



City of Santa Fe Springs

Planning Commission Meeting

AGENDA

ADJOURNED MEETING PLANNING COMMISSION CITY HALL COUNCIL CHAMBERS

September 22, 2014
4:30 P.M.

Susie Johnston, Chairperson
Michael Madrigal, Vice Chairperson
Ken Arnold, Commissioner
Frank Ybarra, Commissioner
Joe Angel Zamora, 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 Arnold, Johnston, Madrigal, Ybarra, and Zamora.

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 September 8, 2014 Regular Planning Commission Meeting.

6. PUBLIC HEARING**Conditional Use Permit Case No. 748-1**

A request to amend the existing Conditional Use Permit (CUP 748) to allow six (6) potential satellite parking areas to be used in conjunction with the FedEx Ground Distribution Facility located at 11688 Greenstone Avenue (APN: 8026-018-022). (Pancal 11525 Shoemaker LLC for FedEx)

7. NEW BUSINESS**Modification Permit Case No. 1248**

Request for Modification of Property Development Standards to deviate from Section 155.483(B)(1) and allow satellite parking more than 400 feet from the principal use for property located at 11927 Greenstone Avenue* (APN: 8026-020-080), in the M-2, Heavy Manufacturing, zone. (Copp Paving Co Inc.)

* **NOTE:** The primary address for the site is 11927 Greenstone Avenue, however, the 2-acre portion of the site that will be used for satellite parking will have the following address: 12017 Greenstone Avenue.

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

September 19, 2014

Date

**MINUTES
REGULAR MEETING
SANTA FE SPRINGS PLANNING COMMISSION
September 08, 2014**

1. CALL TO ORDER

Chairperson Johnston called the meeting to order at 4:31 p.m.

2. PLEDGE OF ALLEGIANCE

Chairperson Johnston called upon Commissioner González to lead the Pledge of Allegiance.

3. ROLL CALL

Present: Commissioner González
Commissioner Ybarra
Commissioner Zamora
Vice Chairperson Madrigal
Chairperson Johnston

Staff: Wayne Morrell, Director of Planning
Steve Skolnik, City Attorney
Cuong Nguyen, Senior Planner
Kristi Rojas, Planning Consultant
Paul Garcia, Planning Consultant
Gurdeep Kaur, Planning Intern
Elijio Sandoval, Planning Intern
Luis Collazo, Code Enforcement Officer
Teresa Cavallo, Planning Secretary

4. ORAL COMMUNICATIONS

Oral Communications were opened at 4:32 p.m. There being no one wishing to speak, Oral Communications were closed at 4:32 p.m.

5. APPROVAL OF MINUTES

Minutes of the July 14, 2014 Planning Commission Meeting

Vice Chairperson Madrigal moved to approve the minutes of the July 14, 2014 meeting; Commissioner Ybarra seconded the motion. The minutes were approved by the following vote: In favor: Johnston, Madrigal, Ybarra, and Zamora; Opposed: None; Abstained: González.

6. PUBLIC HEARING (Continued from August 11, 2014 Planning Commission Meeting)
Conditional Use Permit Case No. 750

A request to allow the construction and operation of a new 50-foot tall digital billboard with display area of 14'x48' on property located at 13711 Freeway Drive (APN: 8069-015-055), zoned M-2-FOZ, Heavy Manufacturing-Freeway Overlay Zone. (Bulletin Displays, LLC).

Zone Variance Case No. 76

A request for a reduction of the 5-acre minimum size requirement as set forth in Section 155.384

(H)(7) of the Zoning Regulations for properties with a digital billboard and specifically for the property located at 13711 Freeway Drive (APN: 8069-015-055), zoned M-2-FOZ, Heavy Manufacturing-Freeway Overlay Zone. (Bulletin Displays, LLC).

Chairperson Johnston requested a motion to continue Item No. 6 to the next regularly scheduled Planning Commission meeting on October 13, 2014.

Commissioner Zamora moved to continue Item No. 6; Commissioner Ybarra seconded the motion, which was unanimously approved.

7. PUBLIC HEARING

Conditional Use Permit Case No. 694-5

Request for an amendment of Conditional Use Permit (CUP) Case No. 694 to allow various changes to the original development plans for the development of a new 50-unit residential condominium project on a 2.67+/- acre property located at 9830 Jersey Avenue (APN: 8005-002-059), 9841 Alburtis Avenue (APN: 8005-002-016) and 9851 Alburtis Avenue (APN: 8005-002-058), in the R-3 PD, Multiple-Family Residential – Planned Development, Zone. (Astani Enterprises)

Chairperson Johnston opened the Public Hearing at 4:34 p.m. for Item No. 7. Senior Planner Cuong Nguyen presented Item No. 7 before the Planning Commission. Present in the audience on behalf of the applicant was Shane Astani and Greg Nordbak.

Vice Chairperson Madrigal inquired about the removal of the walk-up entrance for homes along Jersey Avenue and Alburtis Avenue. Senior Planner Cuong Nguyen responded that removing the walk-up entrance does not remove or add additional units.

Vice Chairperson Madrigal also inquired about the abandoned well and if it was a water or oil well. Senior Planner Cuong Nguyen indicated that it was an oil well and that the area above the well would essentially be used for parking but it will need to meet fire code standards and may possibly need to be vented but that would be up to the Fire Department to make that decision.

Applicant Shane Astani indicated that the well was discovered when they demolished the site. Upon further investigation they found that the well was abandoned in the 1940's. Although, DOGGR (Department of Oil, Gas & Geothermal Resources) is the state authority over abandoned wells the Fire Department is the local authority governing the well. However, Shane Astani indicated that they are playing it safe and developing 10 feet away from the well and that the completed housing development design accommodates the abandon well.

Commissioner Ybarra inquired if Planning Staff has received any responses to the public hearing notices sent out on this matter. Senior Planner Cuong Nguyen replied that no responses via phone or by written response were received.

At this time, concerned resident Janette Wolfe addressed the Planning Commission with her concerns regarding parking.

Senior Planner Cuong Nguyen indicated that in addition to the two-car garages provided for each unit, the development will have 19 additional guest stalls; however, a condition of approval indicates that parking shall be prohibited along the east curblin of Jersey Avenue in front of the complex and the west curblin of Alburtis Avenue in front of the complex.

City Attorney Steve Skolnik indicated that the 2-car garage and the 19 guest stalls meets the City's Development Standards and indicated that the City just doesn't make up these numbers.

Commissioner Zamora inquired if the development was gated. Senior Planner Cuong Nguyen indicated that it was being developed as a gated community.

Having no further questions, Chairperson Johnston closed the Public Hearing at 4:46 p.m. and requested a motion for Item No. 7.

