



City of Santa Fe Springs

Planning Commission Meeting

AGENDA

REGULAR MEETING PLANNING COMMISSION CITY HALL COUNCIL CHAMBERS

**April 8, 2013
4:30 P.M.**

**Frank Ybarra, Chairperson
Susie Johnston, Vice Chairperson
Michael Madrigal, Commissioner
James Velasco, Commissioner
Manuel Zevallos, Commissioner**

Public Comment: The public is encouraged to address the Commission on any matter listed on the agenda or on any other matter within its jurisdiction. If you wish to address the Commission, please complete the card that is provided at the rear entrance to the Council Chambers and hand the card to the Secretary or a member of staff. The Commission will hear public comment on items listed on the agenda during discussion of the matter and prior to a vote. The Commission will hear public comment on matters not listed on the agenda during the Oral Communications period.

Pursuant to provisions of the Brown Act, no action may be taken on a matter unless it is listed on the agenda or unless certain emergency or special circumstances exist. The Commission may direct staff to investigate and/or schedule certain matters for consideration at a future Commission meeting.

Americans with Disabilities Act: In compliance with the ADA, if you need special assistance to participate in a City meeting or other services offered by this City, please contact the City Clerk's Office. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

Please Note: Staff reports are available for inspection in the Planning & Development Department, City Hall, 11710 E. Telegraph Road, during regular business hours 7:30 a.m. – 5:30 p.m., Monday – Friday (closed every other Friday) Telephone (562) 868-0511.

1. CALL TO ORDER**2. PLEDGE OF ALLEGIANCE****3. ROLL CALL**

Commissioners Johnston, Madrigal, Velasco, Ybarra, and Zevallos

4. ORAL COMMUNICATIONS

This is the time for public comment on any matter that is not on today's agenda. Anyone wishing to speak on an agenda item is asked to please comment at the time the item is considered by the Planning Commission.

5. MINUTES

Approval of the minutes of the March 11, 2013 Regular Planning Commission Meeting.

6. NEW BUSINESS

Lot Line Adjustment Map No. 2013-01: A request for approval of a lot line adjustment involving Parcels 1 (3.104 acres) and Parcel 2 (4.220 acres) of Lot Line Adjustment Map No. 2009-01, and Lot 69 (1.971 acres), and all of the private streets (0.424 acres) as shown as "Brisbane Terrace" and all originally created by Tract Map No. 63136, in the City of Santa Fe Springs, County of Los Angeles, State of California, as per map filed in Book 1350, pages 16 through 44 of maps, in the office of the County Recorder of said county, and recorded on August 04, 2008.

7. CONSENT AGENDA

Consent Agenda items are considered routine matters which may be enacted by one motion and roll call vote. Any item may be removed from the Consent Agenda and considered separately by the Planning Commission.

A. CONSENT AGENDA – UNFINISHED BUSINESS**Entertainment Conditional Use Permit Case No. 11-2**

Compliance review of Entertainment Conditional Use Permit Case No. 11-2 to allow the continued operation and maintenance of an entertainment use involving live performances and dancing activities at the Santa Fe Springs Drive-In and Swap Meet located in the M-2-FOZ, Heavy Manufacturing-Freeway Overlay, Zone, at 13963 Alondra Boulevard. (Newport Diversified, Inc. for Santa Fe Springs Swap Meet)

B. CONSENT AGENDA – UNFINISHED BUSINESS**Alcohol Sales Conditional Use Permit Case No. 11A-2**

Compliance review of Alcohol Sales Conditional Use Permit Case No. 11A-2 to allow the continued on-site sale and consumption of alcoholic beverages at the Santa Fe Springs Drive-In and Swap Meet located in the M-2-FOZ, Heavy Manufacturing-Freeway Overlay, Zone, at 13963 Alondra Boulevard. (Newport Diversified, Inc. for Santa Fe Springs Swap Meet)

C. CONSENT AGENDA – UNFINISHED BUSINESS**Conditional Use Permit Case No. 194-9**

Compliance review to allow the continued operation and maintenance of a contractor's storage yard use for the storage of vacuum trucks associated with a septic tank cleaning business on the .37-acre property located 14018 Carmenita Road, in the M-1, Light Manufacturing, Zone within the Consolidated Redevelopment Project Area. (Peggy Lee Hendricks for Roberts Liquid Disposal)

D. CONSENT AGENDA – UNFINISHED BUSINESS**Conditional Use Permit Case No. 453-6**

Compliance review to allow the continued operation and maintenance of a drive-in theater and swap meet operation at 13963 Alondra Boulevard, in the M-2-FOZ, Heavy Manufacturing – Freeway Overlay Zone. (Newport Diversified, Inc. for Santa Fe Springs Swap Meet)

E. CONSENT AGENDA – UNFINISHED BUSINESS**Conditional Use Permit Case No. 488-6**

Compliance review to allow the continued operation and maintenance of a freestanding sign on property located at 15718 Marquardt Avenue (APN: 7003-001-904), in the M-2-FOZ, Heavy Manufacturing – Freeway Overlay Zone. (Newport Diversified, Inc. for Santa Fe Springs Swap Meet)

F. CONSENT AGENDA – UNFINISHED BUSINESS**Conditional Use Permit Case No. 497-2**

Compliance review to allow the continued operation and maintenance of a precious metal reclamation facility at the northeast corner of Alondra Boulevard and Carmenita Road (13409, 13429, 13443, and 13501 Alondra Boulevard; 15600, 15601, 15610 and 15611 Resin Place; and 15524 and 15536 Carmenita Road), in the M-2, Heavy Manufacturing, Zone. (Peter Eckert for Heraeus Precious Metal North America LLC)

G. CONSENT AGENDA**Conditional Use Permit Case No. 642-2**

A request to modify a condition of approval requiring two (2) live palm trees for an existing Sprint PCS wireless telecommunication facility, stealth as a monopalm, and located at 13808 ½ Imperial Highway, in the M-1-PD, Light Manufacturing-Planned Development Overlay, Zone. (Bryan Roy for Sprint PCS)

8. ANNOUNCEMENTS

- ◆ Commissioners
- ◆ Staff

9.

ADJOURNMENT

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing agenda has been posted at the following locations; 1) City Hall, 11710 Telegraph Road; 2) City Library, 11700 Telegraph Road; and 3) Town Center Plaza (Kiosk), 11740 Telegraph Road, not less than 72 hours prior to the meeting.

Teresa Cavallo

Commission Secretary

April 3, 2013

Date

**MINUTES
REGULAR MEETING
SANTA FE SPRINGS PLANNING COMMISSION
March 11, 2013**

1. CALL TO ORDER

Chairperson Ybarra called the Regular Planning Commission meeting to order at 4:32 p.m.

2. PLEDGE OF ALLEGIANCE

Chairperson Ybarra led the Pledge of Allegiance.

3. ROLL CALL

Present: Chairperson Ybarra
Vice Chairperson Johnston
Commissioner Madrigal
Commissioner Velasco
Commissioner Zevallos

Staff: Wayne Morrell, Director of Planning
Vivian De Leon, Secretary
Steve Skolnik, City Attorney
Cuong Nguyen, Associate Planner
Luis Collazo, Code Enforcement Officer

4. ORAL COMMUNICATIONS

Chairperson Ybarra opened Oral Communications and invited interested parties to come forward and address the Commission.

Commissioner Madrigal informed the Commission that he had received the agenda earlier in the day and not on Friday as is customary; therefore, he did not have enough time to review the items and was concerned about making any decision on these items.

Mr. Skolnik informed the Commission that all Consent Agenda items with the exception of Item 10G were compliance review items, and that Item 9 was being pulled for further review. He informed the Commission that if they preferred, Consent Items 10A to 10F may be heard at a future date, but they could act on Items 6 through 9 and Item 10G, which was for a time extension and had been approved previously by the Commission. All Commissioners agreed with Mr. Skolnik's suggestion.

There being no one else wishing to speak, Oral Communications was closed.

Commissioner Zevallos moved to table Item 9 and Items 10A to 10F to a future date. Vice Chairperson Johnston seconded the motion, which carried unanimously.

5. APPROVAL OF MINUTES

The minutes of the January 14, 2013 meeting were unanimously approved and filed as submitted.

6. **PUBLIC HEARING**

Alcohol Sales Conditional Use Permit Case No. 57

Request for approval of Alcohol Sales Conditional use Permit Case No. 57 to allow an alcohol beverage sales use for on-site consumption in association with an existing family restaurant establishment doing business as El Chipotle Grill in the C-4-PD, Community Commercial-Planned Development, Zone at 10120 Carmenita Road. (Chipotle Grill)

Chairperson Ybarra opened the public hearing at 4:40 p.m.

Luis Collazo, Code Enforcement Officer, presented Item 6. He noted that Chipotle is requesting a type 47 ABC license in order to sell margaritas and noted that alcohol will not be served in the patio. He informed the Commission that notices had been posted within a 500 mile radius and to date no complaints had been received. Present in the audience Maricela Gonzalez from Chipotle Grill.

Having no one come forward with questions, Chairperson Ybarra closed the public hearing at 4:47 pm.

Commissioner Velasco moved to approve Item 6; Commissioner Zevallos seconded the motion, which carried unanimously.

7. **PUBLIC HEARING**

Conditional Use Permit Case NO. 721

Request for approval to construct, operate and maintain an unmanned wireless telecommunication facility (70'-high monopole and related telecommunication equipment) for Verizon Wireless, on the property located at 11318 Norwalk Boulevard within the C-4, M-2 and BP, Community Commercial, Heavy Manufacturing and Buffer Parking, Zones. (Justin Robinson for Verizon Wireless)

Chairperson Ybarra opened the public hearing at 4:48 p.m.

Wayne Morrell, Director of Planning presented Item 7. He indicated that residents within a 500 foot radius from this location had been notified and to date had not received any responses regarding proposal of this location. He emphasized that if approved and the palm trees are removed that they have to be replaced.

Chairperson Ybarra inquired about height requirement for a beacon.

Mr. Justin Robison, a representative from Verizon Wireless present for the hearing informed him that FAA requires that beacons be placed on anything 200 feet and above.

Having no one else come forward with questions, Chairperson Ybarra closed the public hearing at 4:58 p.m.

Vice Chairperson Johnston moved to approve Item 7; commissioner Velasco seconded the motion which, carried unanimously.

8. **PUBLIC HEARING**

Conditional Use Permit Case No. 738

Request for approval to allow the establishment, operation, and maintenance of a non-profit

trade school use on property located at 12131 Telegraph Road, in the M-2 Heavy Manufacturing, Zone and within the Consolidated Redevelopment Project Area (Los Angeles Chapter National Tooling and Machining Association Center Trust ("NTMA")).

Chairperson Ybarra opened the public hearing at 4:58 p.m.

Cuong Nguyen, Associate Planner presented Item No. 8. He informed the Commission that notices had been sent out to surrounding business, which comprised a total of 15 property owners and to date no objections were received.

Commissioner Madrigal welcomed NTMA to Santa Fe Springs and inquired about their tuition programs and if grants were available.

Mr. Mike Kerwin, the President of NTMA, informed the Commission that they function as any other school and have Federal and State Grants, and also assist with job placement. Mr. Kerwin noted that their Ontario facility is involved in the Robotics League and would like to bring that to the Norwalk location.

Commissioner Velasco asked if they would offer discounts to Santa Fe Springs residents. Mr. Kerwin indicated that since they provide Federal and State grants, everyone must be treated equally.

Commissioner Velasco also asked if they are currently working with Santa Fe Springs High School for recruitments. Mr. Kerwin stated that although they are not working directly with Santa Fe Springs High School, they have done presentations to the school.

Vice Chairperson Johnston questioned the 155 parking spaces for the anticipated 300 students. Mr. Kerwin indicated that there is a one (1) hour break between classes and it is anticipated that there will be approximately 75 students at one time as there are several class sessions throughout each day. Mr. Nguyen added that the 300 students include both students from the Monday through Friday curriculum as well as the Saturday curriculum.

Having no one else come forward with questions, Chairperson Ybarra closed the public hearing at 5:14 p.m.

Commissioner Madrigal moved to approve Item 8; Vice Chairperson Johnston seconded the motion, which carried unanimously.

10. **CONSENT AGENDA**

Consent Agenda items are considered routine matters which may be enacted by one motion and roll call vote. Any item may be removed from the Consent Agenda and considered separately by the Planning Commission.

G. **Development Plan Approval Case No. 862 and Zone Variance Case 71 (Amendment No. 1)**

Request for a time extension, site plan and building modifications, and modifications to the conditions of approval for previously approved Development Plan Approval (DAP) Case No. 862 and Zone Variance (ZV) Case No. 71, for property located at 13630 Firestone Boulevard, and Zoned M-2-FOZ and BP, Heavy Manufacturing-Freeway Overlay Zone and Buffer Parking.
(Robert Stewart for Ryder Truck Rentals, Inc.)

Mr. Skolnik recommended that Mr. Morrell briefly explain Item 10G to the Commission as a result of the agenda's being delivered late to the Planning Commissioners.

Mr. Morrell gave a brief description noting that the extension on this item is for one year with minor revisions which include 90 parking spaces and reconfiguration of a more efficient flow plan.

Mr. Skolnik indicated that in the next few weeks time they will tweak time extensions to coordinate with what City Council needs to approve, including businesses handling flammable items.

Commissioner Velasco moved to approve Item 10G; Commissioner Madrigal seconded the motion, which carried unanimously.

11. **ANNOUNCEMENTS**

Commissioners:

Commissioner Velasco indicated that he attended the two-day Planning Commissioners Seminar and found that it was extremely informative.

Vice Chairperson Johnston inquired about a rumor of a Fresh and Easy facility locating to the vacant Jax Market facility.

Mr. Morrell indicated that 90% of the location is scheduled to be occupied by a 99¢ Store; and 10% slated for an unnamed facility. Auto Zone will be moving to that location and that entire area will be reconfigured accordingly. Also, the space formerly occupied by the Santa Fe Springs Florist had been previously set for a Starbucks; but that did not work. He noted that currently, the area is considered as one (1) parcel; however, it will be changed to six (6) parcels which will make it easier for the owner to sell individually.

Commissioner Madrigal wanted to confirm that it was in fact the actual corporate 99¢ Store chain. Mr. Morrell responded with a yes.

Staff:

Mr. Nguyen announced that Capriotti's Sandwich Shop would be moving to the location by Chipotles on Carmenita Road and Telegraph Road.

12. **ADJOURNMENT**

Chairperson Ybarra adjourned the Planning Commission meeting at 4:53 p.m.

Chairperson Ybarra

ATTEST:

Teresa Cavallo, Planning Secretary



City of Santa Fe Springs

Planning Commission Meeting

April 8, 2013

NEW BUSINESS

Lot Line Adjustment Map No. 2013-01

A request for approval of a lot line adjustment involving Parcels 1 (3.104 acres) and 2 (4.220 acres) of Lot Line Adjustment Map No. 2009-01, Lot 69 (1.971 acres), and all of the private streets (0.424 acres) as shown as "Brisbane Terrace" and all originally created by Tract Map No. 63136, in the City of Santa Fe Springs, County of Los Angeles, State of California, filed as per map filed in Book 1350, Pages 16 through 44 of maps, in the office of the County Recorder of said County and recorded on August 04, 2008. (Jeff Malone for RCS-Villages Apartment, LLC)

RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions:

1. That the Planning Commission find that approval of Lot Line Adjustment Map No. 2013-01 is within the scope of the certified Environmental Report (State Clearance House No. 2005011096) prepared to consider and analyze the environmental impacts related to the development of the 54.5-acre site with housing, and that no new significant effects could occur or new mitigation measures or environmental documents would be required.
2. That the Planning Commission find that the subject Lot Line Adjustment Map No. 2013-01 is consistent with the City's General Plan, and Zoning, and will not create a greater number of parcels than originally existed.
3. That the Planning Commission approve Lot Line Adjustment Map No. 2013-01 without conditions.

BACKGROUND/DESCRIPTION OF REQUEST

The 54.5-acre site, formerly referred to as the "Townlots" and now because of the subdivision and development of the site with a master-planned housing development is referred to as "The Villages at Heritage Springs," is bordered by Telegraph Road to the north, Clark Street to the south, Bloomfield Avenue to the east and Norwalk Boulevard to the west. The master-planned housing development now includes a 150-unit apartment development on 5.336 acres of the 54.5 acres. The apartment development is the main focus of the proposed lot line adjustment.

Previous Actions by Commission

Entitlement	Request	Approval Date
GPA 22	General Plan Land Use Change From Industrial to Single-Family Residential and Multiple-Family Residential	PC 9/26/2005 CC 10/13/2005
ZC 128	Zone Change from M-2, Heavy Manufacturing to R-1-PD, Single-Family Residential-Planned Development and R-3-PD, Multiple-Family Residential-Planned Development	PC 9/26/2005 CC 10/13/2005
CUP 647	Development of 54.5-acres into a master-planned residential community of 554 dwelling units, (attached and detached) and for the continuation of oil and gas production	PC 11/2/2005 CDC 11/09/2005
TTM 063136	Subdivision of 202 parcels into 119 lots	PC 11/02/2005 CC 07/08/008
LLA 2008-01	lot line adjustment involving 2 lots (Lot 58 of 2.345 acres and Lot 59 of 3.495 acres)	PC 02/232/2009
CUP 647-1	Amendment to allow apartment development	PC 12/10/2012** CC 01/24/2013
**NOTE PC approval of 12/10/2012 was appealed to the CC who, on 01/24/2013 upheld the decision of the PC		

Legend: GPA: General Plan Amendment; ZC: Zone Change; CUP: Conditional Use Permit; TTM: Tentative Tract Map; PC: Planning Commission; CC: City Council; CDC: Community Development Commission; LLA: Lot Line Adjustment

Current Request: The applicant, Villages at Heritage Springs, LLC, is currently requesting approval of a lot line adjustment involving Parcels 1 (3.104 acres) and 2 (4.220 acres) of Lot Line Adjustment Map No. 2009-01, Lot 69 (1.971 acres), and all of the private streets (0.424 acres) as shown as "Brisbane Terrace" and all originally created by Tract Map No. 63136, in the City of Santa Fe Springs, County of Los Angeles, State of California, filed as per map filed in Book 1350, Pages 16 through 44 of maps, in the office of the County Recorder of said County and recorded on August 04, 2008.

The purpose of the lot line adjustment is to create one lot (68) that will include all of the properties specific to the apartment site plan approved by the Planning Commission on December 12, 2012 by CUP 647-1, Amendment 1. The resulting lot 68 parcel will consist of 5.339 acres. This new area does not include the well site that was mistakenly included on the approved apartment site plan. Specifically, the lot line adjustment will accomplish the following:

- Remove the Tr. 63136, Lot 68/69 property line that crosses one of the planned apartment site buildings. Removal of this line is required pursuant to approved condition #35 of the CUP Case No. 647-1.
- Move the Tr. 63136, lot 66/68 property line near the well site to include the property immediately north of and west of the well site within the apartment site.
- Adjust a portion of the lot 68 property line from the face of curb along the west side of Brisbane Terrace to the back of sidewalk along Brisbane Terrace to be consistent with the alignment of the property line to the south on Brisbane Terrace.

SUBDIVISION MAP ACT REQUIREMENT

Section 66412 of the State's Subdivision Map Act provides that Lot Line Adjustments between four or fewer existing adjoining parcels are exempt from the provisions of the Map Act provided that the Lot Line Adjustment will not create a greater number of parcels than originally existed, that the Lot Line Adjustment is consistent with the City's General Plan, Zoning and Building ordinances, and that the Lot Line Adjustment is approved by the Planning Commission of the City.

Please Note that a local agency or advisory agency shall limit its review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances. An advisory agency or local agency shall not impose conditions or exactions on its approval of a lot line adjustment except to conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances, to require the prepayment of real property taxes prior to the approval of the lot line adjustment, or to facilitate the relocation of existing utilities, infrastructure, or easements.

ENVIRONMENTAL DOCUMENT

The City Council, acting as Lead Agency, prepared an Environmental Impact Report (EIR) for the proposed development of the 54.5-acre property with housing and the continuation of existing oil and gas operations, and by inclusion the impacts associated with the subdivision of the site. The EIR was certified by the City's Planning Commission at a Public Hearing on Monday, September 26, 2005. Further environmental documents are not required if it is determined that the proposed lot line adjustment is within the scope of said EIR, and that no new significant effects could occur or no new mitigation or environmental documents would be required. Accordingly, based on the previously-prepared environmental documents, there is no evidence that proposed Lot Line Adjustment Map No. 2013-01 will have an adverse effect on the environment, that new significant effects could occur, and that new mitigation measures or environmental documents would be required.

FINDINGS

Section 66412(d) of the State's Subdivision Map Act provides that Lot Line Adjustments between four or fewer existing adjoining parcels are exempt from the provisions of the Map Act provided that:

1. The proposed lot line adjustment will not create a greater number of parcels than originally existed.
2. The proposed lot line adjustment is between two parcels, one lot and a private street, with a total combined area of 9.295 acres. Upon approval by the Planning Commission, Parcel 1 and Lot 69 will be combined into one parcel of 5.339 acres. Parcel 2, originally of 4.220 acres, will be reduced to 3.917 acres. Parcel 3 would consist of 0.463 acres and includes all of the private streets shown as "Brisbane Terrace. The proposed lot line adjustment will not result in a greater number of parcels than originally existed.
3. The proposed lot line adjustment is consistent with the City's General Plan, Zoning and Building ordinances.

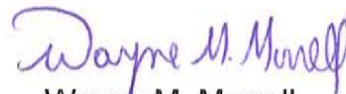
General Plan/Zoning: Prior to and after the proposed lot line adjustment, the General Plan Land Use designation of "Multiple-Family Residential" and Zoning designation of R-3-PD, Multiple-Family Residential-Planned Development, will remain unchanged. The R-3 zone is primarily intended for apartments or multiple dwelling units. Since the lots have a General Plan Land Use designation of "Multiple-Family Residential and multiple-family dwellings are proposed, the proposed lot line adjustment is therefore consistent with the City's General Plan and zoning.

Zoning: A primary zoning consideration is that the lot size meets the required minimum area. After the proposed lot line adjustment, Parcel 1 and Lot 69 will be combined into one parcel of 5.339 acres and Parcel 2 will consist of 3.917 acres, respectively. Pursuant to the development standards for The Villages at Heritage Springs, the minimum lots size encompassed for the proposed lot line adjustment map is 20,000 sq ft; consequently, the areas exceed the minimum lot area prior to and after the lot line adjustment. The proposed lots also meet the minimum lot size of 60 feet and lot depth of 125 feet.

Building Ordinance/Code: Upon approval by the Planning Commission, Parcel 1 and Lot 69 will be combined into one parcel of 5.339 acres. Doing so would eliminate the common lot line between Parcel 1 and Lot 69 that transverse one of the apartment buildings. Nevertheless, all Building codes will be required to be met through the permit application process for any future construction.

Specific Plan/Coastal Plan: The proposed project area is not located within a Specific or Coastal plan.

