

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
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Long Beach, CA 90802-4302  
(562) 590-5071

Filed: 9/9/97  
49th Day: 10/28/97  
180th Day: N/A  
Staff: Padilla-LB  
Staff Report: 9/16/97  
Hearing Date: 12/9-12/97  
Commission Action:



STAFF REPORT: APPEAL  
SUBSTANTIAL ISSUE

LOCAL GOVERNMENT: City of Los Angeles  
DECISION: Approved with Conditions  
APPEAL NUMBER: A-5-VEN-97-289  
APPLICANT: Pep Boys  
AGENT: Mr. J. Lyons  
PROJECT LOCATION: 115-251 Lincoln Boulevard, Venice, City of Los Angeles, Los Angeles County.  
PROJECT DESCRIPTION: Establishment of a Automotive retail and service center with approximately 11,070 square feet of retail area and 10 automobile service bays within an existing commercial shopping center.  
APPELLANT: Neighborhoods First!: Jack Barthell, Juliet Musso & Deborah Aaron.

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SUMMARY OF STAFF RECOMMENDATION:

The staff recommends that the Commission determine that no substantial issue exists with respect to the grounds on which the appeal has been filed because the project, as approved by the local government, is compatible with the character of the area; the project conforms to the Coastal Act and previous Commission actions; and will not prejudice the ability of the local government to prepare a Local Coastal Program consistent with the Coastal Act.

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UNRESOLVED ISSUES:

The appellant claims that the proposed commercial project will be incompatible with the character of the adjacent residential area located behind (west) of the proposed site.

## I. APPELLANTS' CONTENTIONS

City of Los Angeles Local Coastal Development Permit 96-010 approves a permit with conditions for the establishment of a automobile service and retail store with approximately 11,070 square feet of retail area and 6,172 square feet of enclosed service bays (10). The City's approval of the proposed project was appealed on June 25, 1997, by Neighborhoods First!, a Venice neighborhood group. The appeal by Neighborhoods First! contends that:

1. The proposed development will put pressures on other parts of Venice to accept coastal-related and coastal-dependent uses such as beach parking and visitor facilities.
2. The project violates Public Resources Code Section 30222 because the City failed to give priority to visitor-serving commercial recreation facilities designed to enhance public opportunities for coastal recreation over private residential general industrial, or general commercial development.
3. Because the Project violates the City's own land use policies regarding setbacks and buffers, it will discourage the development of residential areas, both immediately adjacent to the project and throughout Venice.
4. The City failed to provide notice to other governmental entities (City of Santa Monica and California Transportation Department) of the project.
5. The City failed to make an adequate environmental review, i.e. Environmental Impact Report.
6. The City failed to provide a fair hearing.
7. The granting of a variance and approval of the project by the City will make the creation of a comprehensive plan for the Venice area more difficult.

## APPEAL PROCEDURES

Section 30600(b) of the Coastal Act provides that prior to certification of its Local Coastal Program, a local jurisdiction may, with respect to development within its area of jurisdiction in the coastal zone and consistent with the provisions of Sections 30604, 30620 and 30620.5, establish procedures for the filing, processing, review, modification, approval, or denial of a Coastal Development Permit. Pursuant to this provision, the City of Los Angeles developed a permit program in order to exercise its option to issue Local Coastal Development Permits in 1978.

Sections 13302-13349 of the California Code of Regulations provide procedures for issuance and appeals of locally issued Coastal Development Permits. Section 30602 of the Coastal Act allows any action by local government on a Coastal Development Permit application evaluated under Section 30600(b) to be appealed to the Commission.

After a final local action on a Local Coastal Development Permit, the Coastal Commission must be noticed within five days of the decision. After receipt of

such a notice which contains all the required information, a twenty working day appeal period begins during which any person, including the applicant, the Executive Director, or any two members of the Commission, may appeal the local decision to the Coastal Commission (Section 30602).

At this meeting, the Commission will have a public hearing to determine whether a substantial issue exists as to conformity with Chapter 3 policies of the Coastal Act. The Commission may decide that the proposed development raises no substantial issue of conformity with the Chapter 3 policies of the Coastal Act, in which case the action of the local government stands. On the other hand, the Commission may find that a substantial issue does exist. If the Commission finds that a substantial issue does exist, then the hearing may be opened and heard as a de novo permit request. Section 13321 specifies that de novo actions will be heard according to the procedures outlined in Section 13144 of the Code of regulations.

