

CITY OF **LACañADA FLINTRIDGE**

MEMORANDUM

To: Planning Commission
From: Jo-Anne Parinas ~ Assistant Planner
Re: **Amendment** to Conditional Use Permit 416; 2384/2388 Foothill Blvd./
Schaefer Funds LLC
Date: January 26, 2016

BACKGROUND:

On July 24, 2007, the Planning Commission approved the installation and operation of a temporary soil contamination and remediation facility. The remediation facility consisted of mechanical equipment that operated 24 hours a day and a 10'-0" walled equipment enclosure. The approval resolution included the following condition of approval:

14. *Following soil contamination remediation, the facilities and enclosing walls shall be removed and pavement repaired, subject to inspection clearance by the Director of Community Development or his designee.*

REQUEST:

The applicant requests that the approval be amended to remove the above condition. The soil contamination remediation was completed and the mechanical equipment was removed. The applicant would like to retain the 10'-0" walled enclosure to use as storage.

EVALUATION:

The walled enclosure is allowed in the CPD zone without a Conditional Use Permit and Planning Commission approval. Since the wall was initially a part of the remediation project, an amendment to remove Condition #14 is necessary to retain the wall enclosure. The 10'-0" tall wall enclosure is located at the southwest side of the property and is screened by the gas station building from Foothill Boulevard. The location of the wall enclosure is well beyond the required 5'-0" rear and side yard setbacks in the CPD zone. The height of the wall enclosure is well below the 28'-0" maximum height allowed.

FINDINGS:

1. **The proposed use will not be in substantial conflict with the adopted general plan for the area.**

The proposed use will not be in substantial conflict with the general plan, because the General Plan allows for commercial use in the area and the existing gas station is an allowed use within the CPD zoning designation. The remediation equipment, which preserved the gas station, has been removed. The wall enclosure will remain and serve as storage space for the gas station. Staff supports the finding.

2. **The requested use of the location proposed will not:**
 - a. **Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or**
 - b. **Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or**
 - c. **Jeopardize, endanger or otherwise constitute a menace to public health, safety or general welfare.**

The remediation facilities were mandated for restoration of water quality. The soil contamination remediation has been completed and the mechanical equipment has been removed. The wall enclosure will remain and be used as storage for the gas station. The wall's storage use will not adversely affect the health, peace comfort or welfare of persons in the surrounding area or be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, or jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare, because the wall enclosure was constructed with building permits and was determined to be structurally acceptable when it was constructed, in addition, the wall enclosure is screened from Foothill Boulevard by the existing gas station building and the proposed storage use is not conducive of noise or a disruptive environment. Staff supports the finding.

3. **The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features to integrate said use with the uses in the surrounding area.**

The service station is a longstanding facility and was constructed with building permits. The wall enclosure meets the development standards. Staff finds that the project is well accommodated by the lot area. Staff supports the finding.

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

In the vicinity of the site, Foothill Boulevard is of ample width and without obstructions, functioning well as a major commercial highway. Access to the site is ample, with two wide driveways on Foothill Boulevard and one on Briggs Avenue. Said

street and access from the street would not be taxed by the use of the existing walled enclosure as storage. Staff supports the finding.

5. The proposed project preserves the existing scale and character of the surrounding neighborhood and protects public views, and aesthetic and other property values in the neighborhood:

The walled enclosure is existing, therefore, preserves the existing scale and character of the neighborhood. The walled enclosure does not impact public views and is screened from Foothill Boulevard by the existing gas station building. Staff supports the finding.

RECOMMENDATION:

Based on the above discussion and the applicable Conditional Use Permit finding, staff recommends that the amendment request **BE APPROVED**, subject to the conditions listed in Exhibit "A", attached to the draft resolution.

Attachments: *Draft Resolution*

Staff Report dated July 24, 2007

Resolution No. 07-71

Planning Commission Minutes dated July 24, 2007