In addition to the above, the proposed lot line adjustment has been reviewed by the Department of Public Works. Staff is recommending that the Planning Commission approve Lot Line Adjustment Map No. 2013-01



Wayne M. Morrell
Director of Planning

Attachment(s)

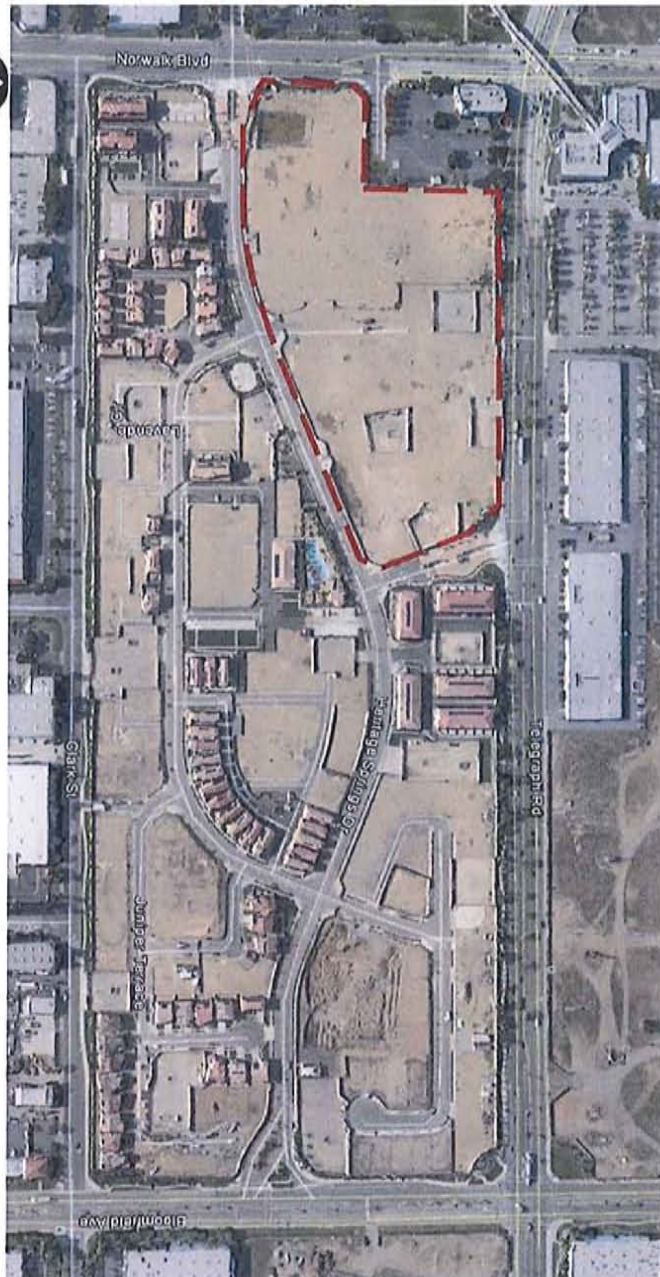
1. Location Aerial
2. Exhibit "A" Tract Map No. 63136 Index
3. Exhibit "D" Existing Condition
4. Exhibit "C" After Condition
5. Lot Line Adjustment Map No. 2013-01(pages 9-16)
6. Application

Q:\Planning\1 Planning Commission Meetings\2013\PC MTG 4-8-2013\LLA Map No 2013-01_PcReport\4/4/2013 10:57:41 AM\WMM

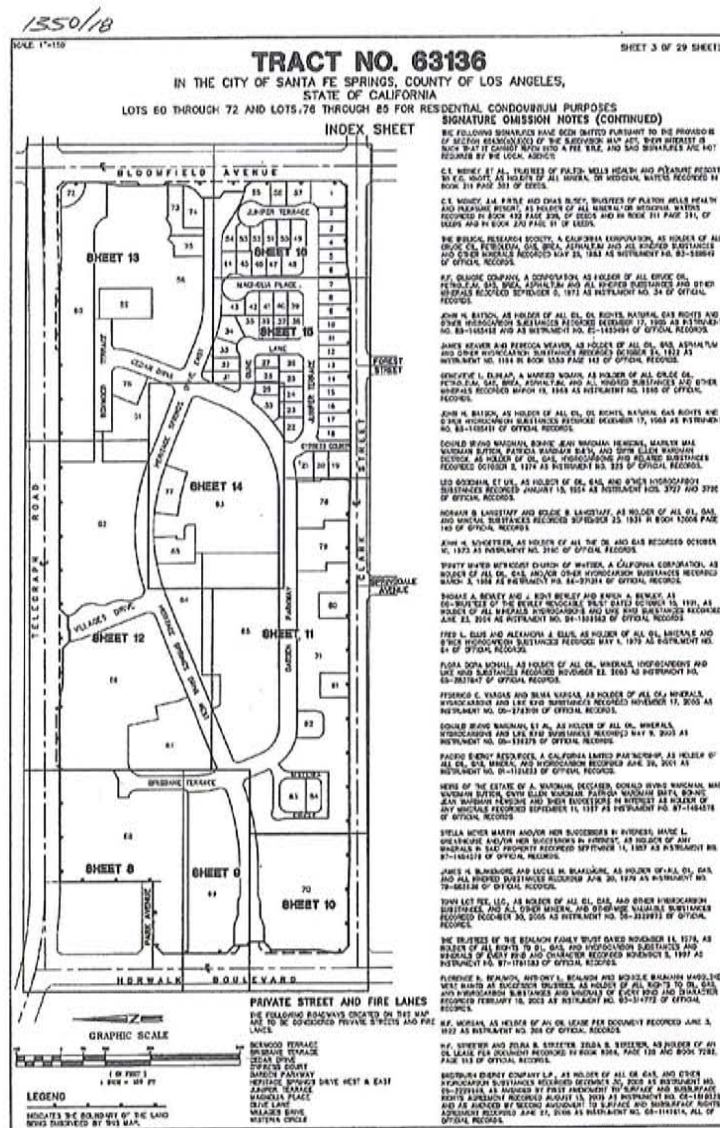


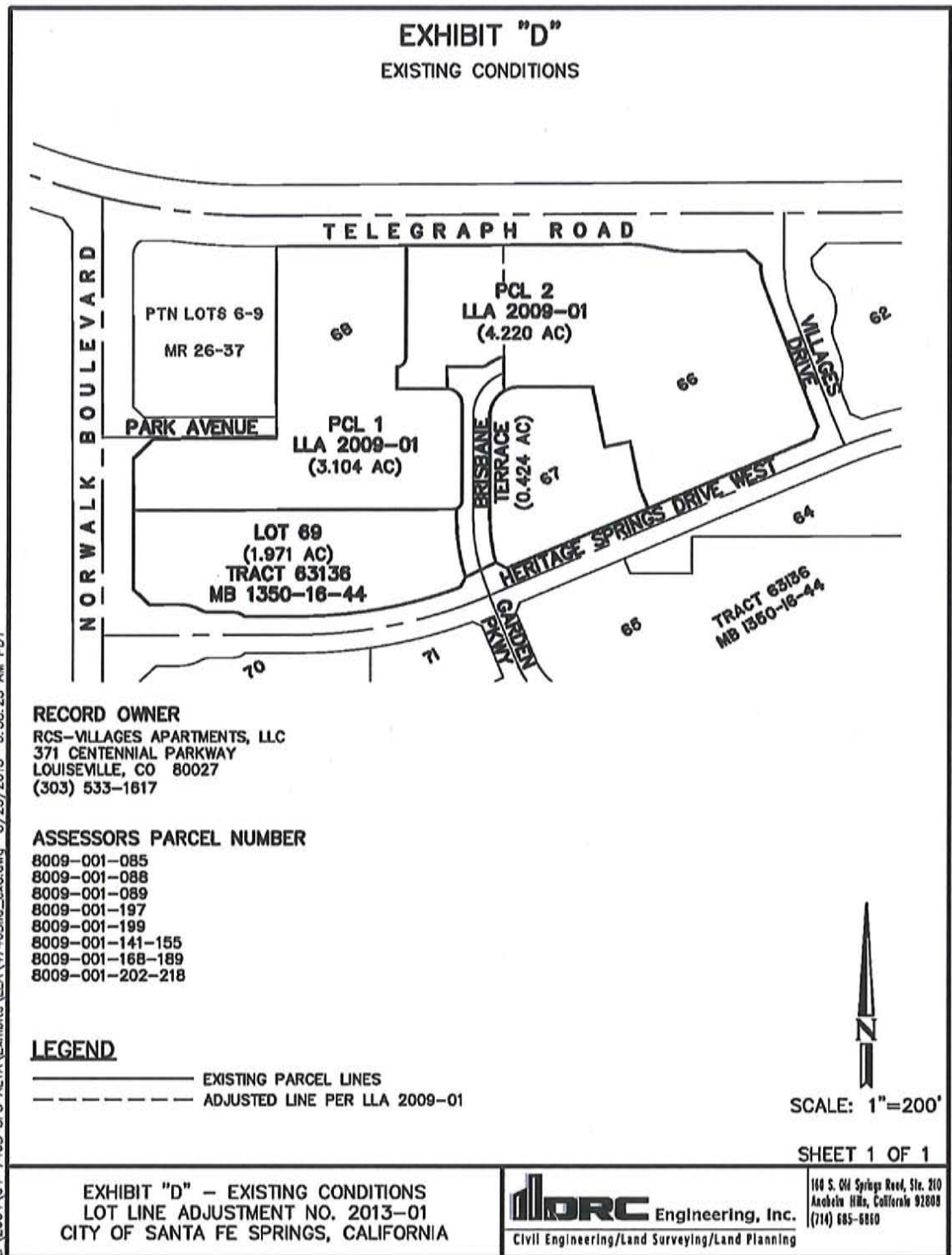
CITY OF SANTA FE SPRINGS

AERIAL PHOTOGRAPH



LOT LINE ADJUSTMENT MAP NO. 2013-01
RCS Villages Apartments, LLC)





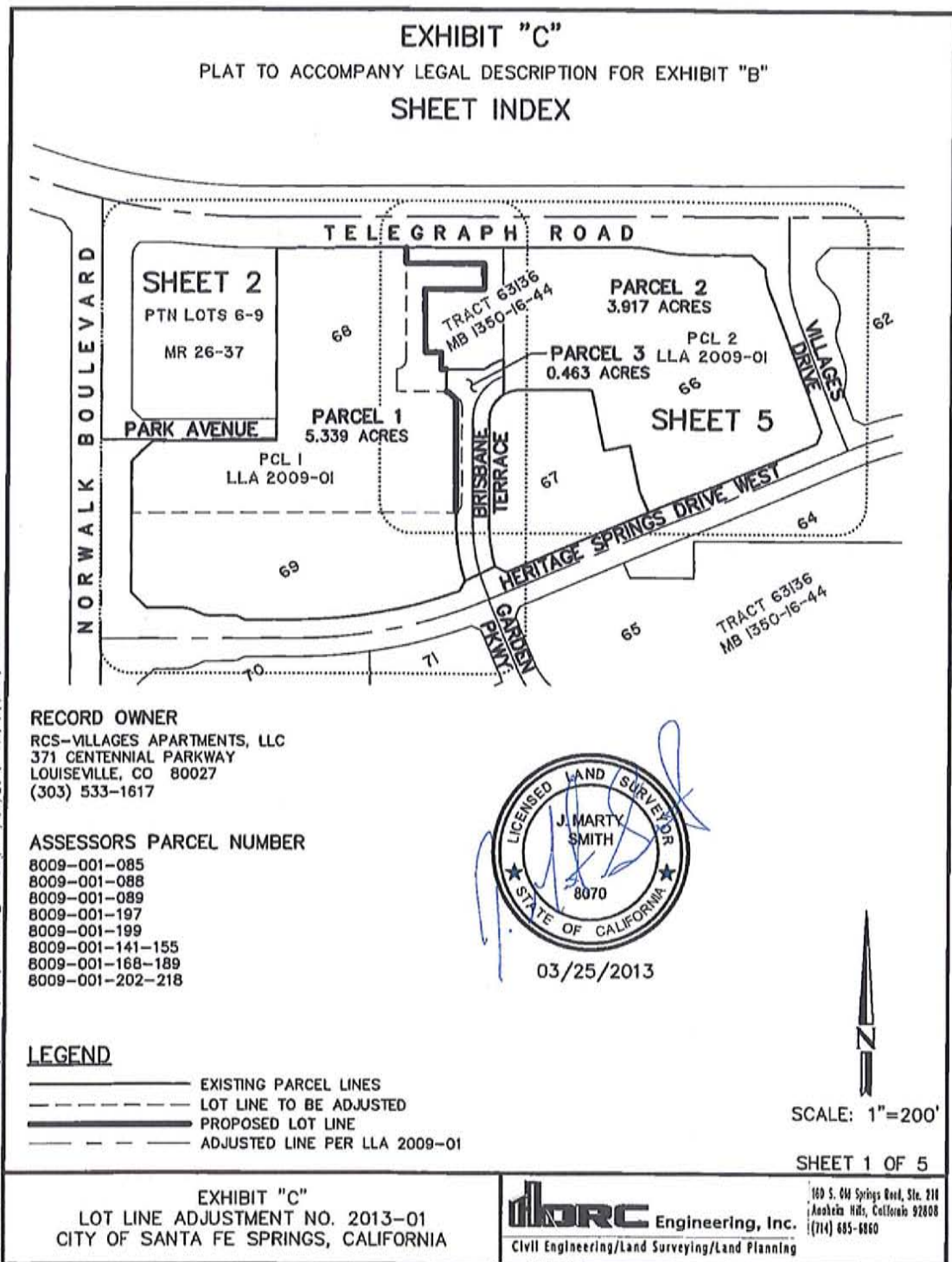


EXHIBIT "A"
LLA 2013-01
LEGAL DESCRIPTION
OF EXISTING LOTS

PARCEL 1 OF LLA 2009-01

THAT PORTION OF LOT 68 OF TRACT 63136, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 1350, PAGES 16 THROUGH 44 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 68; THENCE ALONG THE NORTHERLY LINE OF SAID LOT, NORTH 89°41'36" EAST, 212.13 FEET TO AN INTERSECTION WITH THE NORTHERLY PROLONGATION OF THE WESTERLY LINE OF THE LAND DESCRIBED AS "ACCESS-1/DSC' WELL NO. 366-P ACCESS AREA" IN THE DOCUMENT ENTITLED "SECOND AMENDMENT TO SURFACE AND SUBSURFACE RIGHTS AGREEMENT" RECORDED JUNE 27, 2008, AS INSTRUMENT NO. 08-1147614 OF OFFICIAL RECORDS IN SAID OFFICE, SAID WESTERLY LINE DESCRIBED IN SAID DOCUMENT AS "S00°01'05"E, A DISTANCE OF 126.72 FEET"; THENCE ALONG SAID NORTHERLY PROLONGATION AND THE WESTERLY AND SOUTHERLY BOUNDARY OF SAID LAND THE FOLLOWING FIVE COURSES:

- 1) SOUTH 00°01'13" EAST, 182.66 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 15.14 FEET, A RADIAL LINE FROM SAID BEGINNING OF CURVE BEARS NORTH 89°46'59" WEST;
- 2) SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°24'35" AN ARC LENGTH OF 23.62 FEET;
- 3) SOUTH 00°00'17" EAST, 36.00 FEET;
- 4) NORTH 89°56'29" EAST, 81.90 FEET TO THE SOUTHERLY PROLONGATION OF A PORTION OF THE WESTERLY LINE OF BRISBANE TERRACE (PRIVATE STREET) AS SHOWN ON SAID TRACT 63136, SAID PORTION SHOWN AS "N00°11'23"W 36.00'" ON SAID TRACT 63136;
- 5) ALONG SAID SOUTHERLY PROLONGATION, NORTH 00°11'23" WEST, 0.05 FEET TO THE SOUTHERLY TERMINATION OF SAID WESTERLY LINE, SAID TERMINATION ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 25.00 FEET, A RADIAL LINE FROM SAID BEGINNING OF CURVE BEARS SOUTH 00°11'23" EAST;

THENCE ALONG THE BOUNDARY OF SAID LOT 68 THE FOLLOWING 10 COURSES:

- 1) SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC LENGTH OF 39.27 FEET;
- 2) SOUTH 00°11'23" EAST, 156.56 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 15.00 FEET;
- 3) SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC LENGTH OF 23.56 FEET;

EXHIBIT "A" - Page 1 of 4
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EXHIBIT "A"
LLA 2013-01
LEGAL DESCRIPTION
OF EXISTING LOTS

- 4) SOUTH 89°48'37" WEST, 523.51 FEET;
 - 5) NORTH 00°11'25" WEST, 84.11 FEET;
 - 6) NORTH 44°45'01" EAST, 45.57 FEET;
 - 7) NORTH 89°41'26" EAST, 202.95 FEET;
 - 8) NORTH 02°16'17" EAST, 3.00 FEET;
 - 9) NORTH 00°18'34" WEST, 30.00 FEET;
- NORTH 00°11'07" WEST, 280.16 FEET TO THE POINT OF BEGINNING

PARCEL 2 OF LLA 2009-01

ALL OF LOT 66 TOGETHER WITH A PORTION OF LOT 68 OF TRACT 63136, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 1350, PAGES 16 THROUGH 44 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, ALL OF WHICH BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 68; THENCE ALONG THE NORTHERLY LINE OF SAID LOT 68, NORTH 89°41'36" EAST, 212.13 FEET TO AN INTERSECTION WITH THE NORTHERLY PROLONGATION OF THE WESTERLY LINE OF THE LAND DESCRIBED AS "ACCESS-1/DSC' WELL NO. 366-P ACCESS AREA" IN THE DOCUMENT ENTITLED "SECOND AMENDMENT TO SURFACE AND SUBSURFACE RIGHTS AGREEMENT" RECORDED JUNE 27, 2008, AS INSTRUMENT NO. 08-1147614 OF OFFICIAL RECORDS IN SAID OFFICE, SAID WESTERLY LINE DESCRIBED IN SAID DOCUMENT AS "S00°01'05"E, A DISTANCE OF 126.72 FEET", SAID INTERSECTION ALSO BEING THE TRUE POINT OF BEGINNING; THENCE ALONG SAID NORTHERLY PROLONGATION AND THE WESTERLY AND SOUTHERLY BOUNDARY OF SAID LAND THE FOLLOWING FIVE COURSES:

- 1) SOUTH 00°01'13" EAST, 182.66 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 15.14 FEET, A RADIAL LINE FROM SAID BEGINNING OF CURVE BEARS NORTH 89°46'59" WEST;
- 2) SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°24'35" AN ARC LENGTH OF 23.62 FEET;
- 3) SOUTH 00°00'17" EAST, 36.00 FEET;
- 4) NORTH 89°56'29" EAST, 81.90 FEET TO THE SOUTHERLY PROLONGATION OF A PORTION OF THE WESTERLY LINE OF BRISBANE TERRACE (PRIVATE STREET) AS SHOWN ON SAID TRACT 63136, SAID PORTION SHOWN AS "N00°11'23"W 36.00'" ON SAID TRACT 63136;
- 5) ALONG SAID SOUTHERLY PROLONGATION, NORTH 00°11'23" WEST, 0.05 FEET TO THE SOUTHERLY TERMINATION OF SAID WESTERLY LINE;

EXHIBIT "A" - Page 2 of 4
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EXHIBIT "A"
LLA 2013-01
LEGAL DESCRIPTION
OF EXISTING LOTS

THENCE ALONG THE BOUNDARY OF SAID LOTS 68 AND 66 THE FOLLOWING 21 COURSES:

- 1) NORTH 00°11'23" WEST, 36.00 FEET;
- 2) NORTH 89°48'37" EAST, 57.00 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 15.00 FEET;
- 3) EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35°53'12" AN ARC LENGTH OF 9.40 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 93.00 FEET, A RADIAL LINE FROM SAID BEGINNING OF CURVE BEARS SOUTH 36°04'35" EAST;
- 4) NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°10'19" AN ARC LENGTH OF 31.12 FEET;
- 5) SOUTH 00°27'57" EAST, 56.68 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 48.00 FEET, A RADIAL LINE FROM SAID BEGINNING OF CURVE BEARS SOUTH 30°25'11" EAST;
- 6) EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30°13'48" AN ARC LENGTH OF 25.33 FEET;
- 7) NORTH 89°48'37" EAST, 120.06 FEET;
- 8) SOUTH 11°40'38" EAST, 100.08 FEET;
- 9) NORTH 78°19'22" EAST, 42.94 FEET;
- 10) SOUTH 11°49'51" EAST, 76.21 FEET;
- 11) SOUTH 22°47'54" EAST, 37.19 FEET;
- 12) NORTH 67°12'06" EAST, 293.24 FEET;
- 13) NORTH 22°12'06" EAST, 21.29 FEET;
- 14) NORTH 21°06'38" WEST, 243.52 FEET TO THE BEGINNING OF A CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 104.42 FEET;
- 15) NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 20°48'13" AN ARC LENGTH OF 37.91 FEET;
- 16) NORTH 46°26'04" WEST, 31.95 FEET;
- 17) SOUTH 89°41'36" WEST, 99.66 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 163.00 FEET;
- 18) WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11°18'36" AN ARC LENGTH OF 32.18 FEET;
- 19) NORTH 78°59'49" WEST, 30.69 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 145.00 FEET;

EXHIBIT "A" - Page 3 of 4
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EXHIBIT "A"
LLA 2013-01
LEGAL DESCRIPTION
OF EXISTING LOTS

20) WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11°18'36" AN
ARC LENGTH OF 28.62 FEET;

21) SOUTH 89°41'36" WEST, 367.62 FEET TO THE TRUE POINT OF BEGINNING.

LOT 69

LOT 69 OF TRACT 63136, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 1350, PAGES 16 THROUGH 44 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

BRISBANE TERRACE

ALL OF THAT PRIVATE STREET SHOWN AS "BRISBANE TERRACE" ON TRACT 63136, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 1350, PAGES 16 THROUGH 44 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

THESE DESCRIPTIONS WERE PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.


J. MARTY SMITH, L.S. 8070
DATE PREPARED: 03/25/13



EXHIBIT "A" - Page 4 of 4
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EXHIBIT "B"
LLA 2013-01
LEGAL DESCRIPTION
OF PROPOSED PARCELS

PARCEL 1

ALL OF LOT 69 OF TRACT 63136, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 1350, PAGES 16 THROUGH 44 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, TOGETHER WITH THAT PORTION OF LOT 68 OF SAID TRACT 63136 LYING GENERALLY WESTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 68; THENCE ALONG THE NORTHERLY LINE OF SAID LOT, NORTH 89°41'36" EAST, 212.13 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE LEAVING SAID NORTHERLY LINE, SOUTH 00°01'13" EAST, 25.67 FEET; THENCE NORTH 89°41'31" EAST, 127.92 FEET; THENCE SOUTH 00°18'32" EAST, 42.03 FEET; THENCE SOUTH 89°49'48" WEST 97.18 FEET; THENCE SOUTH 00°45'05" EAST, 103.09 FEET; THENCE NORTH 89°31'55" EAST, 25.70 FEET; THENCE SOUTH 00°00'00" WEST, 27.47 FEET; THENCE NORTH 89°48'37" EAST, 8.79 FEET TO THE NORTHWESTERLY CORNER OF THE PRIVATE STREET SHOWN AS "BRISBANE TERRACE" ON SAID TRACT 63136.