### III. STAFF RECOMMENDATION ON SUBSTANTIAL ISSUE

The staff recommends that the Commission determine that no substantial issue exists with respect to the City's approval of the project with the provisions of Chapter 3 of the Coastal Act (commencing with Section 30200), pursuant to Public Resources Code Section 30625(b)(1).

MOTION. Staff recommends a YES vote on the following motion:

I move that the Commission determine that Appeal No. A-5-VEN-97-289 raises NO substantial issue with respect to the grounds on which the appeal has been filed.

A majority of the Commissioners present is required to pass the motion.

### IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

#### A. Project Description

Construction of a 17,242 square-foot automotive retail and service store with 11,070 square feet of retail floor area and 6,172 square feet of enclosed service bays (10 bays) in an existing shopping center. The project will replace an existing 7,840 square foot vacant retail space within an existing 59,069 square foot commercial shopping center. The height of the new addition will be 18 feet (height of the existing building is 20 feet). The shopping center will provide 248 parking spaces, including the 69 required by the City for the auto center.

The existing shopping center contains a Pic-N-Save, Savon Drugs, dry cleaning, and other retail and vacant spaces. The project site is zoned C2--Commercial Corner and P-1--Parking.

The proposed project site is located on Lincoln Boulevard, in the Venice area of the City of Los Angeles. The site is a level, irregular-shaped corner lot consisting of approximately 5.5 acres with 441 feet of frontage on the west side of Lincoln Boulevard. The proposed site is approximately nine-tenths of

a mile from the beach.

Lincoln Boulevard is a major highway and is commercially developed along both sides of the boulevard. Streets that run perpendicular and intersect Lincoln Boulevard within the vicinity of this project are generally residentially developed behind the commercial development that runs along Lincoln Boulevard.

The surrounding properties are developed with one and two-story single-family dwellings, apartments and commercial buildings. Adjoining properties to the north of the subject site are developed with one and two-story apartments fronting Machado Drive, and a commercial building fronting on Lincoln Boulevard. Adjoining properties to the south of Rose Avenue, along Lincoln Boulevard, are developed with a motel, private school, restaurant, and a mini-mall. On the east side of Lincoln Boulevard are one and two-story retail uses. On the west side of Seventh Street, west of the shopping center, are one and two-story single-family and duplex residential units.

The local CDP was approved with conditions regarding landscaped setbacks, parking, height limits, operation restrictions, noise mitigation, lighting, and traffic improvements.

#### VI. SUBSTANTIAL ISSUE ANALYSIS

As stated in Section II of this report, any local Coastal Development Permit issued by the City of Los Angeles may be appealed to the Commission. The Commission shall hear an appeal unless it determines that no substantial issue exists as to conformity with Chapter 3 policies of the Coastal Act. In this case, staff is recommending that the Commission determine that no substantial issue exists with respect to the grounds on which the appeal has been filed.

The first and second contention made by the appellant is that the proposed development will pressure the City to develop coastal-related and coastal-dependent uses in other areas of Venice and that the City failed to give priority to visitor-serving commercial uses. The appellant is arguing that by approving a automotive retail store in this shopping center the City will need to find other areas in Venice for coastal-related visitor-serving uses to comply with Section 30222 of the Coastal Act. Section 30222 states:

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

The proposed project site is located nine-tenths of a mile from the beach and the visitor-serving area of Venice. The project is located in a neighborhood serving commercial area. The proposed project site is not in an area where the Commission has required coastal-related or coastal-dependent uses. Because of the distance from the beach and existing neighborhood commercial development the City and Commission has consistently approved general commercial development in this area. Furthermore, Section 30250 of the Coastal Act states:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous

with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have a significant adverse effects, either individually or cumulatively, on coastal resources.

The proposed project is located in an existing commercial shopping center along Lincoln Boulevard. The site has been used as a neighborhood commercial center for approximately 30 years. Lincoln Boulevard is also a commercial corridor consisting of retail stores, restaurants, and office development. In past Commission and City permit action a number of general retail and commercial projects have been approved along Lincoln Boulevard. Projects that have been approved along Lincoln Boulevard include automotive service and repair shops, restaurants, and retail stores [Coastal Commission permits: 5-91-712; 5-86-934A; 5-77-962; and City permits: 90-046; 84-08; 83-034].