Commissioner Zamora moved to approve Item No. 7; Vice Chairperson Madrigal seconded the motion, which passed unanimously.

8. UNFINISHED BUSINESS

Conditional Use Permit Case No. 757

A request for approval to allow the establishment, operation and maintenance of a temporary wireless telecommunications facility and related equipment on property located at 10805 Orr and Day Road (APN: 8017-001-035), within the C-4, Community Commercial, Zone. (Coastal Business Group for AT&T Mobility)

Modification Permit Case No. 1245

A request to allow the proposed temporary wireless facility to be designed in a manner that is deem not stealth, as per required by the Wireless Telecommunication Antennas Guidelines.

Director of Planning Wayne Morrell presented Item No. 8 before the Planning Commission; however, before Wayne Morrell's presentation, Commissioner Ybarra asked if Item No. 8 was the same item that was previously denied.

Director of Planning Wayne Morrell indicated that it was the same matter; however prior to the Mr. Morrell's presentation he gave a brief background with regards to what has occurred since this matter was denied, provided the Planning Commissioners with additional information that was provided by the applicant that was not provided before and introduced the following representative's for AT&T: AT&T Representative Brittany Pell, and Nancy Pe, Caltrans Senior Traffic Engineer.

During Mr. Morrell's presentation, he provided the Planning Commissioners with a copy of a letter received by concerned resident Sylvia Vetrone who objects to this project.

City Attorney Steve Skolnik wanted the minutes to reflect that the staff report was prepared with specific City Council instructions to allow the issuance of these permits.

Commissioner González was intrigued by this issue and commented that the letter was well written but what would he know since he is a teacher and grades third grade papers.

Commissioner Ybarra commented about the letter and indicated that maybe it was written at a fifth grade level.

Commissioner González also inquired about a permanent location. Director of Planning Wayne Morrell indicated that AT&T is seeking a permanent location as close as possible to the original location and once this matter is approved a stealth cell tower will be proposed as required by City Code.

Commissioner González also inquired if the cell tower generated income for the City. Director of Planning Wayne Morrell replied that the only revenue that would be generated would be through the permitting process only.

Nancy Pe, Caltrans Senior Traffic Engineer addressed the Planning Commission and indicated that AT&T is currently renting from a property owner at this location and Caltrans is not receiving any revenue from AT&T; however, Caltrans is taking the property by eminent domain due to the I-5 widening and that this matter is not about revenue nor rents but about the I-5 widening that is impacting the cell tower. AT&T, as tenants, have rights under Federal Law that would allow them to relocate and keep the cell tower.

City Attorney Steve Skolnik indicated that the State cannot relocate AT&T or force another property owner to accept AT&T's cell tower.

Commissioner Ybarra asked for an I-5 widening status from Nancy Pe. Ms. Pe indicated that Caltrans has been trying to relocate the utilities for this location since May and that the cell tower is in a critical location and is hindering the I-5 widening project from moving forward.

Commissioner González stated that he understands what the state needs but the state didn't think about our city's needs when it took redevelopment funds from the cities and he understands that a majority of people want the I-5 widening; however, he is thinking about his children's children and until it knocks on your door and we don't ask why this cell tower can't be relocated to the old Powerine site, to allow a local business to generate revenue, or at the Gemco site in Downey, which I believe would be a good site.

Director of Planning Wayne Morrell indicated that there are many reasons why this site was chosen and referred to the Propagation Maps provided by AT&T which indicates that the old Powerine site is too far to provide coverage gap and that this site was the best location to provide coverage for AT&T's customers.

Vice Chairperson Madrigal indicated that he was not happy how this item was approached but by saying that the state has rights but we as a city don't and that the city can't generate revenue from this cell tower and the only one making money from this is AT&T does not add up. Vice Chairperson Madrigal then inquired if AT&T can add or expand onto this tower.

Director of Planning Wayne Morrell indicated that if AT&T proposes to expand in the future they would have to come back before the Planning Commission for approvals but that the Obama Middle Class Tax Relief Act limits the Planning Commission ability to regulate the cell tower sites.

Vice Chairperson Madrigal inquired if the cemetery site was even considered or if a stealth cell tower, even if temporary, was even considered for this location.

Director of Planning Wayne Morrell indicated that in two years AT&T will have to come back before the Planning Commission once a permanent location has been selected.

Vice Chairperson Madrigal inquired if Caltrans would be finished with the I-5 widening project at that site.

City Attorney Steve Skolnik commented that there seemed to be a miscommunication regarding the two year window that needs to be cleared up.

Caltrans Senior Traffic Engineer Nancy Pe indicated that construction should take about one year but that construction does not have to be completed before a permanent location can be approved.

AT&T Representative Brittany Pell addressed the Planning Commission and expressed that AT&T did not come to Caltrans' door and understood that the City's residents do not want a temporary cell tower at this site but AT&T has to move their cell tower to this temporary site so that Caltrans can move forward with construction, then AT&T will move the cell tower to a permanent location and will work with the City to build a cell tower by the City's guidelines.

Vice Chairperson Madrigal indicated that this isn't the only project by AT&T and Caltrans that had to be relocated but that the Planning Commission would like something that would make less of an impact upon the City's resident and look cosmetically pleasing.

AT&T Representative Brittany Pell indicated that it is more than cosmetics that has to be addressed without breaking ground and that it would take a lot more time and environmental studies before AT&T could relocate. Ms. Pell also expressed that AT&T did not want to be relocated to this temporary cell site since their network was built around this cell tower location which was built a long time ago. Ms. Pell also indicated that moving this cell tower 300 feet away from its current location is already causing coverage problems.

Caltrans Senior Traffic Engineer Nancy Pe commented that delaying this project costs the state and taxpayers \$3,300.00 a day.

Commissioner Ybarra commented to disregard the money and who is paying what but to focus on this cell tower site being an eyesore and will continue to be an eyesore for two years.

Terri Grisenti, AT&T Site Acquisition Specialist, addressed the Planning Commission and indicated that a temporary stealth cell tower does not exist. The fact is this cell tower is temporary. To construct a stealth cell tower would require ground penetration which would take 6-9 months of public resources.

Director of Planning Wayne Morrell commented that staff realizes that yes this cell tower is not stealth but that what will be occurring at this site will make this cell tower minimal. Mr. Morrell referenced a photo taken of a cell tower in the City of Norwalk along the I-5 that is similar to the situation that is being addressed before the Planning Commission.

Commissioner Ybarra commented on the photos and indicated that this cell tower would still be an eyesore.

AT&T Representative Brittany Pell commented about the staging area for this site due to the I-5 widening and about the construction that will be on going during this time.