EXCEPTING THEREFROM THAT PORTION OF SAID LOT 68 LYING GENERALLY EASTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE NORTHWEST CORNER OF THE PRIVATE STREET SHOWN AS "BRISBANE TERRACE" ON SAID TRACT 63136; THENCE ALONG THE WEST LINE OF SAID PRIVATE STREET, SOUTH 00°11'23" EAST, 36.00 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE LEAVING SAID WEST LINE, SOUTH 00°11'23" EAST, 0.96 FEET; THENCE SOUTH 89°58'00" EAST, 4.05 FEET; THENCE SOUTH 45°04'42" EAST, 16.94 FEET; THENCE SOUTH 00°11'23" EAST, 182.32 FEET TO THE NORTHEAST CORNER OF SAID LOT 69.

THE ABOVE DESCRIBED PARCEL CONTAINS 5.339 ACRES, MORE OR LESS.

PARCEL 2

ALL OF LOT 66 OF TRACT 63136, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 1350, PAGES 16 THROUGH 44 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, TOGETHER WITH THAT PORTION OF LOT 68 OF SAID TRACT 63136, LYING GENERALLY EASTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 68; THENCE ALONG THE NORTHERLY LINE OF SAID LOT, NORTH 89°41'36" EAST, 212.13 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE LEAVING SAID NORTHERLY LINE, SOUTH 00°01'13" EAST, 25.67 FEET; THENCE NORTH 89°41'31" EAST, 127.92 FEET; THENCE SOUTH 00°18'24" EAST, 42.03 FEET; THENCE SOUTH 89°49'48" WEST 97.18 FEET; THENCE SOUTH 00°45'05" EAST, 103.09 FEET; THENCE NORTH 89°31'55" EAST,

EXHIBIT "B" - Page 1 of 2
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EXHIBIT "B"
LLA 2013-01
LEGAL DESCRIPTION
OF PROPOSED PARCELS

25.70 FEET; THENCE SOUTH 00°00'00" WEST, 27.47 FEET; THENCE NORTH 89°48'37" EAST, 8.79 FEET TO THE NORTHWESTERLY CORNER OF THE PRIVATE STREET SHOWN AS "BRISBANE TERRACE" ON SAID TRACT 63136.

THE ABOVE DESCRIBED PARCEL CONTAINS 3.917 ACRES, MORE OR LESS.

PARCEL 3

ALL OF THE PRIVATE STREET SHOWN AS "BRISBANE TERRACE" OF TRACT 63136, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 1350, PAGES 16 THROUGH 44 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, TOGETHER WITH THAT PORTION OF LOT 68 OF SAID TRACT 63136, LYING GENERALLY EASTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE NORTHWEST CORNER OF THE PRIVATE STREET SHOWN AS "BRISBANE TERRACE" ON SAID TRACT 63136; THENCE ALONG THE WEST LINE OF PRIVATE STREET, SOUTH 00°11'23" EAST, 36.00 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE LEAVING SAID WEST LINE SOUTH 00°11'23" EAST, 0.96 FEET; THENCE SOUTH 89°58'00" EAST, 4.05 FEET; THENCE SOUTH 45°04'42" EAST, 16.94 FEET; THENCE SOUTH 00°11'23" EAST, 182.32 FEET TO THE NORTHEAST CORNER OF SAID LOT 69.

THE ABOVE DESCRIBED PARCEL CONTAINS 0.463 ACRES, MORE OR LESS.

ALL AS SHOWN ON EXHIBIT "C", ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

THIS DESCRIPTION WAS PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.


J. MARTY SMITH, L.S. 8070
DATE PREPARED: 03/25/13



EXHIBIT "B" - Page 2 of 2
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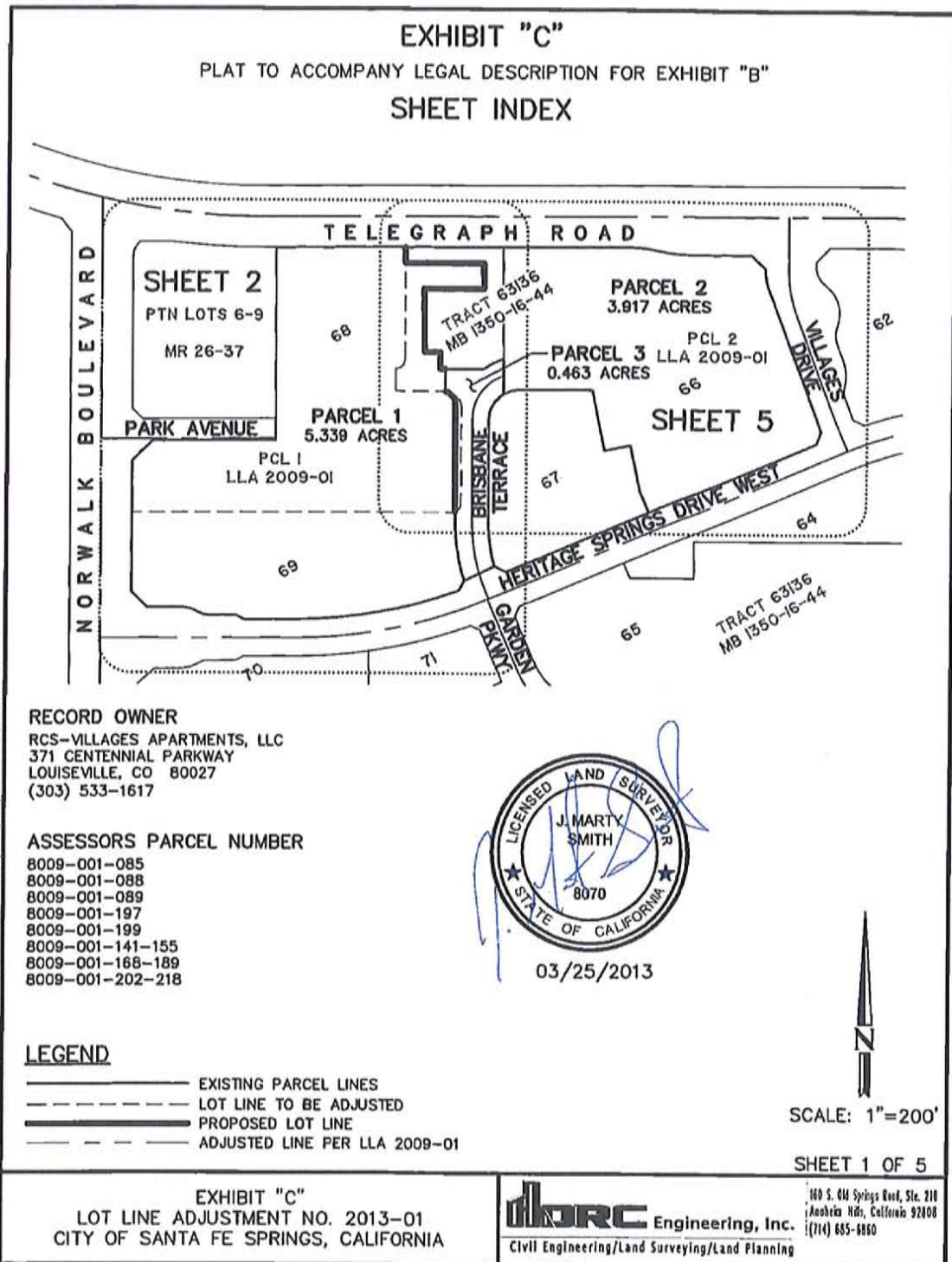
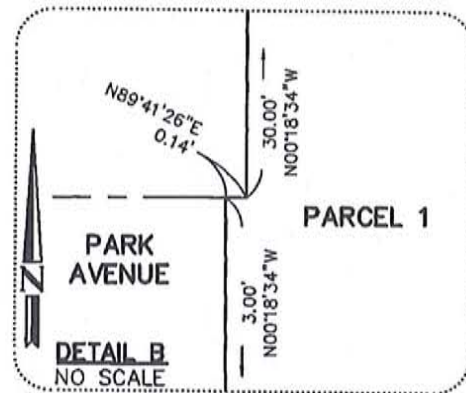
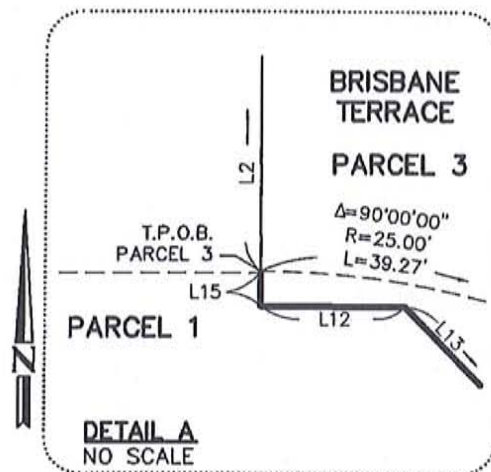




EXHIBIT "C"

PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR EXHIBIT "B"

DETAILS A AND B



LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°00'17"E	36.00'
L2	S00°11'23"E	36.00'
L3	N89°48'37"E	57.00'
L4	N78°59'49"W	30.69'
L5	S00°18'32"E	42.03'
L6	S89°49'48"W	97.18'
L7	S00°45'05"E	103.09'
L8	N89°31'55"E	25.70'
L9	S00°00'00"W	27.47'
L10	N89°48'37"E	8.79'
L12	S89°58'00"E	4.05'
L13	S45°04'42"E	16.94'
L14	N64°08'38"E	54.74'
L15	S00°11'23"E	0.96'

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	89°24'35"	15.14'	23.62'
C2	35°53'12"	15.00'	9.40'
C3	19°10'19"	93.00'	31.12'
C4	30°13'48"	48.00'	25.33'
C5	20°48'13"	104.42'	37.91'
C6	11°18'36"	163.00'	32.18'
C7	11°18'36"	145.00'	28.62'
C8	90°00'00"	25.00'	39.27'
C9	66°25'19"	15.00'	17.39'
C12	59°46'12"	48.00'	50.07'

LEGEND

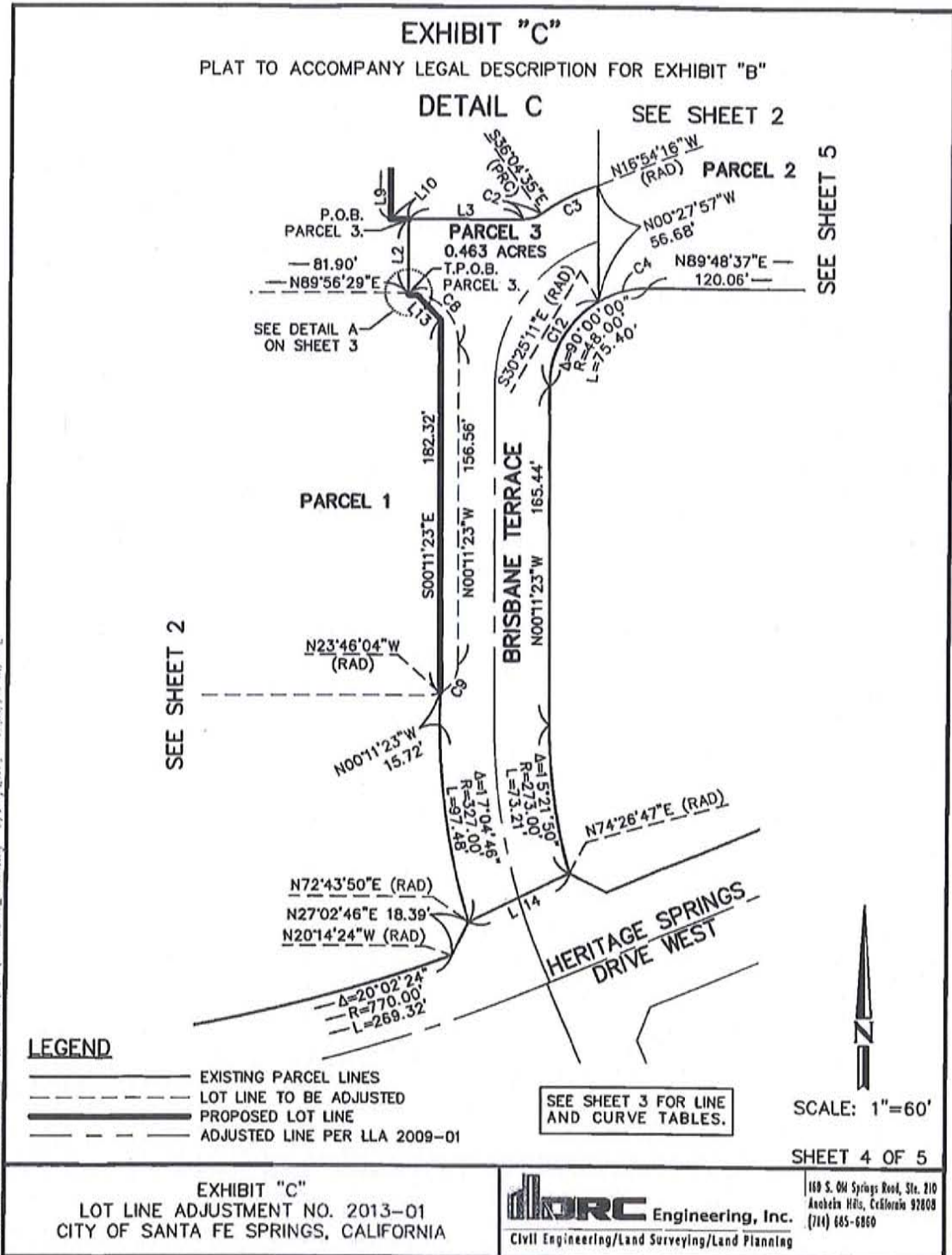
- EXISTING PARCEL LINES
- - - LOT LINE TO BE ADJUSTED
- PROPOSED LOT LINE
- - - ADJUSTED LINE PER LLA 2009-01

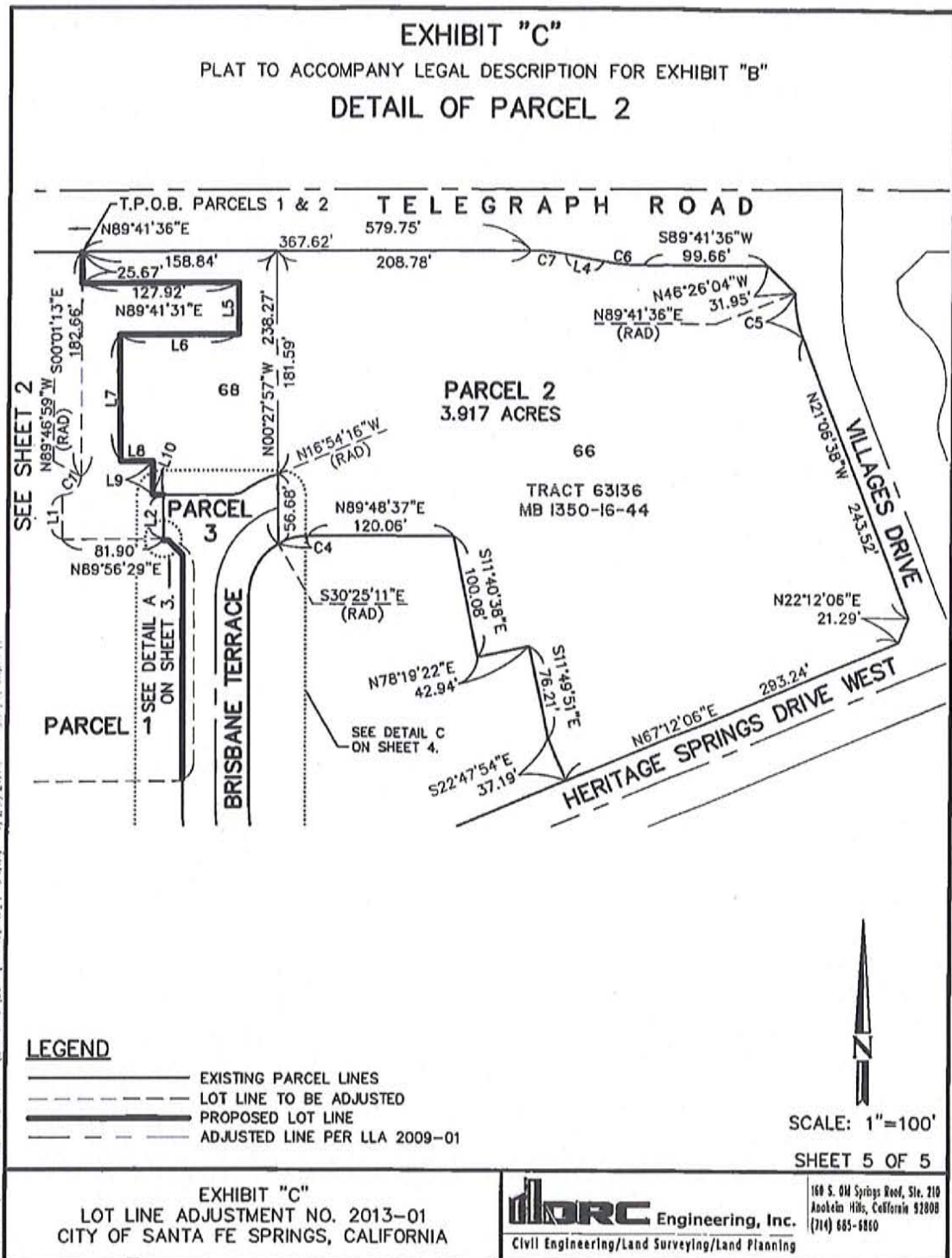
EXHIBIT "C"
LOT LINE ADJUSTMENT NO. 2013-01
CITY OF SANTA FE SPRINGS, CALIFORNIA

JRC Engineering, Inc.
Civil Engineering/Land Surveying/Land Planning

SCALE: 1"=100'
SHEET 3 OF 5

100 S. Old Springs Road, Ste. 210
Anaheim Hills, California 92808
(714) 685-6850







City of Santa Fe Springs

11710 Telegraph Road • CA • 90670-3679 • (562) 868-0511 • Fax (562) 868-7112 • www.santafesprings.org

LOT LINE ADJUSTMENT APPLICATION AND OWNER'S STATEMENT

AREA: What is the total area of the land to be divided? 9.719
 Number of lots proposed? 3

USE: Proposed use of the lots: _____

GRADING: Is any grading of lots contemplated? _____ (If yes, show details on the tentative map)

WATER: What provisions are being made to provide an adequate water system? _____

SEWERS: What provisions are being made to provide an adequate sewer system? _____

GAS and ELECTRICITY: Are the appropriate utility companies being contacted to ensure service to the subject property? _____

STREETS: Will each resulting parcel or lot front on a dedicated and improved street? _____
 Have you discussed street improvement requirements with the Department of Public Works? _____

DEED RESTRICTIONS: State nature of deed restriction, existing and proposed: _____

THE APPLICATION IS BEING FILED BY:

☒ Record Owner of the Property
☐ Authorized Agent of the Owner (Written authorization must be attached to application)

STATUS OF AUTHORIZED AGENT (engineer, attorney, purchaser, developer, lessee, etc.): _____

I HEREBY CERTIFY THAT the facts, statements and information furnished above are true and correct to the best of my knowledge and belief.

SIGNED: _____

(If signed by other than the Record Owner, written authorization must be attached to this application)

RECORD OWNER

Name: RCS - VILLAGE APARTMENTS, LLC
 Contact Person: RYAN ATWIN
 Address: 371 CENTENNIAL PKWY
 City: LOUISVILLE
 State: CO Zip: 80027
 Phone: () 303 - 532-1617

OWNER'S AGENT

Name: COMSTOCK HOMES
 Contact person: JEFF MATHIE
 Address: 301 18TH ST.
 City: MANHATTAN BEACH
 State: CA Zip: 90266
 Phone: () 310 - 540-2161

RECEIVED

FEB 22 2013

Planning Dept.

ENGINEER OR LICENSED SURVEYOR

Name: _____
 Contact Person: _____
 Address: _____
 City: _____
 State: _____ Zip: _____
 Phone: () _____

FOR DEPARTMENT USE ONLY 2013-01	
TRACT/PARCEL MAP NO:	<u>LLA</u>
DATE FILED:	<u>02/22/2013</u>
FILING FEE:	<u>\$ 3,542.00</u>
RECEIPT NO:	_____
APPLICATION COMPLETE?	_____

02-22-13 4CL9287

CHECK 3392.00



CONSENT AGENDA – UNFINISHED BUSINESS

Entertainment Conditional Use Permit Case No. 11-2

Compliance review of Entertainment Conditional Use Permit Case No. 11-2 to allow the continued operation and maintenance of an entertainment use involving live performances and dancing activities at the Santa Fe Springs Drive-In and Swap Meet located in the M-2-FOZ, Heavy Manufacturing-Freeway Overlay, Zone, at 13963 Alondra Boulevard. (Newport Diversified, Inc. for Santa Fe Springs Swap Meet)

RECOMMENDATION

That the Planning Commission find that the subject use is in compliance with all the conditions of approval and recommend to the City Council to approve the continued operation and maintenance of Entertainment Conditional Use Permit Case No. 11-2 subject to the conditions of approval contained within this report. The Planning Commission shall note that this matter may be brought back to the Commission at any time should the Applicant violate any of the conditions of approval or any of the City Codes, or should there be a need to modify, add or remove a condition of approval.

This matter was tabled from the March 11, 2013, Planning Commission meeting.

BACKGROUND

The Santa Fe Springs Drive-in and Swap Meet ("Swap Meet") operates a swap meet use within the drive-in theater grounds located at 13963 Alondra Boulevard. In 1989, the swap meet management made a decision to show fewer movies (down to approximately two per year) and expand the swap meet services/activity from a weekend activity to Tuesday through Sunday. With the elimination of movie-showings, management allowed swap meet vendors to construct permanent vending booths to help protect the vendors from the weather elements and to provide them with a larger area to display merchandise; the booths also provide an orderly and uniform appearance to the overall swap meet activity.

In 1998, the swap meet management experienced a steady drop in swap meet attendance. In an effort to attract customers, management decided to provide live entertainment and dancing in conjunction with the swap meet activity. Accordingly, the

swap meet management applied for and was granted Entertainment Conditional Use Permit (ECUP) Case No. 11 by the Planning Commission and the City Council at their respective meetings of May 26 and May 28, 1998, to allow the establishment and operation of an entertainment use involving live performances and dancing. This strategy has been successful in increasing customer attendance.

ECUP Case No. 11-2 is before the Planning Commission because the last time extension expired. Concurrent with this request, the applicant is also requesting compliance review of Conditional Use Permit Case No. 453 to allow the continued operation and maintenance of the swap meet use, and Alcohol Sales Conditional Use Permit Case No. 11A-2 to allow the continued sale of alcoholic beverages for on-site consumption.

CALLS FOR SERVICE

Within the past year (since March 2012), there has been a total of 82 calls for service (CFS). Within those 82 CFS, two were related to public intoxication. Two separate independent calls were received which involved knife stabbings. In one case the suspect was intoxicated; in the other case the victim was intoxicated and uncooperative with the officers.

It should be noted that 82 CFS within the year is not considered a high number considering that 1.2 million people visit the swap meet every year. It should also be noted that the swap meet personnel and its security work well with Whittier Police Officers who are promptly called whenever there is a need for their involvement.

STAFF CONSIDERATIONS

As with all entertainment type uses, Staff's primary concern is noise and crowd management. The management for the swap meet continues to work closely with Staff and the surrounding businesses to mitigate potential spill-over noise, parking, and any other adverse impacts resulting from the entertainment component of the drive-in.