The proposed project conforms to and is consistent with the existing uses along Lincoln Boulevard and will be compatible with the existing retail uses within the shopping center. Furthermore, the proposed project will not have a significant adverse effect on coastal resources or access. Therefore, the contention made by the applicant does not raise any substantial issues with respect to Chapter 3 of the Coastal Act.

The third contention made by the appellant is that the City's approval violates the City's own setback and buffer requirements and will negatively impact adjacent residential areas. This contention does not raise any substantial issues as to conformity with the Coastal Act. Although, the project will extend the existing footprint of the building towards the residences to the west by enlarging the existing building, the project will be located within the existing property boundaries. To buffer the residences along the western portion of the site from the development the applicant has designed the project's service area to be fully enclosed and to have vehicle access from the eastern or Lincoln Boulevard side of the development. The issue of providing a buffer between the existing residences and commercial development is a local design issue and does not raise any substantial Coastal Act issues with respect to Chapter 3 policies.

A fourth and fifth contention made by the appellant is that the City failed to provide notice to the City of Santa Monica and to the California Department of Transportation (Caltrans) and that the City failed to provide a fair hearing. The City held hearings at various stages of the local approval process and accepted written and oral public testimony. The City sent out notices to all owners/occupants within a 500 foot radius of the property for the public hearings. The owner/occupant list was compiled by the applicant through a mapping service. The City of Santa Monica was included on the mailing list that was submitted to the City, but Caltrans was not included. However, it is not clear whether Caltrans is an interested party. Further, even if they are, the failure to provide notice to any property owner, tenant or known interested party is a local procedural issue and the failure to notify Caltrans about this project does not raise any substantial Coastal Act issues with regards to the grounds for appeal.

A sixth contention made by the appellant is that the City failed to make an adequate environmental review. The appellants state that an Environmental Impact Report (EIR) should have been prepared. The City followed CEQA guidelines with regards to their environmental review. The City determined

that the proposed project qualified for a Mitigated Negative Declaration as opposed to an EIR. The City determined that by imposing conditions the project's impacts could be reduced to a level of insignificance, thus, a MND was determined to be the appropriate level of review for this project. The impacts determined to require mitigation related to noise, illumination, energy, water conservation (landscaping) and traffic. Only traffic impacts raise any potential Chapter 3 issues. With regards to traffic impacts the City determined that:

adverse impacts could occur from the project's traffic generation. However, any potential impacts could be mitigated to an acceptable level by implementing measure(s).

The City found that due to the number of new trips (36.5) that would be generated by the new use within the existing shopping center there would be cumulative traffic impacts to the surrounding streets. Mitigation proposed included street widening and improvements to the adjacent corner of Lincoln Boulevard and Rose Avenue. The mitigation measures proposed under the MND were incorporated as conditions of approval of the City's Coastal Development Permit. All improvements to Lincoln Boulevard will require Caltrans review to ensure compliance with State requirements. Any changes that Caltrans may have will not significantly change the City's mitigation measures. Therefore, all traffic impacts identified by the City will be mitigated and as such will not raise any substantial issue in terms of the projects consistency with the Chapter 3 policies of the Coastal Act. Further, the proposed project conforms to the character of the surrounding area.

