglewood Avenue via 11-foot-wide and 16-foot-and-11-inch-wide driveways. The portion of the Project Site at 13209 South Inglewood Avenue includes a building that was originally authorized as a machine shop in 1947 via Building Permit No. 91586. The portion of the Project Site at 13205 and 13207 South Inglewood Avenue includes a building that was originally authorized as a retail store in 1957 via Building Permit No. 99957. A woodworking shop currently operates there. The zoning was M-1 (Light Manufacturing) when both buildings were authorized and no parking or landscaping was required for retail or industrial uses at the time. The existing buildings were built in accordance with the standards applicable at the time. Therefore, the Project Site is nonconforming with respect to parking and landscaping. Employees and customers share six parking spaces located between the front property line and the existing buildings, and no landscaping exists.

SUBJECT PROPERTY AND SURROUNDINGS

The following chart provides property data within a 500-foot radius:

LOCATION	GENERAL PLAN LAND USE POLICY	ZONING	EXISTING USES
SUBJECT PROPERTY	CG (General Commercial)	C-3 (General Commercial)	Automobile Body and Fender Repair Shop with Spray Booth
NORTH	CG	C-3	Liquor Store; Beauty Salon
EAST	City of Hawthorne	City of Hawthorne	Restaurant; Lodge; Automobile Repair
SOUTH	CG	C-3	Multifamily Residences; Automobile Sales
WEST	H9 (Residential 9, maximum density of nine dwelling units per one net acre)	R-1 (Single-Family Residence)	Single-Family Residences



PROPERTY HISTORY

A. Zoning History

ORDINANCE NO.	ZONING	DATE OF ADOPTION
5100	M-1 and B-1	March 10, 1948
20150043Z	C-3	October 6, 2015

B. Previous Cases

No previous LA County Planning entitlements are associated with the Project Site.

C. Violations

No zoning violations exist.

ANALYSIS

A. Land Use Compatibility

The portion of the Project Site at 13209 South Inglewood Avenue includes a building that was originally authorized as a machine shop in 1947. Beginning in 1965, a machine shop that manufactured go-carts and restored aeronautical parts operated onsite. The automobile body and fender repair shop with a spray booth has operated onsite since 1995. The portion of the Project Site at 13205 and 13207 South Inglewood Avenue includes a building that was originally authorized as a retail store in 1957. A woodworking shop currently operates.

Other automobile-oriented uses, such as automobile sales and automobile repair, exist to the south and north of the Project Site on Inglewood Avenue. The existing spray booth is fully enclosed. The applicant is voluntarily relocating the spray booth from the building at 13209 South Inglewood Avenue to the newly acquired building at 13205 and 13207 Inglewood Avenue to further separate the booth from the adjoining residential uses. The Project is not expected to result in additional traffic, noise, and business activities than already exist because no additional spray booths are proposed and there will be no increase in staff. The newly acquired building will be used primarily to store vehicles waiting to be repaired indoors. Therefore, the Project will have minimal impacts on the adjoining residential uses to the south and to the west and will be compatible with other automobile-oriented uses and commercial uses along Inglewood Avenue.

B. Neighborhood Impact (Need/Convenience Assessment)

The longevity of the existing business demonstrates that it serves a need and demand in the local community and the larger region. Inglewood Avenue is a highly traveled Secondary Highway lined with many diverse automobile-oriented uses and retail uses that serve the region. Due to the business establishment's long history of operation at the Project Site and no records of any citations that may pose public health and safety

concerns to the surrounding area, the continued operation and maintenance of this business is not anticipated to result in substantial adverse effects. All spray-painting activities are conducted entirely within an enclosed booth. Additionally, the applicant will voluntarily construct a solid CMU wall between the Project Site and the adjoining residential uses to the south and to the west to further buffer the business from the residential uses. Lastly, the existing operation has a permit from the South Coast Air Quality Management District ("AQMD") and is subject to the permit's operating conditions, which ensure proper maintenance of equipment and emissions controls. It is unlikely that the Project would result in new or unforeseen impacts to the surrounding neighborhood.

C. Design Compatibility

There are no proposed physical changes to the two buildings. However, the two buildings will operate as one business. The existing buildings were built in 1947 in accordance with the standards applicable at the time. The applicant is voluntarily constructing a new six-foot-tall solid CMU wall along the southern and western boundaries of the Project Site to further buffer the business from the adjoining residential uses.

D. Grant Term

Staff recommends no grant term for the CUP due to the following factors:

- The Project Site has been occupied by industrial and commercial uses since the late 1940s and 1950s.
- The automobile body and fender repair shop with a spray booth has operated on the Project Site since 1995 without any issues.
- The existing business's longevity demonstrates that it serves a need and demand in the local community and the larger region.
- Other automobile-oriented uses, such as automobile sales and automobile repair, exist to the south and north of the Project Site on Inglewood Avenue.
- The applicant is voluntarily relocating the existing spray booth to further separate it from the adjoining residential uses.
- The applicant is voluntarily constructing a new six-foot-tall solid CMU wall along the southern and western boundaries of the Project Site to further buffer the business from the adjoining residential uses.
- The Project will continue to require an AQMD permit with operating conditions that ensure proper maintenance of equipment and emissions controls.