Commissioner González commented that he understood that Ms. Pell is doing her job on behalf of AT&T and that Gemco or other cities don't want these cell towers but that the State has gutted our City budget and devastated our City when Caltrans sent letters, regarding the I-5 widening, to our City residents without providing any notification to our City or Council who got the phone calls and had to deal with all the residents who were affected by this I-5 widening. Commissioner González further stated that Caltrans actions does not build good relationships but thanked God that Caltrans was able to make those residents, who lost their homes, equal again and that he prefers

that the Federal or State Government shove this down the City's throat before he would have to vote on this matter.

Terri Grisenti, AT&T Site Acquisition Specialist, expressed that she could only begin to imagine what the residents went through, but that AT&T is also losing its home and people do depend on the coverage that has been provided by this site and that it would make her job a lot easier if everyone would agree upon the cell towers location; however, she also understood the residents angst about this temporary cell tower, the City being upset over the loss of Redevelopment and the State's position but she asked that we separate the issues and focus on the temporary cell tower and that AT&T will relocate the cell tower once a permanent location is approved and that AT&T will install a stealth cell tower or install a cell tower that the City would approve of.

Commissioner Ybarra referenced the photos provided in the PowerPoint and inquired if they were an approximate simulation to what the temporary cell tower would look like at that site.

Ms. Grisenti indicated that the photos provided were generated to scale.

Concerned resident Steven Vetrone addressed the Planning Commission and commented that he did not appreciate the Planning Commissioners comments with regards to his wife's letter. He further stated that his wife, Sylvia Vetrone, busted her hump to earn her Ph.D. degree. Mr. Vetrone commented that as for the cell tower he understood that we had to face it with regard to the I-5 widening but that this cell tower is being done by people in a rush since AT&T dragged their feet on this. Mr. Vetrone commented that just because photos are in a PowerPoint does not make this matter right nor correct. He further stated that the letter his wife submitted was heartfelt and was written with civic pride and he hopes that the Planning Commission when voting takes their residents into consideration.

Commissioner Ybarra addressed Mr. Vetrone and apologized for his comment and inquired where Mr. and Mrs. Vetrone lived.

Mr. Vetrone commented that he would have to see the cell tower every day when he is outside his home.

Director of Planning Wayne Morrell commented that before the Planning Commission take a vote if they had an opportunity to read the letter from AT&T's attorneys.

City Attorney Steve Skolnik commented that he said something at the last meeting about the location of this temporary cell site but stated that he was an eminent domain attorney for many years before becoming a City Attorney but that Caltrans has an urgency to relocate this cell tower and AT&T has an existing contract but that Caltrans cannot move forward until this cell tower is relocated. Mr. Skolnik further stated that the truth of the matter is that AT&T can stay where they are currently located but that Caltrans has to pay their relocation costs since they are requiring them to relocate the cell tower.

Having no further questions or comments, Chairperson Johnston closed the Public Hearing at 5:41 for Item No. 8 and requested a motion.

City Attorney Steve Skolnik explained the Planning Commissioners options with regards to a motion on this matter.

Vice Chairperson Madrigal moved to deny Item No. 8. No one seconded the motion.

City Attorney Steve Skolnik indicated that Vice Chairperson Madrigal's motion is removed since no one seconded the motion.

Commissioner Ybarra moved to approve Item No. 8; Commissioner Zamora seconded the motion.

City Attorney Steve Skolnik requested a roll call vote to approve Item No. 8. Item No. 8 was approved by the following vote: In favor: Johnston, Ybarra, and Zamora; Opposed: Madrigal and González.

9. 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

Conditional Use Permit Case No. 184-11

A request to amend condition #6 within the existing conditions for Conditional Use Permit Case No. 184 that allows an asphalt and concrete crushing operation and an open storage yard use at 11927 Greenstone Avenue, in the M-2, Heavy Manufacturing, Zone, and within the Consolidated Redevelopment Project Area. (Dan Copp Paving, Inc.)

City Attorney Steve Skolnik asked the Planning Commissioners if they required a presentation or if the staff reports were sufficient.

With no one requesting a presentation, Chairperson Johnston requested a motion.

Commissioner González moved to approve Item No. 9A; Commissioner Zamora seconded the motion, which unanimously passed.

10. ANNOUNCEMENTS

- ♦ Commissioners
Vice Chairperson Madrigal announced that his son finally got married.
- ♦ Staff
Senior Planner Cuong Nguyen introduced Paul Garcia as the new Planning Consultant through Lilley Group.

Senior Planner Cuong Nguyen also introduced Elijo Sandoval as Planning's new Intern.

11. ADJOURNMENT

At 5:48 p.m. Chairperson Johnston adjourned the meeting to Monday, September 22, 2014 at 4:30 p.m.

Chairperson Johnston

ATTEST:

Teresa Cavallo, Planning Secretary



PUBLIC HEARING

Conditional Use Permit Case No. 748-1

A request to amend the existing Conditional Use Permit (CUP 748) to allow six (6) potential satellite parking areas to be used in conjunction with the FedEx Ground Distribution Facility located at 11688 Greenstone Avenue (APN: 8026-018-022). (Pancal 11525 Shoemaker LLC for FedEx)

RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions:

1. Open the Public Hearing and receive any comments from the public regarding Amendment to Conditional Use Permit Case No. 748, and thereafter close the Public Hearing.
2. Find that the applicant's amendment request meets the criteria set forth in §155.716 of the Zoning Regulations, for the granting of Conditional Use Permit.
3. Find that the proposed satellite parking use is within the scope of the Initial Study/Mitigated Negative Declaration which was previously prepared for the establishment, operation and maintenance of a new parcel delivery service / ground distribution facility; therefore, additional environmental analysis is not necessary to meet the requirements of the California Environmental Quality Act (CEQA).
4. Approve CUP No. 748-1, subject to the conditions of approval as stated within the staff report.

BACKGROUND

The proposed FedEx Ground Distribution Facility will be located on an approximately 15-acre site located at 11688 Greenstone Avenue (APN: 8026-018-022). The site is currently developed with an approximately 328,378 sq. ft. industrial concrete tilt-up building that was completed in August of 2013. The subject site is dual zoned; the first 340+/- feet off Shoemaker Avenue is zoned M-1, Light Manufacturing with the remaining portion zoned M-2, Heavy Manufacturing.

On August 11, 2014, the Planning Commission approved Conditional Use Permit (CUP) Case No. 748 to allow the establishment, operation and maintenance of a new parcel delivery service / ground distribution facility use on the subject site. The distribution facility will be operated by FedEx Ground who is planning to consolidate operations from two nearby locations in Whittier and Pomona.