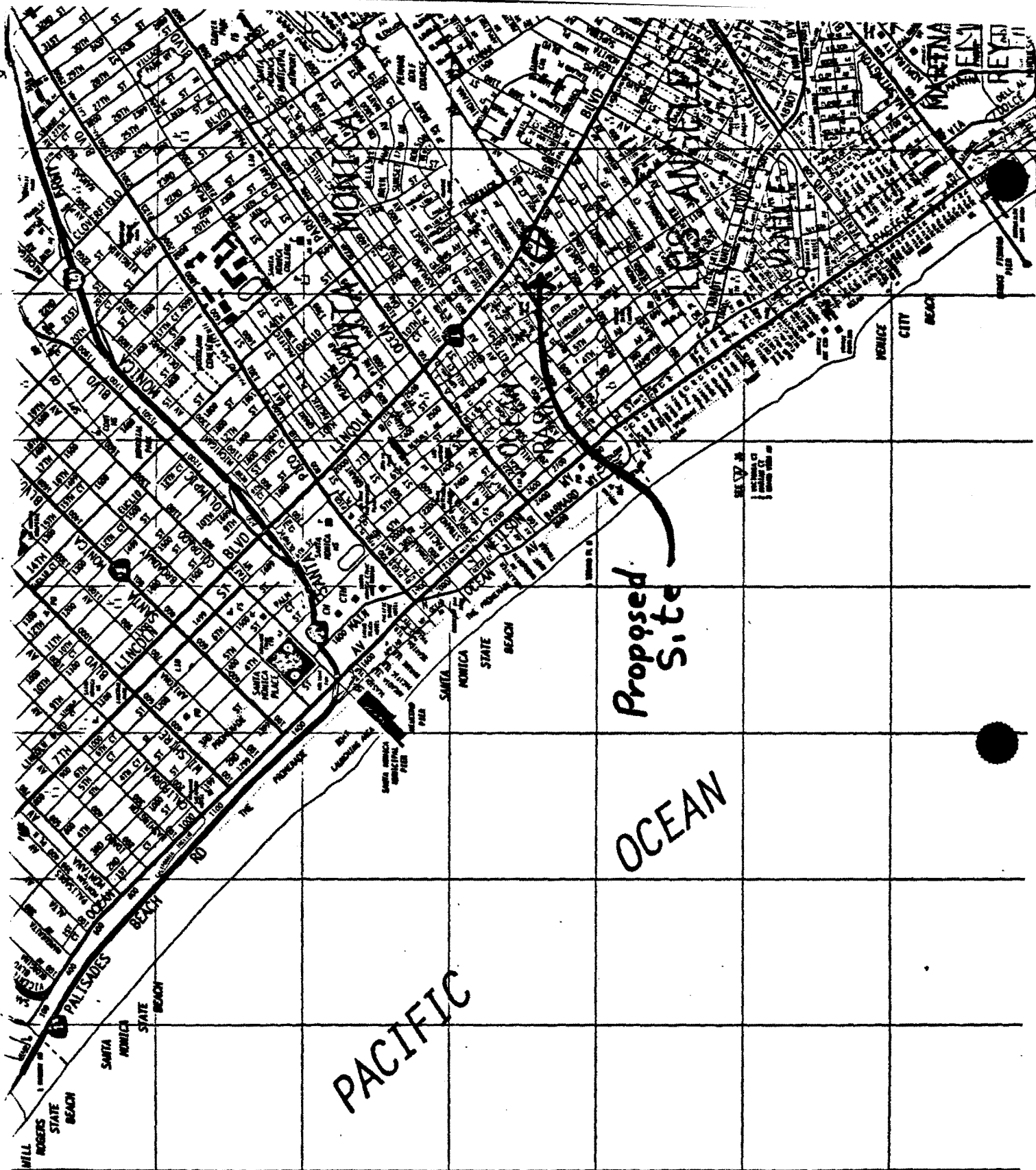
The seventh contention made by the appellant is that approval of the project will prejudice the City's ability to develop a comprehensive plan for the Venice area. This contention is in reference to Chapter 7, Section 30604(a) of the Coastal Act, which states that:

Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200 of the division and that the permitted development will not prejudice the ability of the local government to prepare a local coastal program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

The grounds for an appeal of a Coastal Development Permit issued by the local government prior to certification of its Local Coastal Program are limited to the Chapter 3 policies of the Coastal Act. The Commission and City use conformance with Commission's Interpretive Guidelines and past Commission permit actions as indications of conformance with Chapter 3 of the Coastal Act. The Commission's Interpretive Guidelines allows commercial development within commercially zoned areas to a height limit of 30 feet. The proposed project will be located within a commercially zoned area and will not exceed the maximum height of the existing building, which is at 20 feet. Further, the proposed height will not exceed the 25 to 30 foot height limits permitted within the surrounding residential areas. The proposed project is also consistent with past Commission and City permit action for the area [Commission permit no.: 5-91-712; 5-86-934A; 5-77-962; and City permit no.: 90-046; 84-08; 83-34]. The project, as proposed will be consistent with the Chapter 3 policies of the Coastal Act. Therefore, this contention does not raise any substantial issues as to conformity with Charter 3 policies.

The Commission, therefore, finds that No substantial issue exists with respect to the proposed project's conformance with the Chapter 3 policies of the Coastal Act, or the approval of Local Coastal Development Permit 96-010, and that Appeal No. A-5-VEN-97-289 raises no substantial issue with respect to the grounds on which the appeal has been filed.

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|                       |               |
|-----------------------|---------------|
| EXHIBIT NO.           | 1             |
| Application Number    | AS-VEN-97-289 |
| Vicinity Map          |               |
| California Commission |               |



CITY OF LOS ANGELES  
CALIFORNIA

J. MICHAEL CAREY  
City Clerk

making inquiries  
relative to this matter  
refer to File No.