To ensure protection to the health, safety and welfare of the patrons, as well as the adjacent businesses and the overall general public, the entertainment activities are divided into three distinct categories to address security, parking contingency, and safety. Plans have been submitted to the Department of Police Services and the Department of Fire-Rescue to address each category. The category descriptions are as follows:

Category 1: Entertainment is free to paying customers of the swap meet and incidental to the regular on-going swap meet functions. Category 1 entertainment is restricted to disc jockeys, talent contests, mimes, jugglers, karaoke, patron dancing, and live bands without big name recognition and without recording

contracts. No other types of entertainment are permitted under Category 1.

Category 2: Entertainment is free to paying customers of the swap meet and incidental to regular swap meet functions. This includes all forms of entertainment activities contained in Category 1, but Category 2 entertainment also includes entertainment (bands, performers, etc.) with significant regional name recognition and/or recording contracts. No other type of entertainment is permitted under Category 2.

Category 3: Entertainment for patrons who attend the grounds specifically for the entertainment; swap meet services may be closed during this event. Special events held from time to time as opportunities present themselves and held outside the regular swap meet operation hours, with their own plot plan, seating plan and admission structure based on the event. This form of entertainment would be in conjunction with a smaller-scale swap meet function.

The entertainment activities described in Category 1 and 2 have become a significant marketing attraction for the swap meet. The Applicant has been cooperative with the City in addressing security measures for these entertainment activities, including, but not limited to, absorbing the cost of assigned Whittier Police Officers to the location when necessary or being present at special events. The Applicant has also been cooperative in addressing concerns brought to him by the Whittier Police Officers and incorporating the officer's recommendations in a timely and reasonable manner.

Category 3 entertainment activities involve occasional special events outside of the regular swap meet operation hours. These activities require that the management of the swap meet submit a detailed application and plan to the Department of Police Services for their review and approval at least 45 days prior to the event. A complete and thorough investigation is conducted of all aspects of the proposed event. The Director of Police Services, or his designee, administratively review, approve, or deny, the application. It should be noted that to date, the events have not been denied. However, there have been times where Staff has made some modifications to the plans to mitigate potential problems; Staff continues to reserve this right to do so for future events.

Overall, the entertainment activities are well managed, and Staff believes that if the activities continue to be conducted in accordance with the recommended conditions of approval, the live entertainment activities conducted on the property will not pose an adverse impact, significant risk or nuisance to patrons, neighboring businesses or the general public

CONDITIONS OF APPROVAL

NOTE: Changes to existing conditions are provided as a strike-through or bold.

1. That the Applicant shall comply with all of the conditions of approval as required under Conditional Use Permit Case (CUP) No. 453, to allow the premises for a swap meet use. Should CUP Case No. 453 become null and void, or terminated, the privileges granted under ECUP Case No. 11-2 shall also become terminated. (New)
2. That the Applicant shall continue to maintain an updated scaled Master Site Plan of the premises (including swap meet area, stage, parking, surveillance camera locations, and entry/exit points) and that should any physical changes occur at the site, the Master Site Plan shall be modified accordingly and submitted to the Fire and Rescue Department, Police Services Center and the Planning Department for their review and approval. It should be noted that any new construction requiring a Building Permit shall comply with the construction plan check review and approval process. (New)
3. That should there be a layout modification at the site requiring a new scaled Master Site Plan submittal, the Plan shall be submitted to the agencies mentioned in Condition No. 2 within thirty (30) days prior to the layout change. (New)
4. That the Applicant shall continue to maintain and, when required or requested, submit an updated Security Plan to the Department of Police Services. The Security Plan shall be reviewed by the Director of Police Services, and shall include, at a minimum, the following:
 - a. The Applicant's plans and actions for dealing with security in all owned, leased or rented parking lots, security within the interior of the swap meet, and the policy and procedures used by security personnel to deal with unruly patrons. (Ongoing)
 - b. The Applicant shall require in-house and contracted security personnel to wear distinctive security uniforms at all times of operation. (Ongoing)
 - c. The Applicant shall provide specific descriptions of the roles of in-house employee security personnel and contracted security personnel. **This includes a detailed description of the amount and type (armed/unarmed) of security and security supervisors (armed/unarmed) that are present and assigned to the beer garden when there is alcohol beverages being served and/or entertainment.** (Bold and Underlined is New)

- d. During all hours of the swap meet operation, the Applicant shall provide professional security personnel from a security company pre-approved by the Director of Police Services. A detailed description of the type, amount, role, and locations of work detail of the security personnel shall be provided. The approved security personnel shall be on-site and operate in accordance with the roles described in the pre-approved Security Plan. This includes notifying law enforcement of any unlawful activities which may occur. **(Ongoing)**
- e. That swap meet security personnel, in-house or contracted, shall not perform any law enforcement functions, but instead security personnel shall report immediately to the Whittier Police Department all incidents in which it could be reasonably assumed that a person could be charged with a misdemeanor or a felony offense. **(Ongoing)**
- f. That security personnel, as well as the owner, and/or management of the swap meet shall cooperate fully with the City officers and shall not obstruct or impede their entrance into the premises while in the course of their official duties. **(Ongoing)**
- g. That the Applicant shall schedule joint training every six (6) months for the Santa Fe Springs Swap Meet security personnel. Training shall be conducted by the Whittier Police Department. Additionally, the Department of Police Services and/or Department of Fire Rescue shall conduct trainings with the Santa Fe Springs Swap Meet security personnel as determined by the Director of Police Services and the Fire Chief. The type of joint training shall be approved by management of the swap meet, the Director of Police Services and the Fire Chief. The cost of the joint training shall be paid by the owner/operator of the swap meet. **(Ongoing)**
- h. The swap meet management shall continue to maintain signs at each customer entrance stating that the property owner and law enforcement reserves the right to eject anyone creating a hostile environment or a public nuisance, including, but not restricted to, behaviors such as using profanity, making intimidating comments and flashing gang signs. A sign shall also be placed at each entrance advising patrons that shirts must be worn at all times. **(Ongoing)**
- i. That the Applicant shall place signs at each entrance to the swap meet advising patrons that, on occasion, random searches of individuals and their belongings may occur in order to gain entry into the Swap Meet grounds. **(Ongoing)**

5. General Security Requirements

- a. All parking lots associated with the nighttime swap meet operation shall be equipped with lighting of 1 foot candle power so as to illuminate and make easily discernible the appearance and conduct of all person, employees and patrons on or about the parking lot areas. Additionally, the position of said lighting shall not spill upon adjoining properties or disturb the neighboring residences or businesses. In order to comply with this requirement, the Applicant shall submit a detailed Lighting Plan to the Director of Police Services and the Building Department for approval prior to installation. **(Ongoing)**
- b. **The Applicant shall maintain digital video surveillance cameras overlooking the front and rear parking lots. The Applicant shall maintain security cameras in the beer garden and area(s) of entertainment. Locations of video surveillance cameras shall be approved by the Director of Police Services. Video surveillance cameras must be digital and of high quality capable of video taping during the day and night. A detailed site plan shall be provided to the Department of Police Services that depicts and describes where these cameras are located. (New)**
- c. **For any Category 2 level band, there shall be a minimum of four (4) Whittier Police Officers assigned to the Swap Meet and paid for by the Swap Meet Management. (New)**
- d. **Commencing in March through the end of September of every year, a minimum of two (2) Whittier Police Officers will be assigned to the Swap Meet during Friday nights and Sunday Afternoons. The ending or extending of this mandate will be determined by the assigned Whittier Police Sergeant in conjunction with Swap Meet management. Final determination will rest with the Whittier Police Sergeant and Director of Police Services. (New)**
- e. Video surveillance cameras and their respective recording devices shall be maintained at all times and replaced if needed by the Applicant. Video surveillance tape, digital files and/or photographs shall be available to law enforcement upon request. **(Ongoing)**
- f. The Applicant shall maintain emergency lighting throughout any seating area. Installation of emergency lighting shall be in accordance with all Building Department and Department of Fire-Rescue requirements. **(Ongoing)**

- g. The swap meet management shall be responsible for assuring that customers do not block any aisle-ways or walkways during beer sales. This includes the queue line for alcohol sales itself. The aisle-ways, walkways, and alcohol queue line shall be identified in the Master Plan and Security Plan approved by the Director of Police Services, Planning Department, Building Department and the Fire-Rescue Department. **(Ongoing)**

6. General Entertainment Requirements

- a. The swap meet management shall continue to provide the City with a monthly calendar of all scheduled entertainment under Categories 1 and 2 at least ten (10) days prior to the commencement of each month. In this document, swap meet management shall categorize each entertainment activity as a Category 1 or Category 2 event. The City retains the right to alter such categorization and to require an increase in security and public safety personnel for any event. **(Ongoing)**
- b. The Applicant shall not change or make any alteration to the entertainment formats or content described herein without prior approval, in writing, from the Director of Police Services. **(Ongoing)**

7. General Building Requirements

- a. All existing buildings and structures shall be maintained in compliance with all applicable codes and regulations. The Applicant recognizes and acknowledges that the City Building Official, City Fire Chief, and other applicable regulatory agents, have the authority to require immediate compliance with regulations pertaining to public health, welfare, and safety. **(Ongoing)**
- b. All seating areas such as benches and tables shall be secured to the ground. Final plans must be submitted for seating layout, stage, shade structures and any related items to the Department of Planning, Department of Police Services, Building Division and Department of Fire-Rescue for approval. The related permits will not be issued until approval has been obtained from these departments. **(Ongoing)**

8. General Requirements

- a. Swap meet management shall be responsible for maintaining control of litter in the area adjacent to the subject property and to all streets and other off-street properties used for parking at all times. **(Ongoing)**

- b. Swap meet management shall be responsible for providing adequate parking, with on-site and off-site parking lots to accommodate all patrons and customers attending activities and events at the swap meet. **(Ongoing)**
- c. **No trash, junk, debris, or litter shall be disposed of in the adjacent flood control channel area at any time. All trash, junk, debris and litter shall be disposed of in on-site appropriate receptacles. On a regular basis, the Applicant shall monitor the flood control channel and clean-up any litter that has blown or migrated from the swap meet to the flood control channel. (New)**
- d. **The site shall comply with the National Pollutant Discharge Elimination System (NPDES) program in accordance with Chapter 52 of the City Code. (New)**

9. CONDITIONS OF APPROVAL-ENTERTAINMENT CATEGORY 1

- a. Conditions 1 thru 8 as described above shall apply. Otherwise, no additional entertainment Category 1 conditions apply. **(Ongoing)**

10. CONDITIONS OF APPROVAL-ENTERTAINMENT CATEGORY 2

- a. Conditions 1 thru 8 as described above shall apply. That no alteration to the plot plan shall occur, unless done so in accordance with Condition No. 2 and 3. **(Ongoing)**
- b. The Applicant shall provide at least five (5) references of prior concert locations for the entertainment group(s). This information shall be submitted with the monthly calendar described in Condition No. 6, subparagraph a. **(Ongoing)**
- c. The Security Plan approved for entertainment activities shall remain in effect and the City retains the right to modify the plan and/or require an increase in security and public safety personnel for Category 2 entertainment, including review, as to limitations on timing of alcohol sales. **(Ongoing)**

11. CONDITIONS OF APPROVAL-ENTERTAINMENT CATEGORY 3

- a. Conditions 1 thru 8 as described above shall apply. The Applicant shall complete and submit an application to conduct a special event outside of regular swap meet hours. Activities for the special event must be filed with the Department of Police Services no later than forty-five (45) days prior to the event with an approval or denial of application decision made within ten

(10) days after submittal. **(Ongoing)**

- b. The subject application shall include, but not be limited to, the following:
 - 1. Names of all entertainment groups and vendors involved.
 - 2. A minimum of five (5) references of prior concert locations for the entertainment group(s).
 - 3. A detailed diagram, drawn to scale, of the proposed floor, seating plan and vendor plot plan, including all ingress and egress plans.
 - 4. A Certificate of Insurance in the amount of \$2 million for general liability naming the City of Santa Fe Springs, its elected officials, agents and employees as additional insured and holding the City, its elected officials, agents and employees harmless of all liability associated with the event.
 - 5. A detailed security, parking and traffic plan. **(Ongoing)**
- c. All required Building, Electrical and/or Plumbing permits shall be obtained and finalized at least five (5) days prior to the event date. **(Ongoing)**
- d. All required site and fire prevention inspections shall be conducted by the Department of Fire-Rescue Department and Building Department and that all approvals shall be granted prior to the event. **(Ongoing)**
- e. All traffic/pedestrian and parking issues shall be addressed to the satisfaction of the Director of Police Services prior to the event. **(Ongoing)**
- f. The number of security and law enforcement officers and, if appropriate, other public safety personnel, required to be present at the event will be determined by the Director of Police Services and the Department of Fire-Rescue as part of Category 3 plan approval, and all costs shall be reimbursed by the licensee. **(Ongoing)**

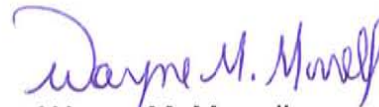
12. General Administrative Requirements

- a. In the event the owner(s) intends to sell, lease or sublease the subject business operation or transfer the subject Entertainment Conditional Use Permit to another owner/applicant or licensee, the Director of Police Services shall be notified in writing of said intention not less than sixty (60) days prior to signing of the agreement to sell, lease or sublease. **(Ongoing)**

- b. All other applicable requirements of the City Zoning Ordinance, Uniform Building Code, California Fire Code and the determinations of the Department of Fire-Rescue and the State Fire Marshall, and all other applicable regulations shall be strictly complied with. **(Ongoing)**
- c. This Entertainment Conditional Use Permit Case No. 11-2 shall not be valid until approved by the City Council and shall be subject to any other conditions the City Council may deem necessary to impose. **(Ongoing)**
- d. It is hereby declared that if any provisions of this Entertainment Conditional Use Permit are violated or held to be invalid or if any law, statute or ordinance is violated, the Entertainment Conditional Use Permit shall be subject to the revocation procedures and the privileges granted hereunder shall be terminated. **(Ongoing)**
- e. A copy of these conditions shall be posted and maintained with a copy of the City Business License and Fire-Rescue Department Permits in a place conspicuous to all employees at the location. **(Ongoing)**
- f. That Entertainment Conditional Use Permit Case No. 11-2 shall remain valid for an additional five (5) years until ~~October 23, 2014~~ **April 8, 2018**. Approximately, three (3) months before ~~October 23, 2014~~ **April 8, 2018**, the applicant shall request in writing that the City review the circumstances of the case for an extension of the privileges granted. **(revised wording)**



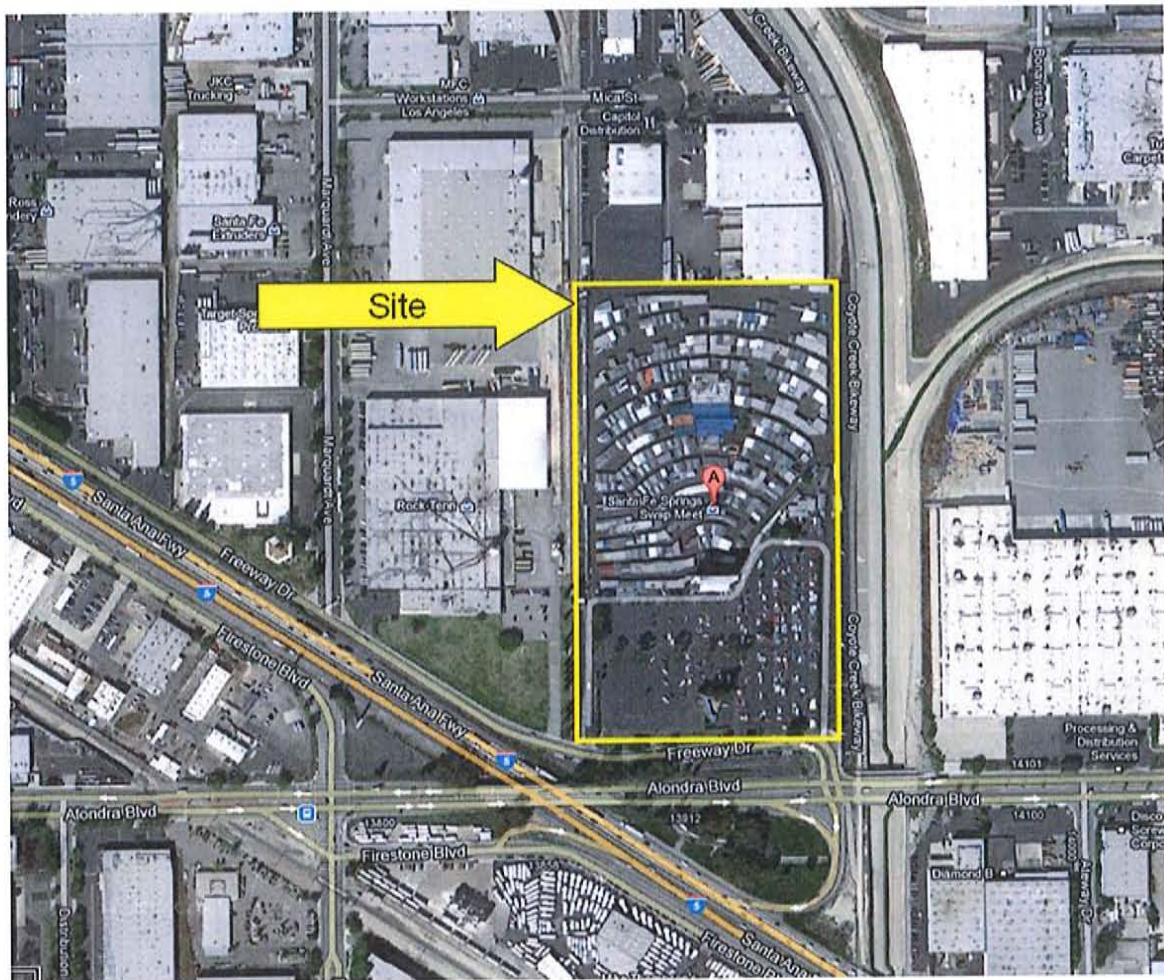
Dino Torres
Director of Police Services



Wayne M. Morrell
Director of Planning

Attachment(s):

- 1. Location Map
- 2. Letter from Applicant



City of Santa Fe Springs

Location Map

Santa Fe Springs Swap Meet
13963 Alondra Boulevard



CONSENT AGENDA – UNFINISHED BUSINESS

Alcohol Sales Conditional Use Permit Case No. 11A-2

Compliance review of Alcohol Sales Conditional Use Permit Case No. 11A-2 to allow the continued on-site sale and consumption of alcoholic beverages at the Santa Fe Springs Drive-In and Swap Meet located in the M-2-FOZ, Heavy Manufacturing-Freeway Overlay, Zone, at 13963 Alondra Boulevard. (Newport Diversified, Inc. for Santa Fe Springs Swap Meet)

RECOMMENDATIONS

That the Planning Commission find that the subject use is in compliance with all of the conditions of approval and recommend to the City Council to approve the continued operation and maintenance of Alcohol Sales Conditional Use Permit Case No. 11A-2 subject to the conditions of approval contained within this report. The Planning Commission shall note that this matter may be brought back to the Commission at any time should the applicant violate any condition of approval or any City Code, or should there be a need to modify, add or remove a condition of approval.

This matter was tabled from the March 11, 2013, Planning Commission meeting.

BACKGROUND

The Santa Fe Springs Drive-in and Swap Meet ("Swap Meet") operates a swap meet use within the drive-in theater grounds located at 13963 Alondra Boulevard. In 1998, the swap meet management experienced a decline in the swap meet attendance. As part of a marketing effort to attract customers, management decided to provide live entertainment, dancing, and the sale of alcoholic beverages for on-site consumption. This strategy proved to be successful in increasing customer attendance.

In accordance with Ordinance 834, adopted by the City Council on March 10, 1994, the swap meet management applied for and was granted Alcohol Sales Conditional Use Permit (ASCUP) Case No. 11A-2 by the Planning Commission and the City Council at their respective meetings of September 25, and 28, 2001, to allow the sale and on-site consumption of alcoholic beverages.

ASCUP Case No. 11A-2 is before the Planning Commission because the last time extension expired. Concurrent with this request, the applicant is also requesting a compliance review of Conditional Use Permit Case No. 453, to allow the continued

operation and maintenance of the swap meet use, Conditional Use Permit Case No. 488, to allow the continued operation and maintenance of a pylon sign, and Entertainment Conditional Use Permit Case No. 11-2, to allow the continued operation and maintenance of an entertainment use involving live performances and dancing activities at the Santa Fe Springs Drive-In and Swap Meet.

CALLS FOR SERVICE

Within the past year (since March 2012), there has been a total of 82 calls for service (CFS). Within those 82 CFS, two were related to public intoxication. Two separate independent calls were received which involved knife stabbings. In one case the suspect was intoxicated; in the other case the victim was intoxicated and uncooperative with the officers.

It should be noted that 82 CFS within the year is not considered a high number considering that 1.2 million people visit the swap meet every year. It should also be noted that the swap meet personnel and its security work well with Whittier Police officers who are promptly called whenever there is a need for their involvement.

STAFF CONSIDERATIONS

Staff from the Department of Police Services, Fire-Rescue Department, and the Planning Department conducted a walk-through inspection of the premises. Staff believes that if the activities continue to be conducted in accordance with the conditions of approval of this entitlement and all the other related entitlements, the sale of alcoholic beverages for on-site consumption conducted on the property will not pose a significant risk or nuisance to patrons, neighboring businesses or the general public.

City Staff, Whittier Police Officers, and the swap meet management work together continuously to make sure the ongoing swap meet and entertainment activities continue to occur without incident and in compliance with the conditions of approval. Staff is recommending approval to continue the operation and maintenance of the Alcohol Sales Conditional Use Permit.

CONDITIONS OF APPROVAL

NOTE: Changes to existing conditions are provided as bold.