Having no grant term for the CUP also simplifies future permitting, considering two zone changes related to long-range planning efforts that impact the Project Site, which both make the use nonconforming in different ways and trigger two different amortization periods.

The Project Site's zoning was changed from M-1 (Light Manufacturing) to C-3 (General Commercial) on October 6, 2015, as part of the General Plan Update. The existing use required a Ministerial Site Plan Review ("SPR") in the M-1 Zone but required a CUP in the C-3 Zone. Therefore, the existing use became nonconforming pursuant to County Code Section 22.14.020-B because the existing structures were designed for a use that was reclassified from one permit or review, which is in this case was a Ministerial SPR, to a more restrictive permit or review, which in this case was a CUP.

The building permit for the existing building where the use currently operates indicates Type V construction. Pursuant to County Code Section 22.172.050.B.1.f (Termination Conditions and Time Limits), the amortization period for a building with Type V construction that is nonconforming due to use is 25 years. Therefore, the continued operation of the existing automobile body and fender repair shop with a spray booth in the C-3 Zone would require a CUP in 2040 (2015, plus 25 years due to Type V construction, is 2040). However, a CUP is required now because the applicant is expanding the automobile body and fender repair shop into the building next door.

Staff anticipates that the Project Site's zoning will change again, from C-3 to Mixed Use (MXD), in 2025 as part of the South Bay Area Plan. Automobile body and fender repair shops are not allowed in the MXD Zone. Therefore, the continued operation of the existing automobile body and fender repair shop with a spray booth in the MXD Zone will require a Nonconforming Review ("NCR") in 2050 (2025, plus 25 years due to Type V construction, is 2050). Given the factors listed above, Staff anticipates that the existing use will continue to serve a need and demand in the local community and the larger region, and will continue to be compatible with surrounding uses, well beyond 2050.

If the CUP is approved with no grant term, the Regional Planning Commission or a Hearing Officer, after conducting a public hearing, can subsequently revoke or modify the CUP if the business violates its conditions or if the business is otherwise detrimental to the public's health or safety or operates as a nuisance (see Condition 10).

GENERAL PLAN/COMMUNITY PLAN CONSISTENCY

The Project is consistent with applicable goals and policies of the General Plan. Consistency findings can be found in the attached Findings (Exhibit C – Findings).

ZONING ORDINANCE CONSISTENCY

The Project complies with all applicable zoning requirements. Consistency findings can be found in the attached Findings (Exhibit C – Findings).

BURDEN OF PROOF

The applicant is required to substantiate all facts identified by County Code Section 22.158.050. The Burden of Proof with applicant's responses is attached (Exhibit E –

Applicant's Burden of Proof). Staff is of the opinion that the applicant has met the burden of proof.

ENVIRONMENTAL ANALYSIS

Staff recommends that this Project qualifies for Categorical Exemptions (Class 1, Existing Facilities and Class 3, New Construction or Conversion of Small Structures) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The Project is exempt because physical changes are limited to relocating an existing spray booth, constructing a new six-foot-tall solid CMU wall on the southern and western property lines, and installing new signage. The Project does not qualify for an exception to an exemption because it is not located in an environmentally sensitive area or on a hazardous waste site, does not contain scenic or historic resources, and there are no unusual circumstances that would indicate a reasonable possibility that the Project could have a significant effect on the environment. The Project has operated onsite for several decades, and all worked is performed in an enclosed structure. Therefore, Staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA. An environmental determination (Exhibit F – Environmental Determination) was issued for the Project.

COMMENTS RECEIVED

A. County Department Comments and Recommendations

1. The Department of Public Works did not require review of this Project and recommended that the Project proceed to a public hearing on December 28, 2023.
2. The Fire Department, in a letter dated January 25, 2024, recommended that the Project proceed to a public hearing.
3. The Health Department, in a letter dated January 27, 2024, recommended that the Project proceed to a public hearing.

B. Other Agency Comments and Recommendations

Staff has not received any comments at the time of report preparation.

C. Public Comments

Staff has not received any comments at the time of report preparation.

Report
Reviewed By: Carmen Sainz
Carmen Sainz, Supervising Regional Planner

Report
Approved By: M. Glaser
Mitch Glaser, Assistant Deputy Director

LIST OF ATTACHED EXHIBITS	
EXHIBIT A	Plans
EXHIBIT B	Project Summary Sheet
EXHIBIT C	Findings
EXHIBIT D	Conditions of Approval
EXHIBIT E	Applicant's Burden of Proof
EXHIBIT F	Environmental Determination
EXHIBIT G	Informational Maps
EXHIBIT H	Photos
EXHIBIT I	Agency Correspondence