Office of  
CITY CLERK  
Council and Public Services  
Room 395, City Hall  
Los Angeles, CA 90012  
Council File Information - (213) 485-3703  
General Information - (213) 485-3705

Pat Healy  
Chief Legislative Assistant

97-0971

CD 6

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AUG 12 1997

RICHARD J. RIORDAN  
MAYOR

August 11, 1997

CALIFORNIA  
COASTAL COMMISSION

CDP 96-090

Council Member Galanter  
Board of Zoning Appeals  
Office of Zoning Administration  
Advisory Agency  
Bureau of Engineering,  
Development Services Division,  
Attn: Frank Bonoff  
Department of Transportation,  
Traffic/Planning Sections  
Department of Building & Safety,  
c/o Zoning Coordinator  
Bureau of Street Lighting,  
"B" Permit Section  
Police Department  
Los Angeles County Assessor

J. Lyons  
The Pep Boys  
1122 W. Washington Blvd.  
Los Angeles, CA 90015

Joel Miller  
Psomas & Associates  
3420 Ocean Park Blvd, #1040  
Santa Monica, CA 90405

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Santa Monica, CA 90403

California Coastal Commission  
South Coast Area Office  
200 Oceangate, 10th Fl., Ste. 1000  
Long Beach, CA 90802-4302

RE: CONDITIONAL USE AND A VARIANCE APPEAL FOR PROPERTY AT  
115-251 LINCOLN BOULEVARD

At the meeting of the Council held August 6, 1997, the following  
action was taken:

|  |         |
|--|---------|
| Attached report adopted.....                   | X       |
| "    motion    "    (    ).....                |         |
| "    resolution    "    (    ).....            |         |
| Ordinance adopted.....                         |         |
| Motion adopted to approve attached report..... |         |
| "    "    "    "    communication.....         |         |
| Mayor concurred.....                           | 8-08-97 |
| Findings adopted.....                          | X       |
| Mitigated Negative Declaration.....            | X       |
| Categorically exempt.....                      |         |
| Generally exempt.....                          |         |
| EIR certified.....                             |         |

J. Michael Carey

City Clerk  
CIM

|               |           |
|---------------|-----------|
| FINAL LOCAL   |           |
| ACTION NOTICE |           |
| RECEIVED      | 8.12.97   |
| REFERENCE     | CDP-96-01 |
| APPEAL PERIOD | 9.10.97   |

|                                  |
|----------------------------------|
| EXHIBIT NO. 2                    |
| APPLICATION NO.                  |
| 195-VEN-97-289                   |
| City's Approval w/<br>Conditions |

SUBJECT FILE TO BE TRANSMITTED TO THE MAYOR FORTHWITH

TIME LIMIT FILE - AUGUST 18, 1997  
(Public Hearing Scheduled in Council 8-6-97)

(10 votes required for added conditions)

Fiscal Impact Statement: No General Fund impact, as administrative costs are recovered through fees.

Summary:

On July 22, 1997, the Planning and Land Use Management Committee conducted a public hearing on an appeal filed by Juliet Musso, representing the organization "Neighborhoods First", against the determination of the Board of Zoning Appeals which overruled the decision of the Zoning Administrator and granted the following: (A) A conditional use to permit an auto repair facility within 300 feet of an "A" or "R" Zone, and exemption from the "Commercial Corners Ordinance" to permit the auto repair use; (B) A variance to permit a Pep Boys retail sales and 10 auto bay service repair facility building to be constructed partially in the "P1" Zone; and (C) A coastal development permit to permit the construction, use and maintenance of a Pep Boys Super-center Store at 115-251 Lincoln Boulevard in Venice.

At the July 22 meeting, the Committee received testimony from persons supporting and opposing the development as proposed. Upon the request of the District Council Office, the matter was then continued for one week to allow for further meetings between representatives of the developer and the community.

When the Committee reconvened on July 29, 1997, staff for the District Councilmember advised that such meetings had been held, and that a series of new conditions had been prepared. Staff member Mario Juravich stated that the Councilmember is of the view that, with these changes in conditions, the project is compatible with the surrounding area. He noted that the proposed project has undergone several modifications, including changes to accommodate the conditions imposed by the Board of Zoning Appeals.