FedEx Ground, is a shipping company that is a subsidiary of the FedEx Corporation. It is a leading North American provider of ground small-package delivery services, providing services to the U.S. and Canada. FedEx Ground was founded in 1985 as Roadway Package Systems (RPS); the company was purchased by FedEx Corporation and was rebranded as FedEx Ground in 2000 when FedEx rebranded all of its subsidiaries.

AMENDMENT REQUEST - Proposed Satellite Parking

Since FedEx Ground intends to sign a long-term lease to utilize the subject site for their parcel delivery service / ground distribution facility, they understandably need some assurance that the site will be able to accommodate their anticipated growth throughout the term of the lease. With that said, FedEx and Panattoni (the building owner) have been diligently negotiating the lease or otherwise acquisition of six nearby properties to be used for future satellite parking areas.

The six potential satellite parking areas are described below:

- 11720 Greenstone Avenue (2.38-acres)
- 11735 Greenstone Avenue (.26-acres)
- 11741 Greenstone Avenue (.26-acres)
- 11809-11829 Shoemaker Avenue (1.19-acres)
- 11813 Greenstone Avenue (.90-acres)
- 12017 Greenstone Avenue (1.93-acres)

Securing all six sites would be the preferred scenario (Plan 3). If successful, the six sites would provide FedEx with an additional 6.91-acres for satellite parking purposes. If FedEx and Panattoni are unable to secure one or more sites, they have provided three alternative scenarios to illustrate how FedEx may still provide additional on-site parking to help meet future demands. Below is a detailed summary of the four proposed parking plans:

Plan 1

For plan 1, the applicant has identified 2 of the 6 potential satellite parking areas (11720 Greenstone Avenue & 12017 Greenstone Avenue). According to the proposed plan, the two satellite parking sites measure approximately 4.31-acres and would be striped to accommodate a total of 117 automobile parking stalls and 65 trailer stalls. In all, this plan will provide a total of 254 automobile parking stalls and 190 trailer stalls (with the parking on the primary site included).

Plan 2

For plan 2, the applicant has identified 3 of the 6 potential satellite parking areas (11720 Greenstone Avenue, 11801-11829 Shoemaker Avenue & 12017 Greenstone Avenue). According to the proposed plan, the three satellite parking sites measure

approximately 5.5-acres and would be striped to accommodate a total of 212 automobile parking stalls and 65 trailer stalls. In all, this plan will provide a total of 349 automobile parking stalls and 190 trailer stalls (with the parking on the primary site included).

Plan 3

For plan 3, the applicant has identified all 6 potential satellite parking areas (11720 Greenstone Avenue, 11735 Greenstone Avenue, 11741 Greenstone Avenue, 11813 Greenstone Avenue, 11809-11829 Shoemaker Avenue & 12017 Greenstone Avenue). According to the proposed plan, the six satellite parking sites measure approximately 6.91-acres and would be striped to accommodate a total of 393 automobile parking stalls and 65 trailer stalls. In all, this plan will provide a total of 530 automobile parking stalls and 190 trailer stalls (with the parking on the primary site included).

Plan 4

For plan 4, the applicant has identified 5 of the 6 potential satellite parking areas (11720 Greenstone Avenue, 11735 Greenstone Avenue, 11741 Greenstone Avenue, 11813 Greenstone Avenue & 12017 Greenstone Avenue). According to the proposed plan, the five satellite parking sites measure approximately 5.72-acres and would be striped to accommodate a total of 268 automobile parking stalls and 65 trailer stalls. In all, this plan will provide a total of 405 automobile parking stalls and 190 trailer stalls (with the parking on the primary site included).

NOTE: All four parking plans include the primary distribution facility site located at 11688 Greenstone Avenue which will be striped to accommodate a total of 137 automobile parking stalls and 125 trailer stalls.

Modification Permit

The Planning Commission should note that concurrently with the request to amend CUP 748, to allow six (6) potential satellite parking areas to be used in conjunction with the FedEx Ground Distribution Facility, the applicant is also seeking approval for a Modification Permit (MOD 1248) to deviate from Section 155.483(B)(1) and allow satellite parking more than 400 feet from the location of the principal use.

The Modification Permit is required because the proposed satellite parking area at 12017 Greenstone Avenue is located approximately 800 feet from the main distribution facility.

Appeal Received

The Planning Commission should note that staff did receive an appeal letter following the August 8th meeting (see attached letter dated 8/19/2014). The appeal was submitted on behalf of the property owner at 11333 Greenstone Avenue.

The appellant cited concerns with potential traffic related to the proposed parcel delivery service / ground distribution facility use. However, after speaking with staff and the applicant, and having the opportunity to read through the staff report and environmental documents, the appellant later rescinded their appeal (see attached letter dated 8/27/2014).

ENVIRONMENTAL DOCUMENTS

Staff finds the proposed satellite parking use is within the scope of the Initial Study/Mitigated Negative Declaration (IS/MND) which was previously prepared for the establishment, operation and maintenance of a new parcel delivery service / ground distribution facility. Activities associated with the parcel delivery service / ground distribution facility use will remain unchanged. The area designated for the sorting, loading and unloading of packages will not change. All activities will take place inside the existing 328,378 sq. ft. building located on the primary site.

The proposed satellite parking is simply a proactive solution to help ensure there will be sufficient parking to accommodate FedEx well into the future rather than wait until issues with parking arise. The project, therefore, is viewed more as a mitigation measure than an expansion of use. Staff finds that the proposed satellite parking use is within the scope of the previously prepared and adopted IS/MND; consequently, no new mitigation measures or further environmental documents would be required.

LEGAL NOTICE OF PUBLIC HEARING

This matter was set for Public Hearing in accordance with the requirements of Sections 65090 and 65091 of the State Planning, Zoning and Development Laws and the requirements of Sections 155.860 through 155.864 of the City's Municipal Code.

Legal notice of the Public Hearing for the conditional use permit was sent by first class mail to all property owners whose names and addresses appear on the latest County Assessor's Roll within 500 feet of the exterior boundaries of the subject property on September 8, 2014. The legal notice was also posted in the Santa Fe Springs City Hall, the City Library and the City's Town Center on September 8, 2014, and published in a newspaper of general circulation (Whittier Daily News) on September 11, 2014, as required by the State Zoning and Development Laws and by the City's Zoning Regulations.

In addition, staff also notified the appellant at 11333 Greenstone Avenue to inform them of the requested amendment, as well as the location and time of the meeting, in the event they would like to attend or provide the Commission with testimony.

COMMISSION'S CONSIDERATIONS**Conditional Use Permit**

The Commission should note that in accordance with Section 155.716 of the City's Zoning Regulations, before granting a Conditional Use Permit, the Commission shall:

- 1) Satisfy itself that the proposed use will not be detrimental to persons or property in the immediate vicinity and will not adversely affect the city in general; and
- 2) Give due consideration to the appearance of any proposed structure and may require revised architectural treatment if deemed necessary to preserve the general appearance and welfare of the community.