1. **That the Applicant shall comply with all of the conditions of approval as required under Conditional Use Permit Case (CUP) No. 453, to allow the premises for a swap meet use. Should CUP Case No. 453 become null**

and void, or terminated, the privileges granted under ASCUP Case No. 11A-2 shall also become terminated. (New)

2. That the Applicant shall continue to maintain and, when required or requested, submit an updated Security Plan to the Department of Police Services. The Security Plan shall be reviewed by the Director of Police Services, and shall include, at a minimum, the following:
 - a. The Applicant's plans for dealing with security in all owned, leased or rented parking lots, security within the interior of the swap meet, and the policy and procedures used by security personnel to deal with unruly patrons. **(Ongoing)**
 - b. The Applicant shall provide specific details on how alcohol sales are being conducted. The specific details shall include security measures that will assure that patrons under 21 years of age or individuals who are intoxicated do not consume alcoholic beverages. The security plans shall give authority to assigned law enforcement supervisors, in consultation with in-house employee security personnel, to close all beer sales. **If a consensus cannot be reached, the assigned law enforcement supervisor (WPD Lieutenant or Sergeant) or law enforcement supervisor designee's (WPD Corporal) decision shall be final in closing all beer sales. In addition, containers/cups used to serve alcoholic beverages shall not be larger than 32 ounces.** **(Ongoing – Bold and Underlined is new)**
 - c. The Applicant shall require in-house and contracted security personnel to wear distinctive security uniforms at all times of operation. **(Ongoing)**
 - d. **The Applicant shall provide specific descriptions of the roles of in-house employee security personnel and contracted security personnel. This includes a detailed description of the amount and type (armed/unarmed) of security and security supervisors (armed/unarmed) that are present and assigned to the beer garden when there is alcohol being served and/or entertainment. (New)**
 - e. That when alcoholic beverages are being served or sold on-site, the Applicant shall provide professional security personnel from a security company pre-approved by the Director of Police Services. A detailed description of the type, amount, role, and locations of work detail of the security personnel shall be provided. The approved security personnel shall be on-site and operate in accordance with the roles described in the pre-approved Security Plan. This would include notifying law enforcement of any unlawful activities which may occur. **(Ongoing)**

- f. That swap meet security personnel, in-house or contracted, shall not perform any law enforcement functions, but instead security personnel shall report immediately to the Whittier Police Department all incidents in which it could be reasonably assumed that a person could be charged with a misdemeanor or a felony offense. **(Ongoing)**
- g. That security personnel, as well as the owner, and/or management of the swap meet, shall cooperate fully with the City officers and shall not obstruct or impede their entrance into the premises while in the course of their official duties. **(Ongoing)**
- h. That the Applicant shall provide joint training every six (6) months for the Santa Fe Springs Swap Meet security personnel. Training shall be conducted by the Whittier Police Department. Additionally, the Department of Police Services and/or Fire-Rescue Department shall conduct trainings with the Santa Fe Springs Swap Meet security personnel as determined by the Director of Police Services and the Fire Chief. The type of joint training shall be approved by management of the swap meet, the Director of Police Services and the Fire Chief. The cost of the joint training shall be paid by the owner/operator of the swap meet. **(Ongoing)**
- i. That the swap meet management shall continue to maintain a sign at each entrance stating that the property owner and law enforcement reserves the right to eject anyone creating a hostile environment or a public nuisance, including, but not restricted to, behaviors such as using profanity, making intimidating comments and flashing gang signs. A sign shall also be placed at each entrance advising patrons that shirts must be worn at all times. **(Ongoing)**
- j. That the Applicant shall place signs at each entrance to the swap meet advising patrons that, on occasion, random searches of individuals and their belongings may occur in order to gain entry into the Swap Meet grounds. **(Ongoing)**

3. General Security Requirements

- a. That all parking lots associated with the nighttime swap meet operation (or any entertainment events) shall continue to be equipped with lighting of 1 foot candle power so as to illuminate and make easily discernible the appearance and conduct of all person, employees and patrons on or about the parking lot areas. Additionally, the position of said lighting shall not spill upon adjoining properties or disturb the neighboring residences or businesses. In order to comply with this requirement, the Applicant shall

submit a detailed Lighting Plan to the Director of Police Services and the Building Department for approval prior to installation. **(Ongoing)**

- b. That the Applicant shall maintain digital video surveillance cameras overlooking the front and rear parking lots. The Applicant shall maintain security cameras in the beer garden and area(s) of entertainment. Locations of video surveillance cameras shall be approved by the Director of Police Services. Video surveillance cameras must be digital and of high quality capable of video taping during the day and night. A detailed site plan shall be provided to the Department of Police Services that depicts and describes where these cameras are located. **(Ongoing)**
- c. Video surveillance cameras and their respective recording devices shall be maintained at all times and replaced if needed by the Applicant. Video surveillance tape, digital files or photographs shall be available to law enforcement upon request. **(Ongoing)**
- d. The Applicant shall continue to provide emergency lighting throughout any seating area. Installation of emergency lighting shall be in accordance with all Building Department and Fire and Rescue Department requirements. **(Ongoing)**
- e. The swap meet management shall be responsible for assuring that customers do not block any aisle-ways or walkways during beer sales. This includes the queue line for alcohol sales itself. The aisle-ways, walkways, and alcohol queue line shall be identified in the Master Plan and Security Plan approved by the Director of Police Services, Planning Department, Building Department and the Fire-Rescue Department. **(Ongoing)**
- f. The Applicant shall be responsible for providing security staff to constantly monitor customers, during beer sales, which may appear or be suspicious of being intoxicated. Security staff shall be responsible for refusing further alcoholic beverage sales to such individuals and shall notify law enforcement personnel of any problems. **(Ongoing)**

4. Alcohol Sales Requirements

- a. That the sales, service and consumption of alcoholic beverages shall be permitted only during the hours of swap meet operation, and during "special events" as described in Entertainment Conditional Use Permit Case No. 11-2, but shall be restricted as required by the Alcohol Beverage Control regulations. **(Ongoing)**

- b. That the Type 40 Alcohol Beverage Control license allowing on-site consumption of beer and wine shall be restricted to the sale and consumption of alcoholic beverages on the subject site only; that the licensee shall not sell alcoholic beverages for transport and/or off-site consumption. **(Ongoing)**
- c. That alcoholic beverages shall not be consumed by swap meet patrons while they are on any adjacent property. It shall be the responsibility of the swap meet management to enforce this provision. **(Ongoing)**
- d. That solicitation of alcoholic drinks is prohibited; that is, an employee of the licensed premises shall not solicit alcoholic drinks from customers. The Applicant shall refer to and comply with Section 303 of the California Penal Code and Section 25600 of the Business and Professions Code. **(Ongoing)**
- e. That the Applicant shall have a corporate officer or manager, twenty five (25) years or older, on the premises during business hours who will be responsible for the alcohol sales and entertainment activities. This person(s) shall obtain an ABC Manager's Permit, and the Director of Police Services shall be provided a copy of said Manager's Permit, including the name, age, residential address and related work experience of the intended Manager prior to the Manager assuming responsibilities set forth herein. **(Ongoing)**
- f. That it shall be unlawful for any person who is intoxicated or under the influence of any drug to enter, be at, or remain upon the license premises as set forth in Section 25602(a) of the Business and Professions Code. Swap meet management shall be responsible for monitoring this condition and take appropriate action to be certain that such conditions do not exist. **(Ongoing)**
- g. **That when entertainment is present, all alcohol sales shall cease thirty (30) minutes prior to the ending of such entertainment or as required by the Alcohol Beverage Commission regulations. (New)**

5. General Building Requirements

- a. All existing buildings and structures shall be maintained in compliance with all applicable codes and regulations. The Applicant recognizes and acknowledges that the City Building Official, City Fire Chief, Code Enforcement, and other applicable regulatory agents, have the authority to require immediate compliance with regulations pertaining to public health, welfare, and safety. **(Ongoing)**

- b. All seating areas such as benches and tables shall be secured to the ground. Final plans must be submitted for seating layout, stage, shade structures and any related items to the Department of Planning, Department of Police Services, Building Division and Fire and Rescue Department for approval. The related permits will not be issued until approval has been obtained from these departments. **(Ongoing)**

6. General Requirements

- a. Swap meet management shall be responsible for maintaining control of litter in the area adjacent to the subject property and to all streets and other off-site properties used for parking at all times. **(Ongoing)**
- b. Swap meet management shall be responsible for providing adequate parking, with on-site and off-site parking lots, to accommodate all patrons and customers attending activities and events at the swap meet. **(Ongoing)**
- c. **No trash, junk, debris, or litter shall be disposed of in the adjacent flood control channel area at any time. All trash, junk, debris and litter shall be disposed of in on-site appropriate receptacles. On a regular basis, the Applicant shall monitor the flood control channel and clean-up any litter that has blown or migrated from the swap meet premises to the flood control channel. (New)**
- d. **The site shall comply with the National Pollutant Discharge Elimination System (NPDES) program in accordance with Chapter 52 of the City Code. (New)**

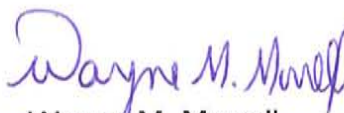
7. General Administrative Requirements

- a. In the event the owner(s) intends to sell, lease or sublease the subject business operation or transfer the subject Alcohol Sales Conditional Use Permit to another owner/applicant or license, the Director of Police Services shall be notified in writing of said intention not less than sixty (60) days prior to signing of the agreement to sell, lease or sublease. **(Ongoing)**
- b. All other applicable requirements of the City Zoning Ordinance, Los Angeles County Building Code, Uniform Fire Code and the determinations of the City Fire and Rescue Department and State Fire Marshall and all other applicable regulations shall be strictly complied with. **(Ongoing)**

- c. This Alcohol Sales Conditional Use Permit Case No. 11A-2 shall not be valid until approved by the City Council and shall be subject to any other conditions the City Council may deem necessary to impose. **(Ongoing)**
- d. It is hereby declared that if any provisions of this Alcohol Sales Conditional Use Permit are violated or held to be invalid or if any law, statute or ordinance is violated, the Alcohol Sales Conditional Use Permit shall be subject to the revocation procedures and the privileges granted hereunder shall be terminated. **(Ongoing)**
- e. A copy of these conditions shall be posted and maintained with a copy of the City Business License and Fire-Rescue Department Permits in a place conspicuous to all employees at the location. **(Ongoing)**
- f. That Alcohol Sales Conditional Use Permit Case No. 11A-2 shall remain valid for an additional five (5) years until ~~October 23, 2011~~ **April 8, 2018**. Approximately, three (3) months before ~~October 23, 2011~~ **April 8, 2018**, the applicant shall request in writing that the City review the circumstances of the case for an extension of the privileges granted. **(revised wording)**



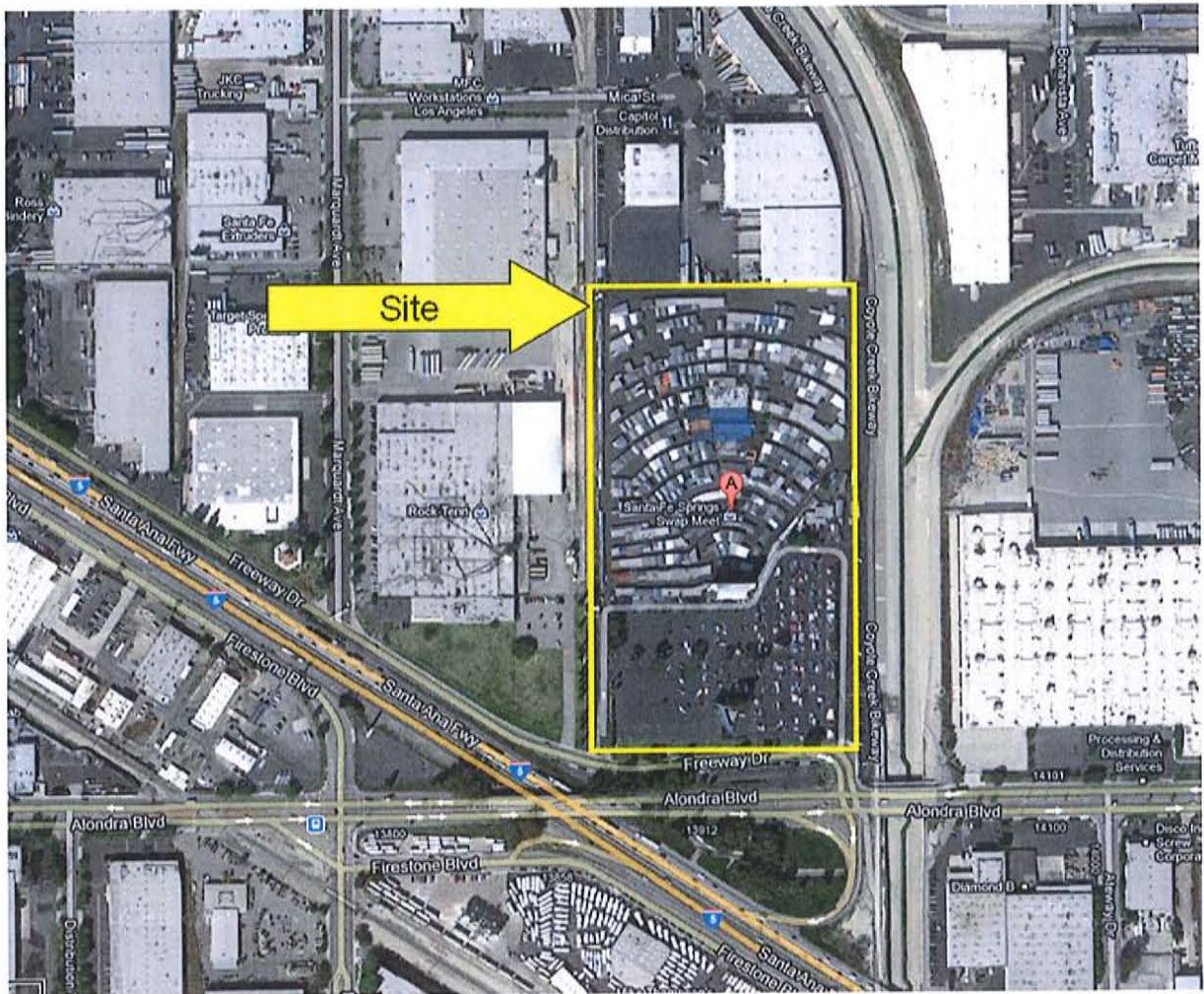
Dino Torres
Director of Police Services



Wayne M. Morrell
Director of Planning

Attachments:

- 1. Location Map
- 2. Letter from Applicant



City of Santa Fe Springs

Location Map

Santa Fe Springs Swap Meet
13963 Alondra Boulevard



City of Santa Fe Springs

Planning Commission Meeting

April 8, 2013

CONSENT AGENDA – UNFINISHED BUSINESS

Conditional Use Permit Case No. 194-9

Compliance review to allow the continued operation and maintenance of a contractor's storage yard use for the storage of vacuum trucks associated with a septic tank cleaning business on the .37-acre property located 14018 Carmenita Road, in the M-1, Light Manufacturing, Zone within the Consolidated Redevelopment Project Area. (Peggy Lee Hendricks for Roberts Liquid Disposal)

RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions:

1. Find that the continued operation and maintenance of a contractor's storage yard use on the subject property, if conducted in strict compliance with the conditions of approval, will not be detrimental to persons or properties in the surrounding area or to the City in general, and will be in conformance with the overall purpose and objectives of the Zoning Regulations and consistent with the goals, policies and program of the City's General Plan.
2. Approve Conditional Use Permit Case No. 194-9, subject to a compliance review in five (5) years, to ensure the use is still operating in strict compliance with the conditions of approval as contained within this staff report.

This matter was tabled from the March 11, 2013, Planning Commission meeting.

BACKGROUND

The applicant is in the septic tank cleaning business wherein the applicant uses vacuum trucks to remove sewage from septic tanks. The waste from the septic tanks is then disposed of at a licensed County dump facility; none of the waste material is allowed to be brought onto or stored upon the subject property. The property is being used for the outside storage of vacuum trucks and empty bins/tanks associated with the septic tank cleaning business.

The Planning Commission originally approved the subject contractor's storage yard use in August of 1974. The subject use has now occurred on the site for 38 consecutive years. During that time period, eight time extensions have been granted to the applicant. However, the latest extension granted in 2007, recently expired on October 22, 2012; consequently, the applicant has requested that a further extension be granted to allow the continued operation and maintenance of

their contractor's storage yard use on the subject property.

STAFF CONSIDERATIONS

As standard practice for all CUP compliance reviews, a walk-through inspection of the subject property is performed by City staff to ensure continued compliance with the conditions of approval prior to bringing the matter back to the Planning Commission. Following the initial walk-through inspection by the Building, Fire, Police Services and Planning Departments, the applicant was directed to comply with the following:

Building Department:

- Obtain property permits for the installation of dawn/dusk lights.
- Provide hardwire installation for existing garage door opener in rear building.

Fire Department:

- Provide Knox access or Knox key switches at front entry.
- Provide placard/sticker/magnet on storage tank within rear yard to identify the tank is "empty."

Planning Department:

- Reduce storage of empty bins within rear yard area to a height no greater than the height of the rear fence.

Staff recently conducted a follow-up inspection and has verified that the applicant has completed the aforementioned items; consequently, the applicant is now in full compliance with the existing conditions of approval. Staff therefore finds that if the contractor's storage yard use continues to operate in strict compliance with the required conditions of approval, the use will continue to be compatible with the surrounding developments and will not pose a nuisance risk to the public or environment. Staff is, therefore, recommending approval of CUP 194-9, subject to the conditions of approval as contained in this staff report.

CONDITIONS OF APPROVAL

NOTE: Changes to existing conditions are provided as a strike-through or bold.

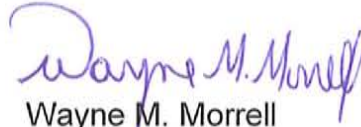
PLANNING AND DEVELOPMENT DEPARTMENT: **(Contact – Cuong Nguyen: 562-868-0511 x7359)**

1. That any future signage for the property shall first be reviewed and approved the Department of Planning and Development. The sign proposal (plan) shall include a site plan, building elevation on which the sign will be located, size,

style and color of the proposed sign. All drawings shall be properly dimensioned and drawn to scale on 24" x 26" maximum size paper. All signs shall be installed in accordance with the sign standards of the Zoning Ordinance and related sign guidelines of the City. **(ongoing)**

2. That the applicant/owner shall continue to comply with all Federal, State and local requirements and regulations included, but not limited to, the Santa Fe Springs City Municipal Code, Uniform Building Code, Uniform Fire Code, Certified Unified Program Agency (CUPA) programs and all other applicable codes and regulations. **(ongoing)**
3. That all required landscaped areas shall continue to be maintained in a neat, clean, orderly and healthful condition. This is meant to include proper pruning, mowing of laws, weeding, removal of litter, fertilizing, replacing of plants, trees and shrubs when necessary and the regular watering of all plantings. **(ongoing)**
4. That the automatic sprinkler system shall be regularly maintained and shall provide adequate water for all landscaped areas. **(ongoing)**
5. That there shall be no dumping or storage of waste materials on the property. **(ongoing)**
6. That any additional storing of vacuum trucks on the property shall be subject to prior approval of the Director of Planning and Development. **(ongoing)**
7. That Conditional Use Permit Case No. 194-9, shall be valid for a period of five (5) years, until ~~October 22, 2012~~ **April 8, 2018**. Approximately, three (3) months before ~~October 22, 2012~~ **April 8, 2018**, the applicant shall request in writing that the City review the circumstances of the case for a further extension of the privileges granted. **(revised wording)**
8. ~~That this Permit shall not be valid for any purpose until the applicant has filed with the City of Santa Fe Springs an affidavit stating that she is aware of and accepts all conditions of this Permit.~~ **(remove – agreement now obtained in writing prior to bringing the matter before the PC)**
9. It is hereby declared to be the intent that if any provision of this Permit is violated or held to be invalid, or if any law, statute or ordinances violated the Permit shall be void and the privileges granted hereunder shall lapse. **(ongoing)**

10. That the overgrown trees, adjacent to Carmenita Road, shall be properly trimmed within 60 days from the date of Planning Commission approval. The trees shall thereafter continue to be maintained in a neat, clean, orderly and healthful condition. **(revised wording)**


Wayne M. Morrell
Director of Planning

Attachments:

1. Aerial Photograph
2. Request for Compliance Review

AERIAL PHOTOGRAPH

CITY OF SANTA FE SPRINGS

AERIAL PHOTOGRAPH



Subject Property: 14018 Carmenita Road

CONDITIONAL USE PERMIT CASE NO. 194-9

Robert's Liquid Disposal



REQUEST FOR COMPLIANCE REVIEW



**ROBERT'S
LIQUID
DISPOSAL**

14018 Carmenita Road
Santa Fe Springs, CA 90670
TEL: (562) 864-2953
FAX: (562) 926-8527

December 10, 2012

DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF SANTA FE SPRINGS
11710 Telegraph Road
Santa Fe Springs, Ca. 90670

Attn: Cuong H. Nguyen/Associate Planner

RE: Reconsideration of Conditional Use Permit (PUP) Case No. 194

Dear Mr. Nguyen,

We would like to request an extension of our Conditional Use Permit to allow the continued operation and maintenance of a contractor's storage yard on Carmenita Road. We have a septic tank cleaning business, and park 5 vacuum pump trucks on our 0.37 acre property located in the M-1, Light Manufacturing Zone District at 14018 Carmenita Road within the Consolidated Redevelopment Project Area.

We have been here since 1973. Our operations have remained the same. We park our trucks here, and dispatch them to various parts of the county pumping septic tanks.

We look forward to the renewal of our Conditional Use Permit.
Thank you.

Sincerely,

Peggy Lee Herricks
ROBERT'S LIQUID DISPOSAL
peggyldail@msn.com

ENCLOSURE: PERMIT EXTENSION FEE OF \$1,140.00

RECEIVED

DEC 11 2012

Planning Dept.

12-20-12 1CL6027

CHECK 1140.00

REQUEST FOR COMPLIANCE REVIEW (Cont.)

		DISTRIBUTION				
FUND	G/L	ACTIVITY	OBJECT	PROJECT	AMOUNT	
110	397	4110	BQW		11,140.-	

CITY OF SANTA FE SPRINGS

12-20-12 #0

MISC. 1140.00

CHECK 1140.00

ITEM 1

1CL 6027 11:35

1's Liquid Disposal
(NAME)

Carmenita Road
(ADDRESS)

Fe Springs, CA. 90670
(CITY AND STATE)

Compliance Review Fee - CUP 194
(DESCRIPTION)

RECEIPT

12-20-12 1CL6027 CHECK 1140.00



City of Santa Fe Springs

Planning Commission Meeting

April 8, 2013

CONSENT AGENDA – UNFINISHED BUSINESS

Conditional Use Permit Case No. 453-6

Compliance review to allow the continued operation and maintenance of a drive-in theater and swap meet operation at 13963 Alondra Boulevard, in the M-2-FOZ, Heavy Manufacturing – Freeway Overlay Zone. (Newport Diversified, Inc. for Santa Fe Springs Swap Meet)

RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions:

1. Find that the continued operation and maintenance of a drive-in theater and swap meet operation at the Santa Fe Springs Drive-In and Swap Meet, if conducted in strict compliance with the conditions of approval, will not be detrimental to persons or properties in the surrounding area or to the City in general, and will be in conformance with the overall purpose and objectives of the Zoning Regulations and consistent with the goals, policies and program of the City's General Plan.
2. Approve Conditional Use Permit Case No. 453-6, subject to the conditions of approval as contained within this staff report

This matter was tabled from the March 11, 2013, Planning Commission meeting.

BACKGROUND

A drive-in theater and swap meet were established on the subject site prior to the City becoming incorporated in 1957 and has continued in operation since then. The history of the existing Conditional Use Permit (CUP) entitlement, however, only dates back to November of 1988.

In November of 1988, the City Council passed and adopted Ordinance No. 739, amending the City's Zoning Regulations to allow drive-in theaters and swap meets (in connection with a drive-in theater operation) as a conditional use activity in the M-2, Heavy Manufacturing, Zone. Prior to Ordinance No. 739, drive-in theaters and swap meet were listed as a conditional use activity only in the C-4 (Community Commercial) Zone.