Developer's representative Joel Miller indicated that Pep Boys is prepared to abide by the conditions, including those presented at the July 29 meeting. Mr. Miller did request that Condition 19-d-1 of the Mitigated Negative Declaration be deleted, as this relates to landscaping, and this subject is covered extensively by the conditions of approval for the Conditional Use. The Committee agreed to this deletion.

Mr. Miller also asked that, to the extent that the conditions impose requirements on the shopping center as a whole, rather than specifically on the Pep Boys store, any City enforcement efforts should be directed to the shopping center management.

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CONDITIONS OF APPROVAL  
(as revised)

Find that the requirements of Mitigated Negative Declaration No. MND-96-0231-ZV(CUZ)(CDP)(HE)(SPR)(PP), Condition No. 19-d-1, pertaining to surface parking lot landscaping, are met insofar as the applicant has agreed to an additional series of landscape improvements approved by the Board of Zoning Appeals and the Council Committee.

1. Approval verification and submittals. Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Zoning Administrator for placement in the subject file.
2. Code compliance. Area, height and use regulations of the zone classification of the subject property shall be complied with, except as such regulations are herein specifically varied or required.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding neighborhood. The right is reserved to the Zoning Administrator to impose additional corrective conditions if such conditions are deemed necessary for the protection of the neighborhood. (Note: Conditions cannot be modified to be less restrictive, except as allowed by these conditions or City law, except by filing a new application.)
4. Condition submittal to Building and Safety Department. A copy of this grant and its conditions and/or any subsequent appeal of this grant and its resultant conditions and/or letters of clarification shall be included in the "notes" portion of the building plans submitted to the Department of Building and Safety prior to the issuance of the building permit.
5. Enforcement. Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Zoning Administrator and any other designated agency, or the agency's successor, and in accordance with any stated laws or regulations, or any amendments thereto.
6. Definitions:
  - a. The subject property is defined as that property delineated and depicted on the radius map which was submitted as a part of the application pursuant to Zoning Administration Case No.96-0736-CUZ and on appeal pursuant to Board of Zoning Appeals Case No. 5378 and hereto by reference made a part of this action.

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to limit the expansion into the P Zone portion of the site as constrained by the required 20-foot landscaped setback for any new addition to the existing structure and the site plans as submitted to the Board. As constrained by the above stipulated conditions, the applicant may chose to have more or less retail or service bay square footage. The Board notes that the plan submittals to the Board did not scale all elements of the proposed subject facility in a manner and were not of a size to permit a precise determination of allowed square footage for the facility as modified by the Board-(prior to the Board's requirement for an increased setback and enclosure of the access way the applicant advised that the proposed project would be approximately 16,000 square feet). The Board authorizes the Zoning Administrator to make the final determination of allowable square footage for the subject facility.)

8. The subject facility and subject property shall comply with all the requirements of Municipal Code Section 12.22-A.23 (Commercial Corner Development) except as otherwise specifically modified herein.
  - a. Parking. The subject facility (automobile parts retail/automobile repair) and the currently existing uses on the subject property are permitted with 248 parking spaces:
    - i. three sets of tandem parking spaces, 6 parking spaces total, are permitted.
  - b. Height:
    - i. The maximum height of the existing structure of the subject facility after renovation shall not exceed the approximately 20-foot existing height of the structure.
    - ii. The maximum height of any new addition to the existing structure for the subject facility shall not exceed 18-foot in height.
  - c. Wall and Trash Storage.
    - i. A solid decorative masonry wall at least six feet in height is required along the northwesterly shared property line with the residentially zoned and/or used properties.
  - d. Recycling Area or Room. A recycling area or room is not required.

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- ii. Walkways and driveways are not permitted to cross or encroach into the buffer.
    - iii. The landscaping shall include a minimum of three or more 24-inch box trees in substantial compliance with the proposed southwest rear elevation presented to the Board and/or to the satisfaction of the Zoning Administrator.
  - b. Landscaping for the subject property and subject facility. The landscaping is to be in substantial compliance with that proposed in the elevations presented to the Board, to be reviewed by the Council Office of the District and to be to the satisfaction of the Zoning Administrator.
10. Complaint response/community relations:
- a. The subject facility owner shall designate a management level community liaison. The liaison shall meet with representatives of the Council Office, neighbors and/or neighborhood association, at their request, to resolve neighborhood complaints regarding the subject facility.
    - i. A phone number for business hour contact of the designated liaison shall be provided to the interested parties of record and kept current.
  - b. Signs shall be posted in both English and Spanish in conspicuous locations inside the store stating: servicing and/or maintenance of vehicles is not permitted in the parking lot or on adjacent streets; the subject areas are under video surveillance; and include the management liaison phone number for the receipt of complaints. (Volunteered by applicant.)
  - c. A closed circuit-video surveillance system will be installed and maintained for monitoring of the front and rear parking areas and immediately abutting streets to detect and help assure that repairing of vehicles does not occur. Store management will take immediate and make all reasonable efforts to seek cessation of such repair activity should it occur. (Volunteered by applicant.)
11. Enclosure.
- a. All repair and other work on vehicles shall be conducted within the enclosed facility building.
  - b. The recommended noise mitigations measures are required for the subject facility as volunteered by applicant and