Staff believes that the applicant's request meets the criteria required by Section 155.716 of the City's Zoning Regulations for the granting of a Conditional Use Permit.

The reasons for the findings are as follows:

1. **That the satellite parking areas will not be detrimental to persons or property in the immediate vicinity, nor the welfare of the community for the following reasons:**
 - Activities associated with the parcel delivery service / ground distribution facility use will remain unchanged;
 - The area designated for the sorting, loading and unloading of packages will not change;
 - All activities will take place inside the existing 328,378 sq. ft. building located on the primary site;
 - The proposed satellite parking is a proactive solution to help ensure there will be sufficient parking to accommodate FedEx well into the future rather than wait until issues with parking arise; and
 - If conducted in strict compliance with proposed conditions of approval, staff finds that the proposed satellite parking sites will be harmonious with adjoining properties and surrounding uses in the area and thus will not be detrimental to persons or property in the immediate vicinity.
2. **That the satellite parking areas has been designed to preserve the general appearance and welfare of the community for the following reasons:**
 - As part of the project, the applicant will:
 - Repave and, thereafter, stripe all satellite parking areas prior to parking vehicles on-site.

- Pave the entire private access road (alley).
- Re-locate existing poles along the private access road to allow two way traffic with a minimum width of 24'-0".
- Provide sidewalk, setback and landscape for the adjacent satellite parking sites with frontage along Greenstone Avenue and Shoemaker Avenue. Said improvements shall be consistent with what is currently provided on the primary site.
- For the reason mentioned, staff finds that the proposed satellite parking sites have been designed to preserve the general appearance and welfare of the community.

STAFF CONSIDERATIONS

For the reasons mentioned, staff is recommending that the Planning Commission approve the request to Amend Conditional Use Permit Case No. 748, subject to the conditions of approval as stated within the staff report.

CONDITIONS OF APPROVAL:**ENGINEERING / PUBLIC WORKS DEPARTMENT:**
(Contact: Robert Garcia 562-868-0511 x7545)**STREETS**

1. That the owner shall design and construct a 5-foot wide meandering sidewalk and dedicate an easement along Greenstone Avenue and Shoemaker Avenue street frontage. If applicable, the dedicated easement shall be shown on the Parcel/Tract Map. Furthermore, said meandering sidewalk shall be shown on both the civil and landscape plans.
2. That adequate "on-site" parking shall be provided per City requirements, and all streets 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.
3. That new common driveways shall not be allowed unless approved by the City Engineer. Proposed driveways shall be located to clear existing fire hydrants, street lights, water meters, etc.

CITY UTILITIES

4. Storm drains, catch basins, connector pipes, retention basin and appurtenances built for this project shall be constructed in accordance with City specifications on Greenstone Avenue and Shoemaker Avenue. Storm drain plans shall be approved by the City Engineer.

5. Fire hydrants shall be installed as required by the Fire Department. Existing public fire hydrants adjacent to the site shall be installed to the City Standard. That the owner/developer shall pay to the City the entire cost of design, engineering, installation and inspection of Fire hydrants.
6. That the owner/developer shall obtain a Storm Drain Connection Permit for any connection to the storm drain system.
7. That the landscape irrigation system shall be connected to reclaimed water, if available, on Greenstone Avenue and Shoemaker Avenue. Separate meter(s) shall be installed to accommodate connection or future connection of irrigation systems to the reclaimed water line.
8. The owner/developer shall have an overall site utility master plan prepared by a Registered Civil Engineer showing proposed location of all public water mains, reclaimed water mains, sanitary sewers and storm drains. This plan shall be approved by the City Engineer prior to the preparation of any construction plans for the aforementioned improvements.

PARCEL MAPS

9. A reciprocal access easement Agreement covering each parcel of the subject properties shall be prepared, executed and recorded in the Office of the Los Angeles County Recorder. Such Agreement and any CC&R's shall be subject to the approval of the City Attorney.

MISCELLANEOUS

10. That a grading plan shall be submitted for drainage approval to the City Engineer. The owner shall pay drainage review fees in conjunction with this submittal. A professional civil engineer registered in the State of California shall prepare the grading plan.
11. That a hydrology study shall be submitted to the City if requested by the City Engineer. The study shall be prepared by a Professional Civil Engineer.
12. That upon completion of public improvements constructed by developers, 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.

DEPARTMENT OF FIRE - RESCUE (FIRE PREVENTION DIVISION)**(Contact: Brian Reparuk 562.868-0511 x3716)**

13. That fire lanes and fire access shall be provided and maintained at all times. In the alley / access road between Greenstone and Shoemaker, the power poles shall be relocated to cause at least a 24' wide access lane.
14. That signs and markings required by the Fire Department shall be installed along the required Fire Department access roadways.
15. That prior to submitting plans to the Building Department, a preliminary site plan shall be approved by the Fire Department for required access roadways. 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.

DEPARTMENT OF FIRE-RESCUE – ENVIRONMENTAL DIVISION:**(Contact: Tom Hall 562.868-0511 x3715)**

16. That the owner/developer shall comply with all Federal, State and local requirements and regulations included, but not limited to, the Santa Fe Springs City Municipal Code, California Fire Code, Certified Unified Program Agency (CUPA) programs, the Air Quality Management District's Rules and Regulations and all other applicable codes and regulations.
17. A hazardous waste determination must be made for any leaking containers of hazardous material discovered at this location. If the material is determined to be a hazardous waste, the owner/operator must comply with all hazardous waste generator requirements, including transportation by registered hazardous waste haulers. Transporting hazardous waste to a central hub for processing and disposal is prohibited.

POLICE SERVICES DEPARTMENT:**(Contact: Luis Collazo 562.868-0511 x3320)**

18. That the applicant shall submit, and obtain approval of, a lighting (photometric) and security plan for the each off-site parking lot in association with FED-EX. The said plans shall be submitted to the Department of Police Services. The photometric plan shall be designed to provide adequate lighting (minimum of 1 foot candle power) throughout the subject property. In addition, all exterior lighting shall be designed and 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. The photometric and security plans shall be submitted to

the Director of Police Services no later than sixty (60) day from the date of approval by the Planning Commission.