Prior to the passage of Ordinance No. 739, the swap meet use was allowed to operate under Zone Variance Case No. 39. It should be noted that State Law enacted in 1974 prohibited granting a Variance for a use not permitted in a particular zone; thus, the Variance no longer complied with State Law. Therefore, pursuant to the requirements of Ordinance No. 739, and to ensure ongoing enjoyment of their

operations, the owner of the drive-in theater and swap meet requested and was granted approval of CUP Case No. 453 in February of 1989. Several time extensions have been granted to allow for the continued operation and maintenance of the subject drive-in theater and swap meet uses. The last extension, in October 2006, expired on October 23, 2011. The applicant is therefore seeking an extension of the subject CUP to allow the continued operation and maintenance of the drive-in theater and swap meet use on the subject property.

It should be noted that concurrent with this request, the applicant is also requesting compliance review of: Conditional Use Permit Case No. 488-6, to allow the continued operation and maintenance of a pylon sign; Alcohol Sales Conditional Use Permit Case No. 11A-2, to allow the continued on-site sale and consumption of alcoholic beverages at the Santa Fe Springs Drive-In; and Swap Meet and Entertainment Conditional Use Permit Case No. 11-2, to allow the continued operation and maintenance of an entertainment use involving live performances and dancing activities at the Santa Fe Springs Drive-In and Swap Meet.

STAFF CONSIDERATIONS

As standard practice for all CUP compliance reviews, an inspection of the subject property is performed by City staff to ensure continued compliance with the conditions of approval prior to bringing the matter back to the Planning Commission. The inspections revealed the site is well-maintained and the operations are found to be in full compliance with the existing conditions of approval. Additionally, management for the Santa Fe Springs Drive-In Theater and Swap Meet continues to work closely with staff and surrounding businesses to mitigate potential adverse impacts resulting from the drive-in and swap meet operations. Considering the construction activities currently occurring on the adjacent site, and also along the I-5 freeway, it is comforting to know that the parking will not be an issue for the site. Staff therefore finds the subject uses, if conducted in accordance with the conditions of approval for this entitlement and all the other related entitlements, the uses will not pose a significant risk or nuisance to patrons, neighboring businesses or the general public.

CONDITIONS OF APPROVAL

NOTE: Any changes to existing conditions are provided as a strike-through or bolded.

POLICE SERVICES DEPARTMENT:

(Contact: Dino Torres 562.409-1850 x3329 or Phillip De Rouse at x3319)

- 1. No trash, junk, debris, or litter shall be disposed of in the adjacent flood control channel area at any time. All trash, junk, debris and litter shall be disposed of in on-site appropriate receptacles. On a regular basis, the**

Applicant shall monitor the flood control channel and clean-up any litter that has blown or migrated from the swap meet premises to the flood control channel. (new condition - ongoing)

2. **The site shall comply with the National Pollutant Discharge Elimination System (NPDES) program in accordance with Chapter 52 of the City Code. (new condition - ongoing)**
3. **That the applicant shall provide an emergency phone number and a contact person to the Department of Police Services and the Fire Department. The name, telephone number, fax number and e-mail address of that person shall be provided to the Director of Police Services and the Fire Chief no later than 60 days from the date of approval by the Planning Commission. Emergency information shall allow emergency service to reach the applicant or their representative any time, 24 hours a day. (new condition)**
4. **That the building(s), including any lighting, fences, walls, cabinets, and poles shall be maintained in good repair, free from trash, debris, litter and graffiti and other forms of vandalism. Any damage from any cause shall be repaired within 72 hours of occurrence, weather permitting, to minimize occurrences of dangerous conditions or visual blight. Paint utilized in covering graffiti shall be a color that matches, as closely possible, the color of the existing and/or adjacent surfaces. (new condition - ongoing)**

FIRE DEPARTMENT – FIRE PREVENTION DIVISION:

(Contact – Alex Rodriguez Mike Crook: 562-868-0511 x3701)

5. **That there shall be no selling or trading of flammable liquids, including but not limited to, gasoline, kerosene, acetone, thinners and solvents, ammunition and blasting agents, liquid petroleum gases or other combustible gases, any type of fireworks, acids, caustic or oxidizing agents. (ongoing)**

PLANNING AND DEVELOPMENT DEPARTMENT:

(Contact – Cuong Nguyen: 562-868-0511 x7359)

6. **That the City Manager shall have the authority to approve additional days of operation up to and including seven days a week. Additionally, the City Manager shall have the authority to approve additional hours of operation up to and including 10 pm. (ongoing)**
7. **That the swap meet and drive-in theatre use shall continue to be maintained in a neat and orderly manner at all times. (ongoing)**

8. That all licensing requirements of the City of Santa Fe Springs be complied with. **(ongoing)**
9. That there shall be no selling or trading of guns, drug paraphernalia, pornographic other similar adult materials and items which may constitute patent, trademark or copyright infringement. **(ongoing)**
10. That the applicant shall continue to provide adequate off-street parking for all customers and shall discourage street parking by appropriate signs, charging the same price for walk-in customers as for drive-in, etc. **(ongoing)**
11. That in the event the owners intends to sell, lease, or sublease the swap meet operations, the City shall be notified in writing not less than sixty (60) days prior to the signing of the agreement to sell, lease, or sublease. **(ongoing)**
12. That the applicant shall comply with all other requirements of the City's Zoning Ordinance, Building Code, Property Maintenance Ordinance, Federal, State, or local Fire Codes and all other applicable regulations. **(ongoing)**
13. That Conditional Use Permit Case No. 453-6 shall remain valid for an additional five (5) years until ~~October 23, 2014~~ **April 8, 2018**. Approximately, three (3) months before ~~October 23, 2014~~ **April 8, 2018**, the applicant shall request in writing that the City review the circumstances of the case for an extension of the privileges granted. **(revised wording)**
14. ~~That Conditional Use Permit Case No. 453 shall not be effective for any purpose until the owner operator has filed with the City of Santa Fe Springs an affidavit stating that he/she is aware of and accepts all of the required conditions of approval.~~ **(removed – agreement now obtained in writing prior to bringing the matter before the PC)**
15. That the applicant, Newport Diversified, Inc., agrees to defend, indemnify and hold harmless the City of Santa Fe Springs, its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City or any of its councils, commissions, committees or boards concerning CUP Case No. 453-6, when action is brought within the time period provided for in the City's Zoning Ordinance, Section 155.865. Should the City, its agents, officers or employees receive notice of any such claim, action or proceeding, the City shall promptly notify the owner/developer of such claim, action or proceeding, and shall cooperate fully in the defense thereof. **(revised wording - ongoing)**

16. It is hereby declared to be the intent that if any provisions of this Permit is violated or hold to be invalid or if any law, statute, or ordinance is violated, this Permit shall be void and the privileges granted hereunder shall lapse. **(ongoing)**



Wayne M. Morrell
Director of Planning

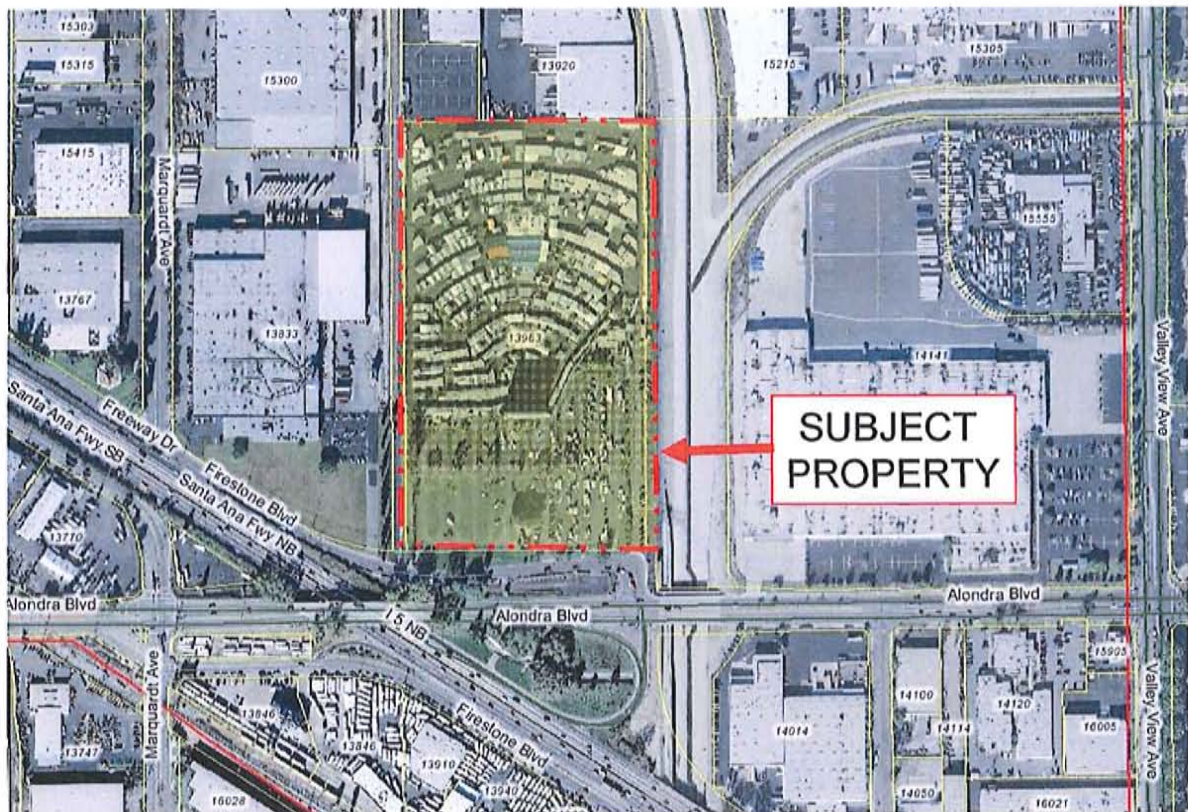
Attachments:

1. Aerial Photograph
2. Request for Compliance Review

AERIAL PHOTOGRAPH



CITY OF SANTA FE SPRINGS



AERIAL PHOTOGRAPH



Conditional Use Permit Case No. 453-6

13963 Alondra Boulevard

REQUEST FOR COMPLIANCE REVIEW

Santa Fe Springs **DRIVE-IN THEATRE & SWAP MEET**

November 07, 2011

Mr. Cuong Nguyen
Associate Planner
Department of Planning and Development
City of Santa Fe Springs
11710 Telegraph Rd.
Santa Fe Springs, CA 90670-3679

Received
NOV 14 2011
Planning Dept.

Dear Mr. Nguyen,

Per your Letters dated November 2, 2011, concerning Conditional Use Permits - CUP #'s 453 (Continued Swap Meet Operation), and # 488 (Continued Operation and Maintenance of Pylon Sign), this letter and enclosed Application Fees serve as a request for "review of compliance" consideration.

CUP # 453 is for the operation of an open air market (swap meet) on the premises which we have been operating under the same family ownership continuously since 1965.

CUP # 488 is for our "Freeway Marquee Sign" along the I-5 Freeway, southbound side.

There have been no significant alterations or change in our use since the last Permit review and we are not asking for any modifications. The CUP's are pretty finely tuned.

Also, per your instructions, enclosed are two checks in the amount of \$563.00 each for processing fees.

Thank you for your consideration.



Rick Landis
Division Manager

13963 ALONDRA BOULEVARD / SANTA FE SPRINGS, CALIFORNIA 90670 / TELEPHONE (562) 921-4359

REQUEST FOR COMPLIANCE REVIEW (Cont.)

NEWPORT DIVERSIFIED INC SANTA FE SPRINGS MANAGERS ACCOUNT 19200 VON KARMAN AVE STE 1000 IRVINE, CA 92612 (949) 851-1355		1919
DATE <u>11/07/2011</u>		11-8165/3210 63
PAY TO THE ORDER OF <u>City of Santa Fe Springs</u>		\$ 563 ⁰⁰
<u>Five Hundred Sixty three and 00/100</u>		DOLLARS
FIRST REPUBLIC BANK Private Banking - Newport Beach 3991 MacArthur Blvd. Suite 300 Newport Beach, CA 92660 Tel (949) 356-8328		
FOR <u>CUP # 453 - COMPLIANCE REVIEW PROCESSING FEE</u> <i>R. L. Lane</i>		MP
⑈001919⑈ ⑆321081669⑆ 95300021389⑈		

City of Santa Fe Springs	DISTRIBUTION					
	FUND	GL	ACTIVITY	OBJECT	PROJECT	AMOUNT
	110	397	4110	8000		\$563 -

Newport Diversified Inc.
 (NAME)
192 Von Karman Ave. STE 1000
 (ADDRESS)
IRVINE, CA 92612
 (CITY AND STATE)
CUP - COMPLIANCE REVIEW FEE (CUP 453)
 (DESCRIPTION)

RECEIPT



CONSENT AGENDA – UNFINISHED BUSINESS

Conditional Use Permit Case No. 488-6

Compliance review to allow the continued operation and maintenance of a freestanding sign on property located at 15718 Marquardt Avenue (APN: 7003-001-904), in the M-2-FOZ, Heavy Manufacturing – Freeway Overlay Zone. (Newport Diversified, Inc. for Santa Fe Springs Swap Meet)

RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions:

1. Find that the continued operation and maintenance of a freestanding sign at 15718 Marquardt Avenue (APN #7003-001-904), if conducted in strict compliance with the conditions of approval, will not be detrimental to persons or properties in the surrounding area or to the City in general, and will be in conformance with the overall purpose and objectives of the Zoning Regulations and consistent with the goals, policies and program of the City's General Plan.
2. Approve Conditional Use Permit Case No. 488-6, subject to the conditions of approval as contained within this staff report.

This matter was tabled from the March 11, 2013, Planning Commission meeting.

BACKGROUND

In July of 1992, the Planning Commission initially approved Conditional Use Permit (CUP) Case No. 488 to establish, operate and maintain a freestanding sign on the 0.49-acre property located at 15718 Marquardt Avenue (APN: 7003-001-904), in the M-2-FOZ, Heavy Manufacturing - Freeway Overlay Zone, within the Consolidated Redevelopment Project Area.

The Permit was granted for an initial one-year period. Several time extensions have been granted since the initial approval. The last extension, in October 2006, expired on October 23, 2011. The applicant is therefore seeking an extension of the subject CUP to allow the continued operation and maintenance of the drive-in theater and swap meet use on the subject property.

It should be noted that concurrent with this request, the applicant is also requesting compliance review of: Conditional Use Permit Case No. 453-6, to allow the continued operation and maintenance of a drive-in theater and swap meet operation; Alcohol Sales Conditional Use Permit Case No. 11A-2, to allow the continued on site sale and consumption of alcoholic beverages at the Santa Fe Springs Drive-In; and

Swap Meet and Entertainment Conditional Use Permit Case No. 11-2, to allow the continued operation and maintenance of an entertainment use involving live performances and dancing activities at the Santa Fe Springs Drive-In and Swap Meet.

The Planning Commission should also note that the subject sign will be affected by the Interstate 5 Freeway (I-5) widening project. According to conversations with the applicant and Caltrans staff, the existing sign will eventually need to be re-located because it would otherwise overhang onto the newly widened freeway. It is staff's understanding that the sign will need to be re-located approximately 10' feet southeast from its current location. The exact location will be provided once plans are completed. At this time, a timetable for its re-location has not been established.

STAFF CONSIDERATIONS

As standard practice for all CUP compliance reviews, an inspection of the subject property is performed by City staff to ensure continued compliance with the conditions of approval prior to bringing the matter back to the Planning Commission. The inspection revealed that both the property and sign are being maintained in accordance to the existing conditions of approval. Furthermore, staff has not received any complaints from the surrounding property owners or the public in general regarding the property or subject sign. Staff therefore finds the subject sign, if maintained in accordance with the conditions of approval as contained within this report, will not pose a significant risk or nuisance to patrons, neighboring businesses or the general public.

CONDITIONS OF APPROVAL

NOTE: Changes to existing conditions are provided as a strike-through or bold.

PLANNING AND DEVELOPMENT DEPARTMENT: **(Contact: Cuong Nguyen 562-868-0511x7359)**

1. That the freestanding sign shall continue to be maintained in working order, good appearance and that the base shall be maintained free of any overgrown weeds and foliage. **(ongoing)**
2. That the freestanding sign shall not be lease or sold unless approved by the Director of Planning and Development. **(ongoing)**
3. ~~That Conditional Use Permit Case No. 488 shall not be valid until approved by the Community Development Commission and shall be subject to any other conditions the Commission may deem necessary to impose.~~ **(removed – CUP's no longer need to go before CDC).**

4. That Conditional Use Permit Case No. 488-6 shall remain valid for an additional five (5) years until ~~October 23, 2014~~ **April 8, 2018**. Approximately, three (3) months before ~~October 23, 2014~~ **April 8, 2018**, the applicant shall request in writing that the City review the circumstances of the case for an extension of the privileges granted. **(revised wording)**
5. ~~That this Permit shall not be effective for any purpose until the owner-operator has filed with the City of Santa Fe Springs an affidavit stating that he/she is aware of and accepts all of the required conditions of approval. (removed – agreement now obtained in writing prior to bringing the matter before the PC)~~
6. That if any provisions of this Permit are violated, held to be invalid, or if any law, statute, or ordinance is violated, this Permit shall be void and the privileges granted hereunder shall lapse. **(ongoing)**
7. That the freestanding sign shall be conducted in compliance with the Building Code, Fire Code, Zoning Ordinance, Property Maintenance Ordinance, and all other applicable regulations. **(ongoing)**
8. **That the applicant, Newport Diversified, Inc., agrees to defend, indemnify and hold harmless the City of Santa Fe Springs, its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City or any of its councils, commissions, committees or boards concerning Conditional Use Permit Case No. 488-6, when action is brought within the time period provided for in the City's Zoning Ordinance, Section 155.865. Should the City, its agents, officers or employees receive notice of any such claim, action or proceeding, the City shall promptly notify the owner/developer of such claim, action or proceeding, and shall cooperate fully in the defense thereof. (new condition)**



Wayne M. Morrell
Director of Planning

Attachments:

1. Aerial Photograph
2. Site Plan
3. Photo of Freestanding Sign
4. Request for Compliance Review

AERIAL PHOTOGRAPH



CITY OF SANTA FE SPRINGS



AERIAL PHOTOGRAPH



Conditional Use Permit Case No. 488-6

15718 Marquardt Avenue (APN #7003-001-904)

SITE PLAN

EXHIBIT "A"

SANTA FE SPRINGS SWAP MEET SIGN LOCATION
15718 MARQUARDT AVENUE

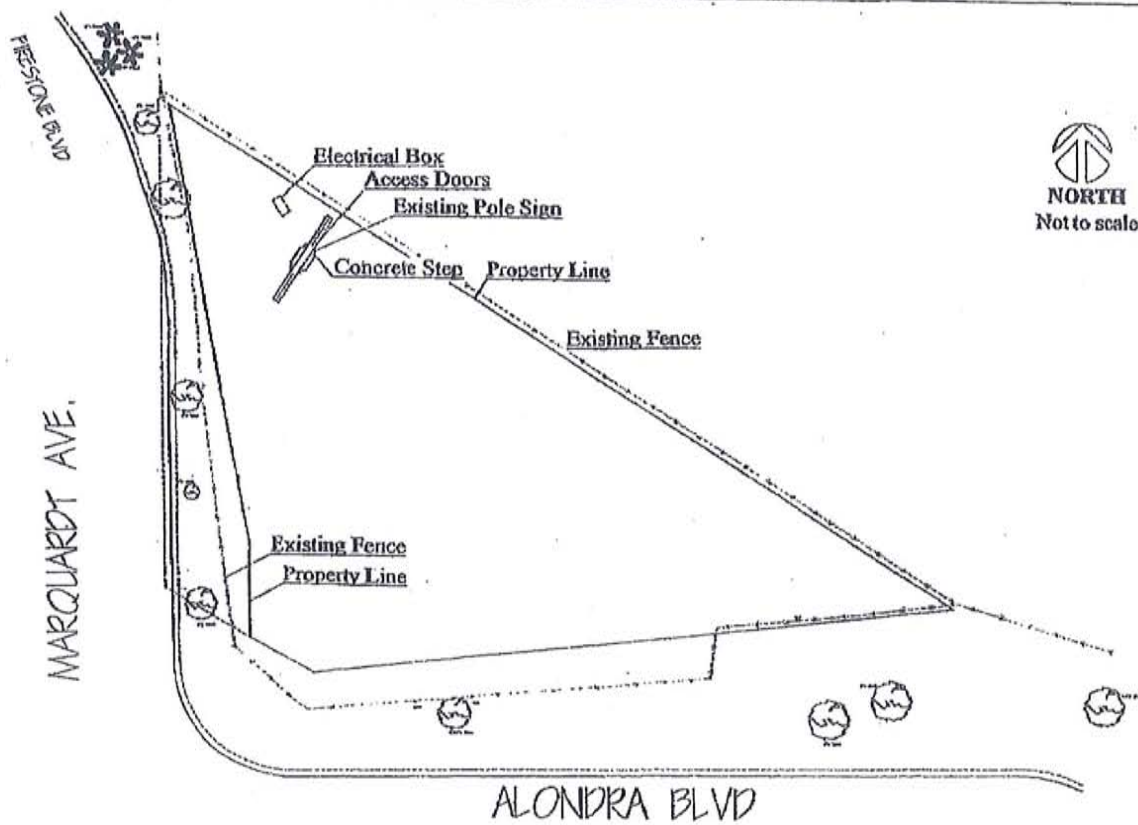
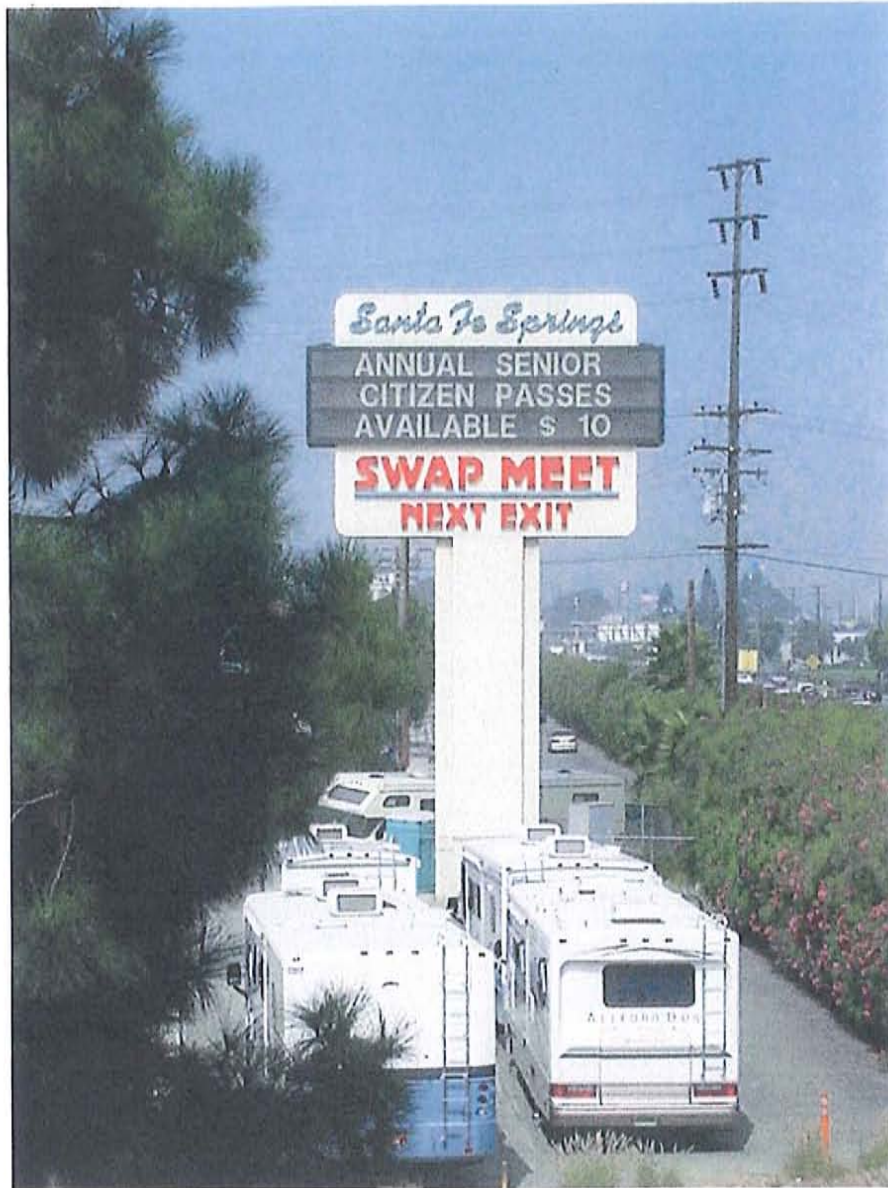


PHOTO OF FREESTANDING SIGN

City of Santa Fe Springs



REQUEST FOR COMPLIANCE REVIEW

Santa Fe Springs **DRIVE-IN THEATRE & SWAP MEET**

November 07, 2011

Mr. Cuong Nguyen
Associate Planner
Department of Planning and Development
City of Santa Fe Springs
11710 Telegraph Rd.
Santa Fe Springs, CA 90670-3679

Received
NOV 14 2011
Planning Dept.

