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December 13, 2006

Honorable Wendy Greuel
Councilmember, Second District
200 North Spring Street, Room 475

Attention: Dale Thrush

8040 FOOTHILL BLVD - PROPOSED HOME DEPOT

On November 29, 2006, representatives of the Department of City Planning, the City Attorney, Building and Safety (LADBS) and your office met to discuss the issue regarding the proposed Home Depot store and more specifically, the use of the area within the building previously used for auto repair.

A this meeting, the following conclusions were reached:

- Inasmuch as the auto repair area has not been used for a period that exceeds one year, the ability to reuse the space for auto repair has been lost because the use is now prohibited by the Foothill Specific Plan and is further prohibited because of its proximity to residential zones. Reinstatement of the auto repair needs to be approved by City Planning through discretionary action.
- The floor area previously used for auto repair will remain vacant and won't be used for any purpose until such discretionary action is granted by the Department of City Planning.
- The tenant improvement permit for the Home Depot was validly issued and cannot be revoked without a showing that an error was made. Since no showing has been made, LADBS cannot revoke or suspend the permits.
- The work on the entrance doors is consistent with the permits issued and no violation or conflict with the code was found.
- The shoring being erected is only necessary in order to perform the interior demolition work and is only temporary.
- It was understood that the issuance of the permit has been appealed to the Director of Planning on October 20, 2006 and is pending a determination.

On December 13, 2006 the contractor started to remove a portion of the parking lot paving necessary in order to provide the proper slope for Disabled Access. This portion of the work was approved as part of the original permit but it was discovered that the portion of the plans showing this work was inadvertently not included in the final set of plans. LADBS inspectors issued an order to stop the removal of the pavement only and that order will not be released until the omitted sheets of the plans, stamped approved by City Planning, are brought back to LADBS.

ANDREW A. ADELMAN, P.E.
General Manager


HECTOR BUITRAGO, Assistant Chief
Engineering Bureau