19. That the applicant shall provide an emergency phone number and a contact person to the Department of Police Services and the Fire Department as part of their Business License Process. 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 of this Permit by the City Council. Emergency information shall allow emergency service to reach the applicant or their representative any time, 24 hours a day.
20. That the proposed buildings, 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.
21. That in order to facilitate the removal of unauthorized vehicles parked on the property, the applicant shall post, 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 unauthorized vehicles and indicate that unauthorized 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 no later than 30 days after the project has been completed and prior to the occupancy permit being issued.
22. That pedestrian accesses shall be provided within the proposed parking areas associated with FED-EX. A site plan shall be submitted to the Department of Police Services showing the paths and access ways. Pedestrian access ways shall be well lit with lighting at a minimum of 1-foot candle power.
23. That the Applicant shall provide security fencing along the perimeter of the parking lots to prevent unauthorized access into the parking areas. The type

of fencing (tube steel or chain link) shall be reviewed and approved by the Director of Planning.

24. That the parking areas shall be posted with signs notifying that the parking areas are restricted to employees only and that all others will be towed at the owner's expense.
25. That the parking areas shall be posted with signs notifying that unauthorized individuals will be charged with trespassing.
26. That the Applicant shall not install razor or barbed wire on the any part of the walls, fences or other structures.
27. That signs shall be posted along the "Access Road" showing the speed limit and "No Stopping Anytime".
28. That all traffic signs shall be treated with reflective material for night view.
29. That the Lot described as 12017 Greenstone Avenue shall be used exclusively for the parking and storage of unhitched trailers, and in an effort to deter pedestrian traffic from the site, truck drivers may unhitch their respective trailers on the site, but shall be prohibited from parking their truck on the site. In addition, passenger vehicles shall also be prohibited from parking on the site at all times.

WASTE MANAGEMENT:

(Contact: Teresa Cavallo 562.868.0511 x7309)

30. That the applicant shall comply with Section 50.51 of the Municipal Code which prohibits any business or residents from contracting any solid waste disposal company that does not hold a current permit from the City.
31. That all projects over \$50,000 are subject to the requirements of Ordinance No. 914 to reuse or recycle 75% of the project waste. Contact the Recycling Coordinator, Teresa Cavallo at (562) 868-0511 x7309.

PLANNING AND DEVELOPMENT DEPARTMENT:

(Contact: Cuong Nguyen 562.868-0511 x7359)

32. That the applicant understands that all other applicable conditions described in the original CUP (*approval letter dated August 12, 2014*) shall remain affective.

33. This approval allows the applicant, FedEx Ground Package Systems, Inc., to establish, operate and maintain a distribution facility use at 11688 Greenstone Avenue (APN 8026-018-022), with potential satellite parking on properties located at:
- 11720 Greenstone Avenue (APN: 8026-018-015);
 - 11735 Shoemaker Avenue (APN: 8026-020-901);
 - 11741 Shoemaker Avenue (APN: 8026-020-009);
 - 11801–11829 Shoemaker Avenue (APN 8026-020-038,024,022,048 & 049);
 - 11813 Shoemaker Avenue (APN: 8026-020-037); and
 - 12017 Greenstone Avenue (APN: 8026-020-080);
34. That the applicant understands that the use of property located at 12017 Greenstone Avenue (APN: 8026-020-080), because it is located more than 400 feet from the distribution facility at 11688 Greenstone Avenue, is subject to prior approval of Modification Permit Case No. 1248 from the City's Planning Commission.
35. That the applicant understands that all employees and contractors parking will be limited to the project site and associated satellite parking sites identified in condition #33. This requirement also applies to the number of employees and contractors that will be required at peak operational periods (i.e. holiday). Any changes to the satellite parking sites shall require prior approval from the City's Planning Commission.
36. That the proposed distribution facility use and satellite parking areas shall otherwise be substantially in accordance with the proposed parking plans submitted by the applicant and on file with the case.
37. That the applicant understands and agrees that the existing alley and all satellite parking areas shall be paved and striped to the satisfaction of the City of Santa Fe Springs.
38. That the applicant understands and agrees that the sidewalk and parkway landscaping for adjacent satellite parking sites (excluding 12017 Greenstone Avenue) shall be consistent with what is currently provided at 11688 Greenstone Avenue (along both the Greenstone Avenue and Shoemaker Avenue frontages).
39. That all new parking stalls shall be striped as shown on the proposed site plan prior to commencement of activities. All truck and van stalls shall be further identified by having the words "truck stall" and "van stall" or comparable wording legibly written on the pavement, wheel stop, on a clearly

visible sign, or on a map that is both provided to on-site security personnel and also distributed to all drivers.

40. That truck, trailer, van, and automobile parking shall only be conducted within the designated area or stalls as shown on the proposed site plan submitted and on file with the case.
41. That no portion of the 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 Planning Director, Director of Police Services, and the Fire Marshall.
42. That all vehicles associated with the businesses on the subject property shall be parked on the subject site at all times. No on-street parking by employees or patrons is permitted on either Greenstone Avenue or Shoemaker Avenue and that violations to this rule may result in the restriction or revocation of privileges granted under this Permit.
43. That the applicant shall not allow commercial vehicles, trucks and/or truck tractors to queue on Greenstone Avenue, use street as a staging area, or to back up onto the street from the subject property. In addition, any vehicles associated with the property shall not obstruct or impede any traffic. The applicant understands that violations to this rule may result in the restriction or revocation of privileges granted under this Permit.
44. That WB23 and STAA trucks shall only be parked in designated stalls that are large enough to accommodate the dimensions of such vehicles. Said vehicles shall not be parked in a manner whereby they will impact existing driveways, parking areas, or on-site circulation.
45. That the applicant understands that all proposed truck, trailer, and van storage areas shall be completely screened from public view with tube steel with vines or chain link fencing with slats or vines. Prior to occupancy, the fencing plans shall reviewed and approved by the Director of Planning.
46. That all fences, walls, gates and similar improvements for the proposed development shall be subject to the prior approval of the Fire Department and the Department of Planning and Development.
47. That the applicant shall be responsible for on-site security for all satellite parking sites.

48. That the applicant shall ensure that the site and all satellite parking areas are continually maintained free of trash, junk, debris, etc., and in an otherwise neat and orderly manner.
49. That the applicant shall comply with the City's "Heritage Artwork in Public Places Program" in conformance with City Ordinance No. 909.
50. 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.
51. That CUP Case No. 748 shall be subject to review in two (2) years, on or before September 22, 2016, to verify continued compliance with the established conditions and also analyze the current parking demands to ensure adequate parking for employee and contractors, and related trucks, trailers and vans, still remains available. Regardless of the above date, the applicant understands that at any point that the city finds and determines that parking related to the parcel delivery use has become an issue, the applicant shall immediately begin working with the planning staff to mitigate the problem as expeditiously as possible. Solutions may include, but is not limited to, the following potential mitigation measures:
 - a. Adjust shift change times so that the parking demand during the peak periods (during shift changes) is lessened.
 - b. Provide carpool incentives for the employees.
 - c. Hold a local job fair must be held to facilitate the hiring of local residents as a means to reduce worker commutes and further reduce potential parking demand.
 - d. Purchase and provide bus passes for workers to promote the use public transit.
 - e. Initiate vanpool program as an alternative means for employees and contractors to commute to work.
 - f. Secure other additional satellite parking sites.
 - g. Reduction of workforce (employees and/or contractors).
52. That the applicant, FedEx Ground Package Systems, 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 arising from or in any way related to the subject CUP, or any actions or operations conducted pursuant thereto. 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.