Dear Mr. Nguyen,

Per your Letters dated November 2, 2011, concerning Conditional Use Permits - CUP #'s 453 (Continued Swap Meet Operation), and # 488 (Continued Operation and Maintenance of Pylon Sign), this letter and enclosed Application Fees serve as a request for "review of compliance" consideration.

CUP # 453 is for the operation of an open air market (swap meet) on the premises which we have been operating under the same family ownership continuously since 1965.

CUP # 488 is for our "Freeway Marquee Sign" along the I-5 Freeway, southbound side.

There have been no significant alterations or change in our use since the last Permit review and we are not asking for any modifications. The CUP's are pretty finely tuned.

Also, per your instructions, enclosed are two checks in the amount of \$563.00 each for processing fees.

Thank you for your consideration.



Rick Landis
Division Manager

13963 ALONDRA BOULEVARD / SANTA FE SPRINGS, CALIFORNIA 90670 / TELEPHONE (562) 921-4359

REQUEST FOR COMPLIANCE REVIEW (Cont.)

NEWPORT DIVERSIFIED INC SANTA FE SPRINGS MANAGERS ACCOUNT 19200 VON KARMAN AVE STE 1000 IRVINE, CA 92612 (949) 851-1355		1920
DATE <u>11/07/2011</u>		11-8166/3210 63
PAY TO THE ORDER OF	<u>City of Santa Fe Springs</u>	\$ <u>563.00</u>
	<u>Five Hundred Sixty Three and 00/100</u>	DOLLARS
FIRST REPUBLIC BANK Private Banking-Regional Branch 5791 MacArthur Blvd, Suite 300 Newport Beach, CA 92659 Tel (949) 756-6328		
FOR <u>CUP # 488 - COMPLIANCE REVIEW PROCESSING FEE</u> <u>Real Land</u>		
⑈001920⑈ ⑆321081669⑆ 95300021389⑈		

City
of
Santa Fe Springs

DISTRIBUTION					
FUND	G/L	ACTIVITY	OBJECT	PROJECT	AMOUNT
110	397	410	13000		\$563 -

Newport Diversified Inc.
 (NAME)
19200 Von Karmann Ave. STE. 1000
 (ADDRESS)
IRVINE, CA 92612
 (CITY AND STATE)
CUP - COMPLIANCE REVIEW FEE (CUP 488)
 (DESCRIPTION)

RECEIPT



City of Santa Fe Springs

Planning Commission Meeting

April 8, 2013

CONSENT AGENDA – UNFINISHED BUSINESS

Conditional Use Permit Case No. 497-2

Compliance review to allow the continued operation and maintenance of a precious metal reclamation facility at the northeast corner of Alondra Boulevard and Carmenita Road (13409, 13429, 13443, and 13501 Alondra Boulevard; 15600, 15601, 15610 and 15611 Resin Place; and 15524 and 15536 Carmenita Road), in the M-2, Heavy Manufacturing, Zone.

(Peter Eckert for Heraeus Precious Metal North America LLC)

RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions:

1. Find that the continued operation and maintenance of a precious metal reclamation facility, if conducted in strict compliance with the conditions of approval, will be harmonious with adjoining properties and surrounding uses in the area and will be in conformance with the overall purpose and objective of the Zoning Regulations and consistent with the goals, policies and programs of the City's General Plan.
2. Find that, based on the previously-prepared environmental documents, there is no substantial evidence that the continued operation and maintenance of a precious metal reclamation facility will have a significant adverse effect on the environment; thus, no new environmental documents are required.
3. Approve Conditional Use Permit Case No. 497-2, subject to a compliance review in five (5) years to ensure the use is still operating in strict compliance with the conditions of approval as contained within this staff report.

This matter was tabled from the March 11, 2013, Planning Commission meeting.

BACKGROUND

In accordance with Section 155.243(C)(5) of the City's Zoning Regulations, a Conditional Use Permit (CUP) is required for the establishment of any industrial waste material salvage, recycling, storage and processing use in the M-2, Heavy Manufacturing, Zone.

The Planning Commission and Community Development Commission, at their respective meetings of February 10 and 12, 1998, originally approved Conditional

Use Permit (CUP) Case No. 497 to allow the operation and maintenance of a precious metals reclamation operation on the subject property. The original permit was granted for an initial 10-year time period. In October of 2009, in addition to approving a new wastewater treatment system project, the Commission granted a 3-year extension to the original Permit. The last time extension recently expired; therefore, the applicant is seeking approval of a compliance review of the subject CUP to allow the continued operation and maintenance of a precious metals reclamation operation on the subject property.

STAFF CONSIDERATIONS

As standard practice for all CUP compliance reviews, an inspection of the subject property was conducted by the Building, Fire, Police Service, and Planning department staff to ensure continued compliance with the conditions of approval prior to bringing the matter back to the Planning Commission. Following the walk-through inspection, the applicant was asked to comply with the following:

Condition #1 - The owner/developer shall pay the costs or a portion of the costs associated with the installation of an Emergency Vehicle Preemption System (OPTICOM) at the intersection of Carmenita Road and Alondra Boulevard as determined by the City Engineer and Fire Chief.

Condition #5 - That the streets (Carmenita Road and Alondra Boulevard) abutting the development shall be posted "No Stopping Any Time." The City will install the off-site signs and the owner shall pay the actual cost of sign installation.

Condition #8 - The owner/developer shall remove two (2) existing driveways on Alondra Boulevard, just west of Resin Place, and reconstruct sidewalk/parkway improvements.

Condition #50 - That the owner/applicant shall modify Resin Place so that it appears more like a private street with a driveway apron, as opposed to a public street. The final design of said improvements shall be subject to the final approval by the Director of Planning and Development. Construction of said improvements shall be completed no later than one (1) year from the date of approval by the Planning Commission.

Over the course of the past several months, both Planning and Engineering Departments staff members have worked together to approve a plan that includes the necessary off-site improvements to meet the two items (conditions #8 and #50) identified above. Staff has also conducted a follow-up inspection on February 21, 2013, and has verified that the applicant has completed the off-site improvements in accordance with the approved plan. Additionally, staff has confirmed that payment of fees associated with conditions #5 and #8 have been completed. Consequently, the applicant is now in full compliance with the existing conditions

of approval. Staff therefore finds that if the precious metals reclamation operation continues to operate in strict compliance with the required conditions of approval, the use will continue to be compatible with the surrounding developments and will not pose a nuisance risk to the public or environment. Staff is, therefore, recommending approval of CUP 497-2, subject to that this matter may be brought back to the Commission at any time should the applicant violate any condition of approval or any City Code, or should there be a need to modify, add or remove a condition of approval.

CONDITIONS OF APPROVAL

NOTE: Changes to existing conditions are provided as a strike-through or bold.

ENGINEERING / PUBLIC WORKS DEPARTMENT: **(Contact: Noe Negrete 562-868-0511 x7611)**

1. ~~The owner/developer shall pay the costs or a portion of the costs associated with the installation of an Emergency Vehicle Preemption System (OPTICOM) at the intersection of Carmenita Road and Alondra Boulevard as determined by the City Engineer and Fire Chief.~~ **(condition met)**
2. ~~That the owner/developer shall remove and reconstruct all damaged sidewalk and driveways on both Carmenita Road and Alondra Boulevard. In addition, drainage directed under the sidewalk shall be channeled in a parkway drain constructed to City standards.~~ **(condition met)**
3. ~~That the owner shall execute an affidavit agreeing to the addition of a cost-of-living adjustment to the existing Street Light Assessment District. Annual adjustments shall be based on the Consumer Price Index for Los Angeles County and will not exceed 3% per year.~~ **(condition met)**
4. ~~That the owner shall execute an affidavit agreeing to participate in a future street maintenance district or other type of benefit assessment district to slurry seal, resurface and reconstruct the street frontage on regular intervals (5-year, 10-year and 20-year intervals, respectively, as determined by the City Engineer). The owner shall retain the right to challenge the costs and method of spreading future assessments.~~ **(condition met)**
5. ~~That the streets (Carmenita Road and Alondra Boulevard) abutting the development shall be posted "No Stopping Any Time." The City will install the offsite signs and the owner shall pay the actual cost of sign installation.~~ **(condition met)**

6. ~~Fire hydrants shall be installed as required by the Department of Fire-Rescue. Existing public fire hydrants adjacent to the site shall be upgraded if required by the City Engineer.~~ **(condition met)**
7. ~~The owner/developer shall reimburse the City for the actual cost for the installation, replacement, removal or modification of street name signs, traffic control signs, striping and pavement markings required in conjunction with the development. The City will complete the work.~~ **(condition met)**
8. ~~The owner/developer shall remove the existing driveway on Alondra Boulevard, just west of Resin Place, and reconstruct sidewalk/parkway improvements.~~ **(condition met)**
9. ~~The owner/developer shall construct a handicap access ramp on the northeast corner of Carmenita Road and Alondra Boulevard.~~ **(condition met)**
10. That **within 30 days from the date of** completion of **all** public improvements constructed by developers **to meet the requirements set forth in these conditions**, the developer's civil engineer shall submit mylar record drawings and an electronic file (AutoCAD Version 2004 or higher) to the office of the City Engineer. **(new wording – revised to allow applicant 30-days to provide necessary drawings)**

DEPARTMENT OF FIRE-RESCUE – FIRE PREVENTION DIVISION:
(Contact: Mike Crook 562.868-0511 x3808)

11. That interior gates or fences are not permitted across required Department of Fire-Rescue access roadways unless otherwise granted prior approval by the Department of Fire-Rescue. **(ongoing)**
12. ~~That prior to submitting plans to the Building Department or Planning Commission, a preliminary site plan shall be approved by the Department of Fire-Rescue for required access roadways and on-site fire hydrant locations. The site plan shall be drawn at a scale between 20 to 40 feet per inch. Include on plan all entrance gates that will be installed.~~ **(condition met)**
13. That Knox boxes are required on all new construction. All entry gates shall also be equipped with Knox boxes or Knox key switches for power-activated gates. **(condition met)**
14. That signs and markings required by the Department of Fire-Rescue shall be installed **maintained** along the required Department of Fire-Rescue access roadways. **(new wording - ongoing)**

DEPARTMENT OF FIRE-RESCUE – ENVIRONMENTAL DIVISION:
(Contact: Richard Kallman 562.868-0511 x3710)

15. That the owner shall track all materials/wastes received from off-site locations for processing within the facility and shall ensure that all materials/wastes are processed within one year of receipt. **(ongoing)**
16. That the owner shall immediately report any release or threatened release ("Release" or "Threatened Release") of a hazardous, toxic, or dangerous material, regardless of quantity, to the Santa Fe Springs Department of Fire-Rescue and in accordance with the terms in California Health & Safety Code Section 25507 and Title 19, California Code of Regulations, Section 2703. **(ongoing)**
17. That the owner shall provide a written preliminary report detailing the circumstances related to any release or threatened release of hazardous, toxic, or dangerous material and the immediate action taken to mitigate the release and measures instituted to prevent future releases. The written report must be submitted to the Department of Fire-Rescue within 48 hours of the release or threatened release or within 72 hours if the release occurs on a weekend (including Friday) or a federal holiday. A final report which details the circumstances of the release and any corrective actions must be submitted to the Department of Fire-Rescue within 30 days of the release unless the Department approves a time extension in writing to the owner. **(ongoing)**
18. That the owner shall ~~develop plans to install and maintain alarm systems for all scrubbers to help prevent any release or threatened release of a hazardous, toxic, or dangerous material within six months from the date of approval by the Planning Commission. Said alarm systems shall be installed within one year from the date of approval by the Planning Commission. These alarm systems shall include, but are not limited to:~~
 - a. ~~Low flow alarm on the re-circulating liquid line for each scrubber to ensure that an adequate amount of liquid is re-circulated through the scrubber.~~
 - b. ~~Low and high pH alarm for each scrubber to ensure the proper function of the scrubber.~~ **(new wording - ongoing)**
19. That the owner shall provide written notification to the Department of Fire-Rescue of any inspection by any local, State or Federal regulatory agency, other than the City, within 48 hours of the inspection, or 72 hours if the inspection is on the weekend (including Friday) or a federal holiday. Notification shall consist of a summary of comments and/or alleged violations of any local, State, or Federal law or regulation governing the use, storage, treatment, disposal, or transportation of hazardous material or hazardous

waste along with a copy of any relevant reports, citations, or other documentation, not subject to legal privilege, arising from, or related to any inspection. Relevant reports, citations, or other documentation received subsequent to the inspection shall be provided to the Department of Fire-Rescue with 72 hours of receipt of such documentation. **(ongoing)**

20. That the owner shall continually maintain in working order all monitoring systems and alarm systems related to hazardous materials, hazardous wastes, and air emissions. No additions or modifications may be made without prior approval by the Department of Fire-Rescue. Additionally, additions or modifications to monitoring and alarm systems requiring AQMD permit(s) may not be made without prior approvals by the South Coast Air Quality Management District. **(ongoing)**
21. That the owner shall continually maintain in working order all monitoring equipment associated with the industrial wastewater pretreatment system. No additions or modifications may be made without prior approval of both the Department of Fire-Rescue and the Sanitation Districts of Los Angeles County. **(ongoing)**
22. That the owner shall continually maintain wind socks at selected locations around the facility. **(ongoing)**
23. That the owner shall maintain a comprehensive in-house emergency response team (ERT). The ERT shall include, but is not limited to:
 - a. Monitoring equipment.
 - b. Decontamination equipment.
 - c. Chemical protective clothing.
 - d. Respiratory protective equipment.
 - e. Mitigation equipment.
 - f. Monthly **training and annual drills** and ~~training~~.
 - g. Minimum of three (3) persons per shift **while production activities are taking place and two (2) persons per shift at all other times when the plant is in operation** to the minimum training level of State Certified Haz-Mat First Responder Operational.
 - h. Standard operating procedures shall be included for the above items. **(new wording - ongoing)**
24. That the owner shall maintain the approved in-house visual and audible safety alarm system that includes the following:
 - a. Alarm display panel which show the location and type of alarm.
 - b. Manual pull alarms at access points to high-hazard areas.
 - c. Gas sensors at approved locations throughout the facility.
 - d. Liquid level limit controls and alarms on hazardous material/waste tanks which exceed 500 gallons.

- e. The safety alarm system and any other related safety equipment shall have and approved back-up emergency power source. **(ongoing)**
- 25. That the owner shall continually operate and maintain the facility in strict compliance with all Federal, State and local requirements and regulations included, but not limited to, the Santa Fe Springs City Municipal Code, California Building Code, California Fire Code, Certified Unified Program Agency (CUPA) programs, the South Coast Air Quality Management District's Rules and Regulations, Department of Toxic Substance Control, and all other applicable codes and regulations. **(ongoing)**
- 26. That the owner shall maintain a valid industrial wastewater discharge permit with the City and the County Sanitation Districts of Los Angeles. No additional sources of industrial waste or modifications to the permitted pretreatment system are allowed without amending the industrial wastewater discharge permit. **(ongoing)**
- 27. That the owner shall comply with the terms of the General Permit for Storm Water Discharges Associated with Industrial Activities, including maintaining a Storm Water Pollution Prevention Plan (SWPPP) on-site. The SWPPP must include a description of all best management practices utilized to minimize contaminated runoff from flowing into the storm drain. **(ongoing)**
- 28. That the owner shall maintain compliance with the Risk Management Plan (RMP) as required in California Health and Safety Code and the City Code. **(ongoing)**
- 29. That the owner shall promptly provide to the Department of Fire-Rescue relevant documents, not subject to legal privilege, providing for, or relating to, actions taken by Heraeus Precious Metal North America LLC to correct, clean-up, and otherwise mitigate, remediate, and prevent future occurrences of, any existing soil and groundwater contamination at the facility and any incident which occurs, or has occurred, at the facility which is, was, or would have been a reportable release, and copies of documents relating to any corrective action plan, requirements, or operations required, ordered, or undertaken by any Federal or State regulatory agency. **(ongoing)**
- 30. That the owner shall pay to the City fees in amounts sufficient to reimburse the City for reasonable costs incurred by the City during the period in responding to, in any manner, any reportable release or threatened release. Costs incurred by the City shall include, but are not limited to: labor costs of City personnel, including worker's compensation benefits, applied benefits and administrative overhead; cost of equipment operation; and cost of materials. **(ongoing)**

31. That the owner shall pay reasonable costs incurred by the City during the period in taking necessary or appropriate actions to clean-up, contain, control, or in any way remediate contamination, damage, or risk to human health or the environment arising out of or in any way connected with any reportable release or threatened release, whether or not reported by Heraeus Precious Metal North America LLC. **(ongoing)**
32. In addition to any other provision contained in this Permit or existing under applicable law concerning modification or revocation of this Permit, and subject to the requirements of applicable law, if any provision of this Permit is violated, or if any release of a Hazardous Material occurs, such violation or release shall be grounds for modification or revocation of this Permit and, in case of such violation or release, the City immediately may temporarily suspend this Permit and the privileges granted hereunder and initiate proceedings to revoke or modify the Permit. Heraeus Precious Metal North America LLC reserves and retains all administrative and judicial rights of appeal. **(ongoing)**

POLICE SERVICES DEPARTMENT:

(Contact: Dino Torres 562.409-1850 x3329 or Phillip De Rousse at x3319)

33. That in order to facilitate the removal of unauthorized vehicles parked on the property, the applicant shall **continue to maintain**, in plain view and at each entry to the property, a sign not less than 17" wide by 22" long. The sign shall prohibit the public parking of vehicles and indicate that vehicles will be removed at the owner's expense and also contain the California Vehicle Code that permits this action. The sign shall also contain the telephone number of the local law enforcement agency (Police Services Center (562) 409-1850). The lettering within the sign shall not be less than one inch in height. ~~The applicant shall contact the Police Services Center for an inspection after the project has been completed but no later than 30 days from the date of approval by the Planning Commission.~~ **(new wording - ongoing)**
34. That the proposed facility, including any lighting, fences, walls, and poles shall continue to be maintained by the applicant in good repair, free from trash, debris, litter and graffiti and other forms of vandalism. Any damage from any cause shall be repaired within 24 hours of occurrence, weather permitting, to minimize occurrences of dangerous conditions or visual blight. Paint utilized in covering graffiti shall be a color that matches, as closely possible, the color of the adjacent surfaces. **(ongoing)**
35. That the applicant shall submit ~~and obtain approval of~~ an updated Security Plan **should there be any structure modifications or additions to the facility.** ~~from the City's~~ **The Security Plan Shall be submitted to the** Department of Police Services no later than 60 days from the **date of any final Building Permit approval.** ~~approval by the Planning Commission.~~ The

~~Security Plan shall outline all locations and areas of digital security cameras, door alarm contact points, glass break alarm points, and motion detectors. The applicant shall also allow Police Services Personnel to access the security cameras for investigative purposes. (new wording - ongoing)~~

PLANNING AND DEVELOPMENT DEPARTMENT:
(Contact: Cuong Nguyen 562.868-0511 x7359)

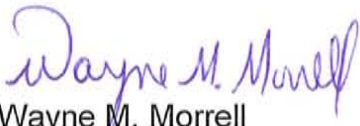
36. At the request of the DTSC, Heraeus Precious Metal North America LLC shall hire an independent environmental consultant, approved by the DTSC, to conduct an audit of the facility for compliance with DTSC standards and requirements. The consultant's report shall be provided to the DTSC and the City of Santa Fe Springs at their request. Heraeus Precious Metal North America LLC shall submit a response to any discrepancies and/or violations within 30 days of the conditions being reported. Corrections of accepted discrepancies and/or violations shall be completed within a period of time agreeable by DTSC. Additionally, the consultant (or another approved consultant) shall repeat the audit when deemed necessary by the DTSC. **(ongoing)**
37. ~~Within 60 days of approval of the CUP, Heraeus shall prepare and submit to the City of Santa Fe Springs Department of Fire-Rescue a hazard assessment to determine which materials could pose an offsite risk to the surrounding community. The offsite risk assessment shall be based on the worst case scenario defined in the EPA Offsite Consequence Analysis Guidance document. A risk management plan (RMP) shall be prepared and submitted for those substances that the City of Santa Fe Springs Department of Fire-Rescue determines pose a significant likelihood of an accident risk to the public health and the environment based on the aforementioned hazard assessment. The timeframe for completion of the RMP will be determined by the City of Santa Fe Springs Department of Fire-Rescue. Further, the owner shall maintain compliance with the Risk Management Plan requirements for all regulated substances as required in the California Health and Safety Code and the City Code. A single, comprehensive RMP shall be reviewed and updated at a minimum of every five (5) years, or when there is any significant change in materials used or stored at the facility. A copy of said plan, and any subsequent revisions or amendments, shall be provided to the City of Santa Fe Springs Department of Fire-Rescue and the City of Cerritos. (new wording - ongoing)~~
38. ~~Within 60 days of renewal of the Conditional Use Permit, Heraeus Precious Metal North America LLC shall hire a third party, approved by the City of Santa Fe Springs, to train its employees in the proper methods of handling, storing, documenting, and reporting on the hazardous materials at the facility. This~~

~~training shall be conducted on a continuous basis as required by all applicable regulations.~~ **(condition met)**