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16. Parking area/driveway/traffic/public improvements.
  - a. A parking area and driveway plan for the subject property shall be provided to the satisfaction of the Zoning Administrator and Department of Transportation.
  - b. Improvements for the subject property shall be provided to the satisfaction of the Zoning Administrator, the Bureau of Engineering and Department of Transportation.
17. Use. The following uses are prohibited in the subject facility:
  - a. Vehicle body and fender repair.
  - b. Vehicle painting.
18. Environmental mitigation. The proposed environmental mitigations for the subject project pursuant to Mitigated Negative Declaration No. 96-0231 have been incorporated into the conditions of this action and hereto have been made a part.
19. Covenant. Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office for the subject property. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement must be submitted to the Zoning Administrator for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Zoning Administrator.
  - a. The covenant and agreement shall cover all ownerships of the subject property.
  - b. The subject property shall be defined as delineated and depicted on the radius map as a part of the application pursuant to Zoning Administration Case No.96-0736-CUZ and on appeal pursuant to Board of Zoning Appeals Case No. 5378.
20. Prior to the issuance of any building permits, a revised landscape plan shall be submitted to the satisfaction of the Council Office and Zoning administrator which incorporates the following:
  - a. The applicant shall plant 24-inch box trees consistent with the landscaping plan required by the Board of Zoning Appeals. Species of trees to be planted shall be

23. The applicant shall remove all the unnecessary and unused structures and pieces of equipment (i.e., debris) at the shopping complex.
24. The applicant shall regularly steam clean the pavement and private sidewalk areas immediately in front of the stores.
25. The applicant shall ensure that all signs are kept clean, that burnt out lighting is replaced promptly, and that unnecessary signs are removed.
26. The applicant shall use reasonable best efforts to persuade the tenants to contract with a private disposal service so that disposal trucks do not arrive prior to 8:00 a.m. Monday through Saturday and prior to 9:00 a.m. on Sunday. The future Pep Boys store shall restrict disposal service to the aforementioned hours.
27. Between a period of 10 months and one year following the effective date of the herein authorization, the applicant shall file an application for a Plan Approval to assess the effectiveness of the conditions imposed on the grant assuring that the use is compatible with adjacent uses. The Zoning Administrator upon consultation with the district council office shall determine if a public hearing in connection with the application shall be required. The Zoning Administrator reserves the right to impose additional conditions to abate any significant impacts.
28. Except for existing employees required for the start-up operations at the Pep Boys store, Pep Boys will negotiate a commitment with the Venice Skills Center to his, on a priority basis, qualified students.
29. Use tire pick-up, environmental waste pick-up, uniform delivery/pick up and store deliveries shall be permitted only during business hours unless required by law. Vehicles related to store service or delivery shall only be parked on-site when servicing/delivering to the store. Additional, when on-site and not moving, the engines of these vehicles shall be turned off if not required to be on to power a service or delivery function.
30. Employees shall test drive vehicles only off-site and only on Lincoln Boulevard entirely clear of residential neighborhoods and streets.
31. All other equipment related to auto repair and used in the conduct of business shall be located wholly inside the building (except for motors, compressors or other equipment specifically related to heating, ventilation, air

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the light source is directed away from adjacent residential properties.

43. The Pep Boys' store shall mitigate potential impacts from the consumption of non-renewable energy resources. Mitigation measures may include compliance with Title 24, California State Code (Energy Conservation Standards), the use of natural gas and/or solar energy; and consultation with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
44. To the extent that the above conditions relate to the operation of the shopping center, and not to Pep Boys specifically, any enforcement actions that are necessary by the City should be directed to the property owner as well as to Pep Boys.

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