53. That if there is evidence that any of the conditions of approval have not been fulfilled or the use has or have resulted in a substantial adverse effect on the health, and/or general welfare of users of adjacent or proximate property, or have a substantial adverse impact on public facilities or services, the Director of Planning may refer the use permit to the Planning Commission for review. Upon such review, if the Commission finds that any of the results above have occurred, the Commission may modify or revoke the subject use permit.
54. That it is hereby declare to be the intent that if any provision of this Approval is violated or held to be invalid, or if any law, statute or ordinance is violated, this Approval shall be void and the privileges granted hereunder shall lapse.



Wayne M. Morrell
Director of Planning

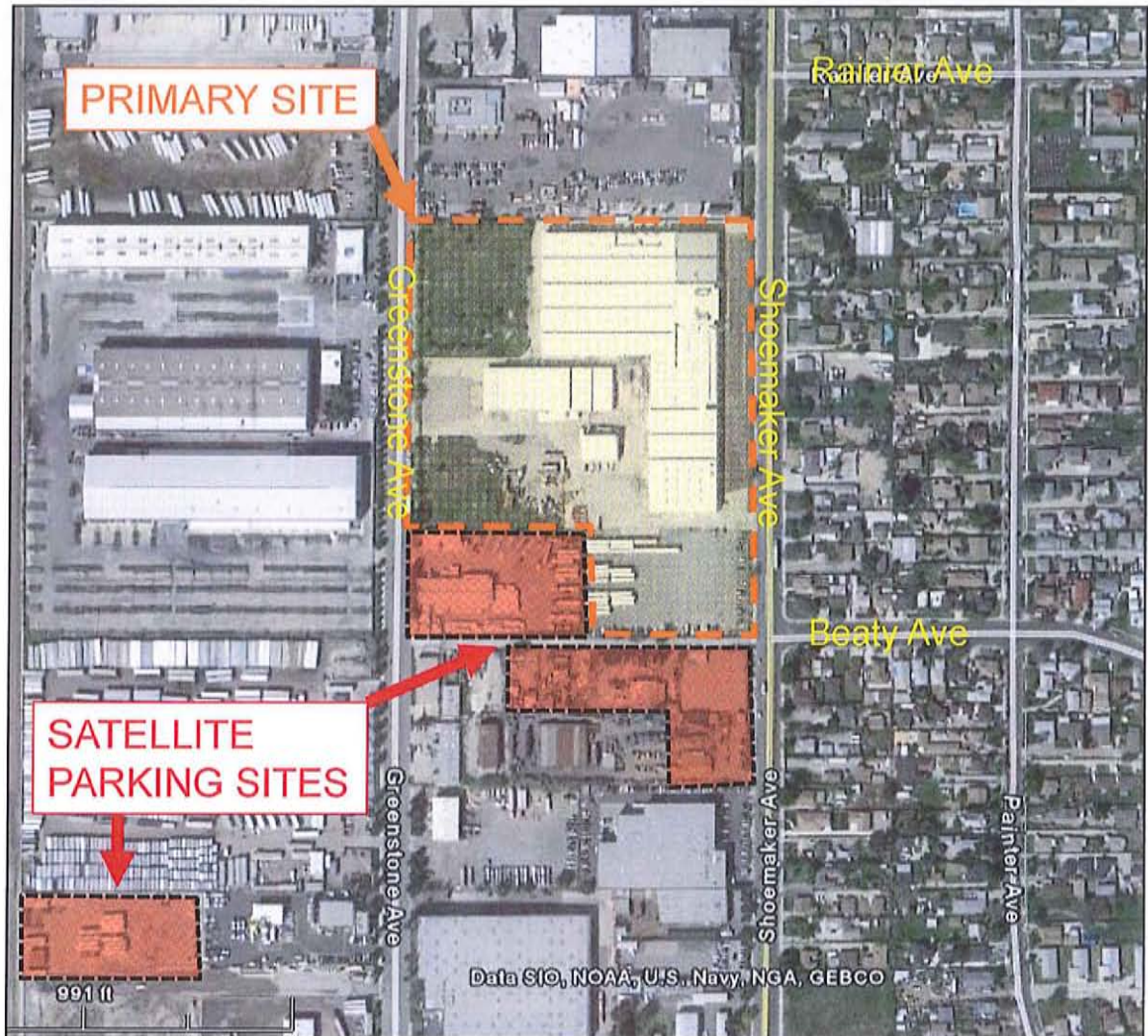
Attachments:

1. Aerial Photograph
2. Parking Plan 1,2,3, and 4
3. CUP Application (amendment request)
4. Appeal letter dated
5. Rescind of appeal dated