39. The applicant shall continue to submit to site inspections of the subject facility at the discretion of the City. The site inspections shall consist of a detailed review of the applicant's performance and compliance with this permit, the conditions of approval, and applicable laws and regulations. In connection with the site inspections, the applicant shall provide any information requested by the City as necessary or appropriate to the City's review of this permit. **(ongoing)**
40. Except to the extent and for the duration of noncompliance expressly authorized in writing and in advanced by the City, the applicant shall comply strictly with all terms and conditions of this permit, even if such compliance requires the applicant to halt or reduce its operations or any activity permitted under this permit. **(ongoing)**
41. That the operations on the subject site shall continue to comply with Section 155.420 of the City's Zoning Ordinance regarding the generation of objectionable odors. If there is a violation of this aforementioned Section, the property owner/applicant shall take whatever measures necessary to eliminate the objectionable odors from the operation in a timely manner. **(ongoing)**
42. That the operations on the subject site shall continue to comply with all applicable noise standards pursuant to the City of Santa Fe Springs Noise Ordinance. **(ongoing)**
43. That all landscaped areas on the subject site shall be continually maintained in a neat, clean, orderly and healthful condition. This is meant to include proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, and replacement of plants when necessary and the regular watering of all plantings. **(ongoing)**
44. That no portion of the required off-street parking and driveway areas shall be used for outdoor storage of any type or for special-event activities, unless prior written approval is obtained from the Director of Planning and Development, Director of Police Services and the Fire Marshall **Chief or his/her designee.** **(new wording – ongoing)**
45. That the owner shall not allow commercial vehicles, trucks and/or truck tractors to queue on Alondra Boulevard, use said street as a staging area, or to backup onto the street from the subject property. **(ongoing)**

46. That all existing buildings, tanks, towers and related structures serving the HMPI facility shall be maintained in a proper, safe, and aesthetically pleasing manner at all times; any such equipment or structure in need of painting, as determined by the Director of Planning and Development, shall be painted within 7 days from the time HMPI is given notice. **(ongoing)**
47. That the Department of Planning and Development shall first review and approve any new sign proposals for the subject site. The sign proposal (plan) shall include a site plan, building elevation on which the sign will be located, size, style and color of the proposed sign. All drawings shall be properly dimensioned and drawn to scale on 24" x 36" maximum-size paper. All signs shall be installed in accordance with the sign standards of the Zoning Ordinance and the Sign Guidelines of the City. **(ongoing)**
48. That the subject site shall be maintained in accordance with the plot plan, floor plan, and elevations submitted by the applicant and on file with the case. Any significant modification or expansion of the HMPI facility or operations conducted on the site shall require prior approval by the City Planning Commission (PC). Any such modification or expansion shall be submitted for approval to the PC not less than 90 days prior to the proposed commencement of such modification or expansion. **(ongoing)**
49. That the Mitigation Monitoring and Reporting Program which is an attachment to the previously prepared Mitigated Negative Declaration (State Clearinghouse No. 2007061054) shall continue to be part of the conditions of approval. **(ongoing)**
50. ~~That the owner/applicant shall modify Resin Place so that it appears more like a private street with a driveway apron, as opposed to a public street. The final design of said improvements shall be subject to the final approval by the Director of Planning and Development. Construction of said improvements shall be completed no later than one (1) year from the date of approval by the Planning Commission.~~ **(condition met)**
51. That all other requirements of the City's Zoning Regulations, Building Code, Property Maintenance Ordinance, State and City Fire Code and all other applicable County, State and Federal regulations and codes shall be complied with. **(ongoing)**
52. Conditional Use Permit Case No. 497 shall be valid for an additional period of ~~three (3)~~ **five (5)** years, until ~~October 12, 2012~~ **February 12, 2018**. ~~with annual administrative review of the case by the Planning Department to determine whether or not an administrative extension is warranted.~~ Future extension(s) of this Permit shall be substantially determined by the Heraeus's strict adherence to, and continued compliance with, these conditions of approval.

53. ~~That Reconsideration of Conditional Use Permit Case No. 497 shall not be effective for any purpose until the owner/operator has filed with the City of Santa Fe Springs an affidavit stating he/she is aware of and accepts all of the required conditions of approval. (condition met)~~
54. That the applicant, Heraeus Precious Metal North America LLC, agrees to defend, indemnify and hold harmless the City of Santa Fe Springs, its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City or any of its councils, commissions, committees or boards concerning ~~Reconsideration of Conditional Use Permit Case No. 497~~, when action is brought within the time period provided for in the City's Zoning Ordinance, Section 155.865. Should the City, its agents, officers or employees receive notice of any such claim, action or proceeding, the City shall promptly notify the owner/developer of such claim, action or proceeding, and shall cooperate fully in the defense thereof. **(new wording – ongoing)**
55. It is hereby declare to be the intent that if any provision of this Permit is violated or held to be invalid, or if any law, statute or ordinance is violated, the Permit shall be void and the privileges granted hereunder shall lapse. **(ongoing)**


Wayne M. Morrell
Director of Planning

Attachments:

1. Aerial Photograph
2. Site Plan
3. CUP Extension Letter

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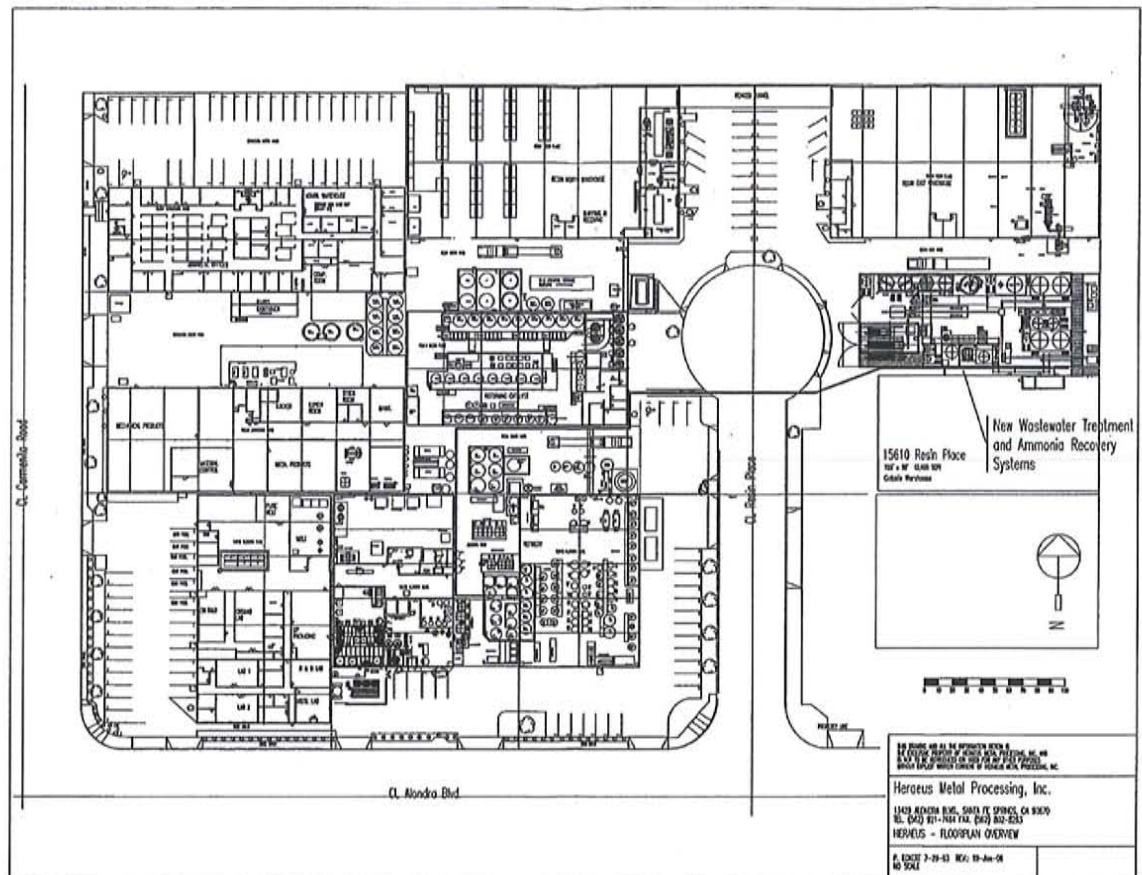
Aerial Photograph



Conditional Use Permit Case No. 497-2

13409, 13429, 13443, and 13501 Alondra Boulevard
15600, 15601, 15610 and 15611 Resin Place
15524 and 15536 Carmenita Road

Site Plan



CUP Extension Letter

Heraeus

Heraeus Precious Metals North America LLC
Chemical Division
15524 Carmenita Road
Santa Fe Springs, CA 90670

Environmental, Health & Safety
Contact Name: Peter Eckert
Phone: +1 / 562/483-1830
Fax: +1 / 562/623-3051
E-mail: peter.eckert@heraeus.com
www.heraeus-hpmn.com

Via e-mail & Hand Delivery

RECEIVED

SEP 27 2012

Planning Dept.

Mr. Cuong Nguyen
Associate Planner
City of Santa Fe Springs
Planning and Development Department
11710 Telegraph Road
Santa Fe Springs, California 90670

September 25, 2012

Re: Heraeus Precious Metals North America LLC extension of CUP 497

Dear Mr. Nguyen,

Heraeus Precious Metals North America LLC requests the extension of CUP 497.

The extension is based on completion of associated condition met forth. There are three conditions which are not fully implemented due to budgetary restraint and process consideration:

- #8 Removal of two existing driveway at Alondra Blvd. which are scheduled for completion within 2012;
- #18 The Reforming Catalyst ammonia scrubber was scheduled to be de-commissioned and connections to be switched to the Refinery ammonia scrubber. However do to load control issues between Reforming Catalyst and Refinery Department it was recently decided to keep this scrubber and the required pH and flow control alarms will be installed within 2012.
- #50 The modification of Resin Place to appear more like a private street, construction plans have been approved, capital obtained, implementation scheduled within 2012. Requested installation of a monument is scheduled for completion in 2013.

We have enclosed check #0115209 in the amount of \$563.00 for the extension fee.

A brief description of the operation follows:

HPMN is a precious metal reclamation and product manufacturing facility. HPMN recovers and refines precious metals that include gold, silver, platinum, palladium, rhodium and other rare metals from secondary sources. Precious metals are recovered from materials such as ores and concentrates, industrial catalysts, ceramics, off specification bullion and solutions, and scrap precious metals and alloys. Recovered metals are further refined to their pure states for formation into precious metal compounds for industrial uses. HPMN also markets precious metal solutions and salts. The vast majority of material received at the facility is in the form of solid, alumina-based precious metal catalyst.

Heraeus operates state of the art waste water treatment system and pollution control equipment removing solution contaminants and cleaning off gases from its chemical operation. The company is recognized and holds ISO certification for Quality ISO 9001:2008, Environmental Management Systems ISO 14001:2004 and Laboratory Services ISO 17025:2005.

Eck I_cup_extension_9_12.docx

CUP Extension Letter (Cont.)

Heraeus

- 2 -

If you have any question regarding this request, please call me at 562-483-1830 or e-mail me at peter.eckert@heraeus.com.

Best Regards,



Peter Eckert
Manager Environmental Health & Safety



Curtis Mello
VP Management Systems & Compliance

Attachment: Check # 0115209

DISTRIBUTION					
FUND	G/L	ACTIVITY	OBJECT	PROJECT	AMOUNT
110	277	710	2000		\$ 563.00

City of Santa Fe Springs

HERAEUS (NAME)

1524 CRENSHAW ROAD (ADDRESS)

Santa Fe Springs, CA 90670 (CITY AND STATE)

CUP 497 (DESCRIPTION)

09-27-12 1CL1139 CHECK 563.00

RECEIPT



City of Santa Fe Springs

Planning Commission Meeting

April 8, 2013

CONSENT AGENDA

Conditional Use Permit Case No. 642-2

A request to modify a condition of approval requiring two (2) live palm trees for an existing Sprint PCS wireless telecommunication facility, stealth as a monopalm, and located at 13808 ½ Imperial Highway, in the M-1-PD, Light Manufacturing-Planned Development Overlay, Zone. (Bryan Roy for Sprint PCS)

RECOMMENDATION

Staff recommends that the Planning Commission take the following action:

Approve the Applicant's request to modify the condition of approval requiring two live palm trees and instead allow the Applicant to remove, but not replace one dead palm tree, subject to the conditions of approval as contained within the staff report.

BACKGROUND

In July of 2005, the Planning Commission initially approved Conditional Use Permit (CUP) Case No. 642, a request by Sprint PCS to establish, operate and maintain a Wireless Telecommunication Facility (WTF) stealth as a 50'-high monopalm and related equipment for Sprint PCS on the property located at 13808 Imperial Highway, in the M-1-PD, Light Manufacturing – Planned Development Overlay, Zone. The Permit was granted for an initial one-year, until July 25, 2006. In compliance with Government Code Sections 65960-65964, a ten year duration, until April 9, 2017, was granted in April 9, 2007.

Condition No. 17 of the 2005 approval, stipulated "that the design of the proposed monopalm shall replicate a Date Palm." "Additionally, the two required live palm tree shall be Date Palms with minimum heights of 30 feet and 40 feet, respectively." Staff later changed the heights of the palm trees to an average height of 35 feet, because of their location under existing power lines.

The CUP was reconsidered by the Planning Commission on April 9, 2007. In compliance with Government Code Sections 65960-65964, a ten year duration, until April 9, 2017, was granted. Staff also added a new condition, Condition No. 4 to the conditions of approval. Said condition stated, "That the two live palm trees shall be properly maintained and kept in healthful condition." "Should either palm tree need to be replaced, its replacement shall be of comparable height to the original palm tree, prior to its removal."

On October 4, 2013, Broken Arrow Communications, obtained a permit to modify the WTF by: (1) removing 6 existing panel antennas and replacing them with 6 tall panel antennas; (2) installing 6 new RRH units mounted behind the antennas; (3) installing 3 new combiner; (4) installing 3 fiber optic cables using the existing coaxial route; (5) retrofitting 1 Modcell 4.0 cabinet; (5) installing 1 new junction box; and (6) repairing existing monopalm fronds. Staff approved the proposed modifications with the stipulation that "no Building Permit final until dead palm tree has been replaced." An inspection of the site revealed that the top of one of the required palm trees had been chopped off.

The contractor recently completed all the modifications to the WTF and has requested a final sign-off on the permits. Staff, however, would not sign-off on the permits until the chopped palm tree had been replaced. It was determined that the top of the tree was chopped because it was interfering with the existing overhead electrical lines. Staff was asked to waive the condition requiring two live palm trees. The contractor was informed that since the requirement for the live trees was a condition of approval for the WTF, staff did not have the discretionary authority to waive the condition. Only the Planning Commission has such authority. As a result, on March 4, 2013, Staff received a letter from Bryan Roy of Broken Arrow Communications requesting that the condition of approval requiring two live palm trees be changed to allow for the removal, but not replacement of the chopped tree. Since there is an existing mature palm tree on the site that provides adequate stealthing, the contractor felt that it was not necessary to replace the chopped tree.

STAFF CONSIDERATIONS

Staff believes that there's merit to the request. Someone else, not the applicant chopped the palm tree and caused it to die. The palm tree, if replaced, would grow, (albeit very slowly), but it eventually would interfere with the overhead electrical lines. The tree could be removed and another tree planted elsewhere on the property; however, there is another palm tree within close proximity of the WTF. The purpose of the requirement for live palm trees was to help integrate the faux monopalm WTF with the surrounding environment. The other palm tree on the site fulfills that requirement; therefore, it is not necessary to replace the chopped tree. Staff is therefore recommending approval of the request to remove, but not replace the dead palm tree. The existing compliance review date of April 2017 shall remain in place.

NOTE: Changes to existing conditions are provided as a strike-through or in italic, bold and/or underlined.

POLICE SERVICES DEPARTMENT:

(Contact: ~~Fernando Tarin~~ Dino Torres 562.409-1850 x330429 or Phillip De Rousse at x3319)

1. That the applicant shall maintain the equipment at all times, this includes but is not limited to removing any graffiti that might be on the monopalm, equipment, structures, etc. **(ongoing)**
2. That the applicant shall submit and obtain approval of a proposed lighting (photometric) and security plan for the property from the Police Services Department of the City within 30 days from the date of approval by the Planning Commission. The photometric plan shall be designed to provide adequate lighting (minimum of 2 foot candle power) throughout the subject property. Further, all exterior lighting shall be designed/installed in such a manner that light and glare are not transmitted onto adjoining properties in such concentration/quantity as to create a hardship to adjoining property owners or a public nuisance. **(satisfied)**
3. That the applicant shall provide an emergency phone number and a contact person to the Department of Police Services and the Fire Department within 30 days from the date of approval by the Planning Commission. Emergency information shall allow emergency service to reach the applicant or their representative any time, 24 hours a day. **(ongoing)**

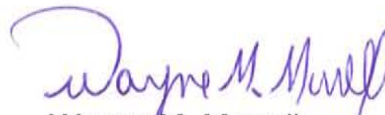
PLANNING AND DEVELOPMENT DEPARTMENT:

(Contact: Wayne M. Morrell 562.868-0511 x7362)

4. **That the dead palm tree shall be removed, but not replaced, and the existing** two live trees shall be properly maintained and kept in healthful condition. Should either palm tree need to be replaced, its replacement shall be of comparable height. ~~to the original palm tree, prior to its removal.~~ **(ongoing)**
5. That the applicant shall permit the City of Santa Fe Springs to install a communication device or related equipment on the subject monopalm for the public safety and welfare of the City. The City will ensure that such device does not interfere with the signals of the proposed monopalm antenna. **(ongoing)**

6. That the Sprint PCS antenna is maintained in full compliance with the U.S. standards for radio frequency emissions as published by the American National Standards Institute (ANSI). **(ongoing)**
7. That maintenance vehicle(s) associated with the telecommunication facility shall be parked in the designated parking stall as shown in the approved site plan on file with the case. Off-site parking is not permitted and may result in the restriction or revocation of privileges granted under this Permit. In addition, any vehicles associated with the telecommunication facility shall not obstruct or impede any traffic. **(ongoing)**
8. That the proposed telecommunication facility shall otherwise be substantially in accordance with the plot plan, floor plan, and elevations submitted by the applicant and on file with the case. Any addition or alteration to the monopole antenna and related improvements, including the installation of additional antennas (receivers, transmitters, grids, whips, dishes, etc.), shall require prior approval by the Planning Commission of the City of Santa Fe Springs and/or approval by the Director of Planning and Development, **unless in compliance with the middle class tax relief Act. (ongoing)**
9. That any material on the monopole and related equipment shall be replaced when and if the material becomes deteriorated, warped, discolored or rusted. **(ongoing)**
10. That no signs, advertisements, logos, messages, banners, clocks or similar identification improvements shall be permitted on the antenna structure, equipment cabinet or enclosure. **(ongoing)**
11. That the antenna facility shall be continually operated in accordance with all applicable State and Federal regulations governing such operations. **(ongoing)**
12. That all other requirements of the City's Zoning Ordinance, Building Code, Property Maintenance Ordinance, State and City Fire Code and all other applicable County, State and Federal regulations and codes shall be complied with. **(ongoing)**
13. That Reconsideration of Conditional Uses Permit Case No. 642 shall not be effective for any purpose until the owner/developer has filed with the City of Santa Fe Springs an affidavit stating he/she is aware of and accepts all of the required conditions of approval. **(satisfied)**

14. That the applicant, Sprint PCS, agrees to defend, indemnify and hold harmless the City of Santa Fe Springs, its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City or any of its councils, commissions, committees or boards concerning Reconsideration of Conditional Uses Permit Case No. 642-2, when action is brought within the time period provided for in the City's Zoning Ordinance, Section 155.865. Should the City, its agents, officers or employees receive notice of any such claim, action or proceeding, the City shall promptly notify the owner/developer of such claim, action or proceeding, and shall cooperate fully in the defense thereof. **(ongoing)**
15. That Reconsideration of Conditional Uses Permit Case No. 642 shall be valid for a period of ten (10) years, until April 9, 2017, Approximately, three (3) months before April 9, 2017, the applicant shall request in writing that the City review the circumstances of the case for an extension of the privileges granted. **(ongoing)**
16. It is hereby declare to be the intent that if any provision of this Permit is violated or held to be invalid, or if any law, statute or ordinance is violated, the Permit shall be void and the privileges granted hereunder shall lapse. **(ongoing)**



Wayne M. Morrell
Director of Planning

Attachments

1. Location Aerial
2. Existing Condition-Photograph
3. Letter Requesting Modification of Condition

C:\Documents and Settings\wmorrell\My Documents\CUP\CUP 642-2 13808.5 Imperial Highway-Sprint PCS\CUP 642-2 Pc Report 13808.5 Imperial Highway-Sprint PCS\4/4/2013 6:25:58 AM\ WMM

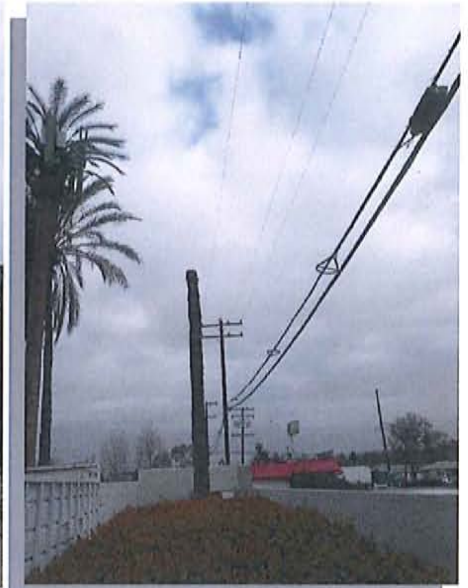
LOCATION AERIAL



**Conditional Use Permit No. 642-2
for Sprint PCS**

13808 1/2 Imperial Highway

SITE PHOTOGRAPHS



CORPORATE

8316 Corona Loop, NE
Albuquerque, NM 87113
(505) 877-2100
(505) 877-2101 Fax
www.bacom-inc.com

Astoria Office
230 S Date St. #101
Mesa, AZ 85210
(480) 966-0450
(480) 966-0838 Fax

California Offices
3160 Scott Street
Vista, CA 92081
(760) 918-0551

960 Brook Street
Ontario, CA 91762
(909) 355-9300
(909) 988-8061
(909) 988-983-2316 Fax

4970 Allison Parkway #D
Vacaville, CA 95688
(707) 447-2469
(707) 447-5974 Fax

Nevada
1201 American Pacific Dr
Suite C
Henderson, NV 89074
(702) 564-9667
(702) 446-8104 Fax

Utah
100 North 700 West, Ste
C
N. Salt Lake, UT 84054
(801) 936-1020
(801) 936-1043 Fax

Revised 9/2012



27 February 2013

Wayne M. Morrell
Director of Planning
City of Santa Fe Springs
11710 Telegraph Road
Santa Fe Springs, CA 90670-3679

Re: 13808 Imperial HW
Permit Number: BL1209270040

Dear Sir:

We are requesting that one condition of the above named Permit be changed so that we can immediately remove a dead tree located on the site.

The existing tree died as a result of the local electrical company cutting off the top of the tree. The placement of the tree interferes with existing electric lines. The tree was originally planted in electrical company's Right Of Way. Since mature existing trees provide adequate stealthing, we request that the City Planning Department waive any further requirement for planting of a tree.

Thank you for your assistance with this matter.

Sincerely,

Bryan Roy
General Manager
Broken Arrow Communications
960 Brooks Street
Ontario, CA 91762
909-988-8061

Basil
916-762-7400

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