AERIAL PHOTOGRAPH



CITY OF SANTA FE SPRINGS



AERIAL PHOTOGRAPH

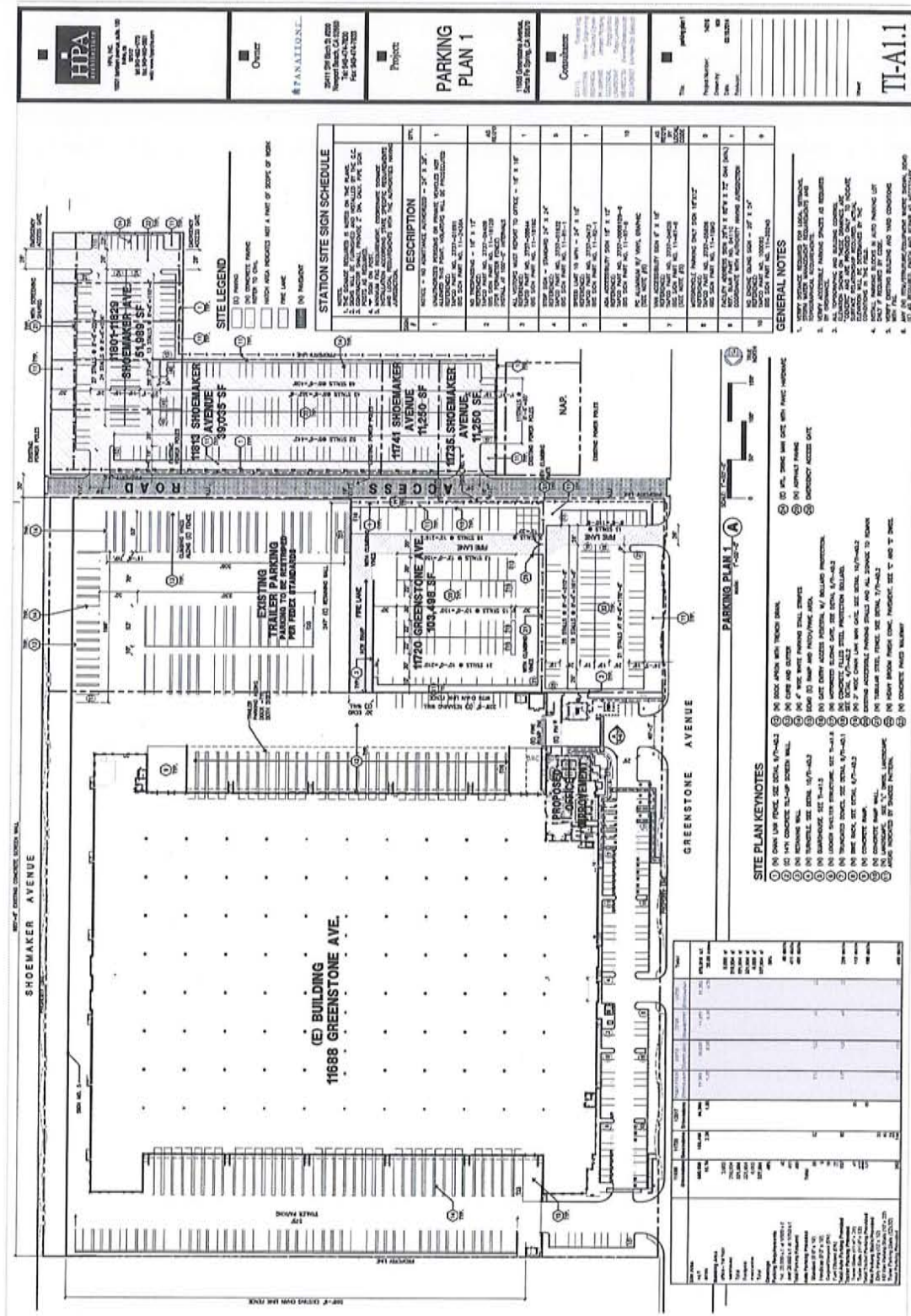


NORTH

Conditional Use Permit Case No. 748-1

APPLICANT: FEDEX (Satellite Parking Sites)

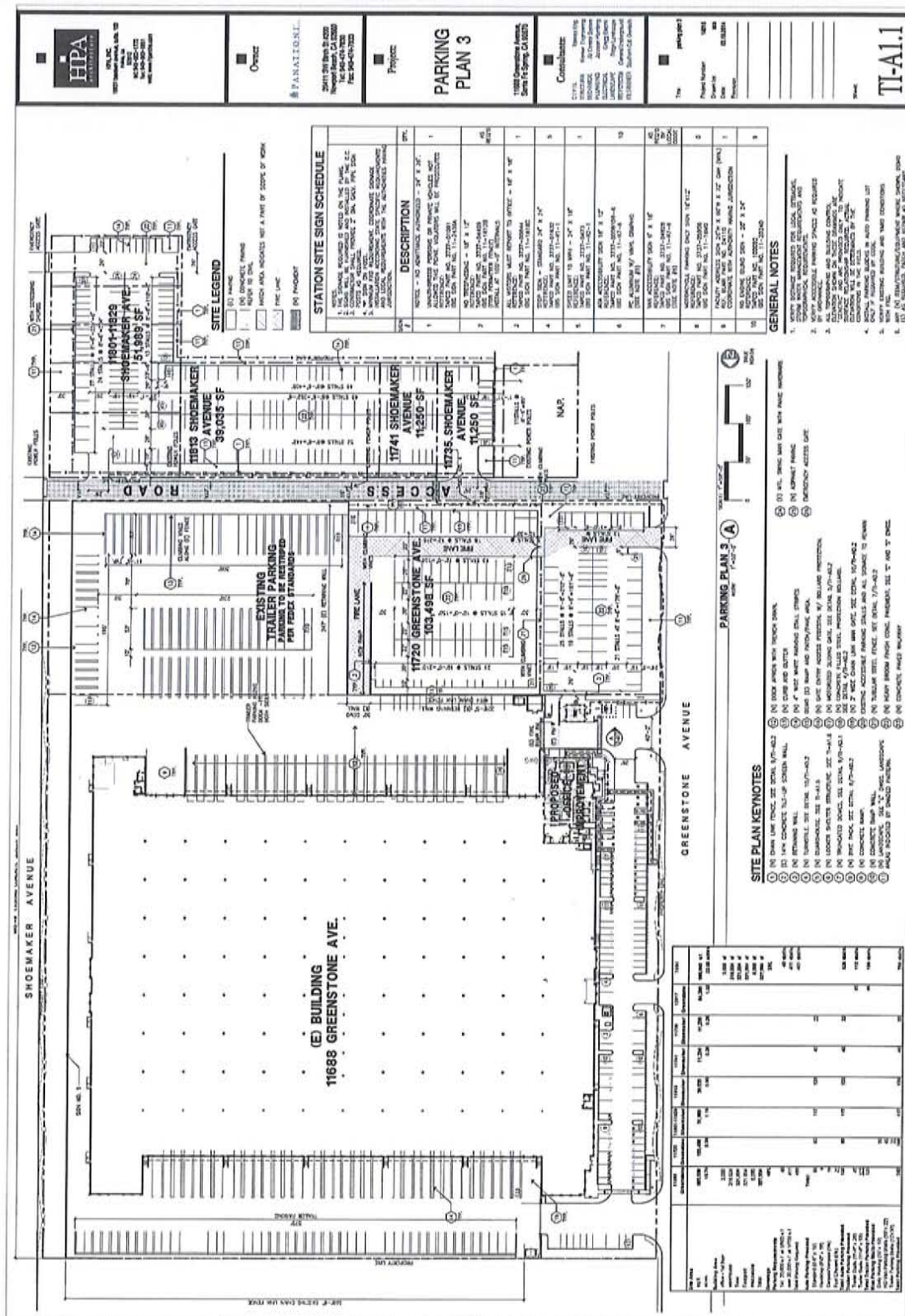
PARKING PLAN 1



PARKING PLAN 2 (Cont.)

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PARKING PLAN 3



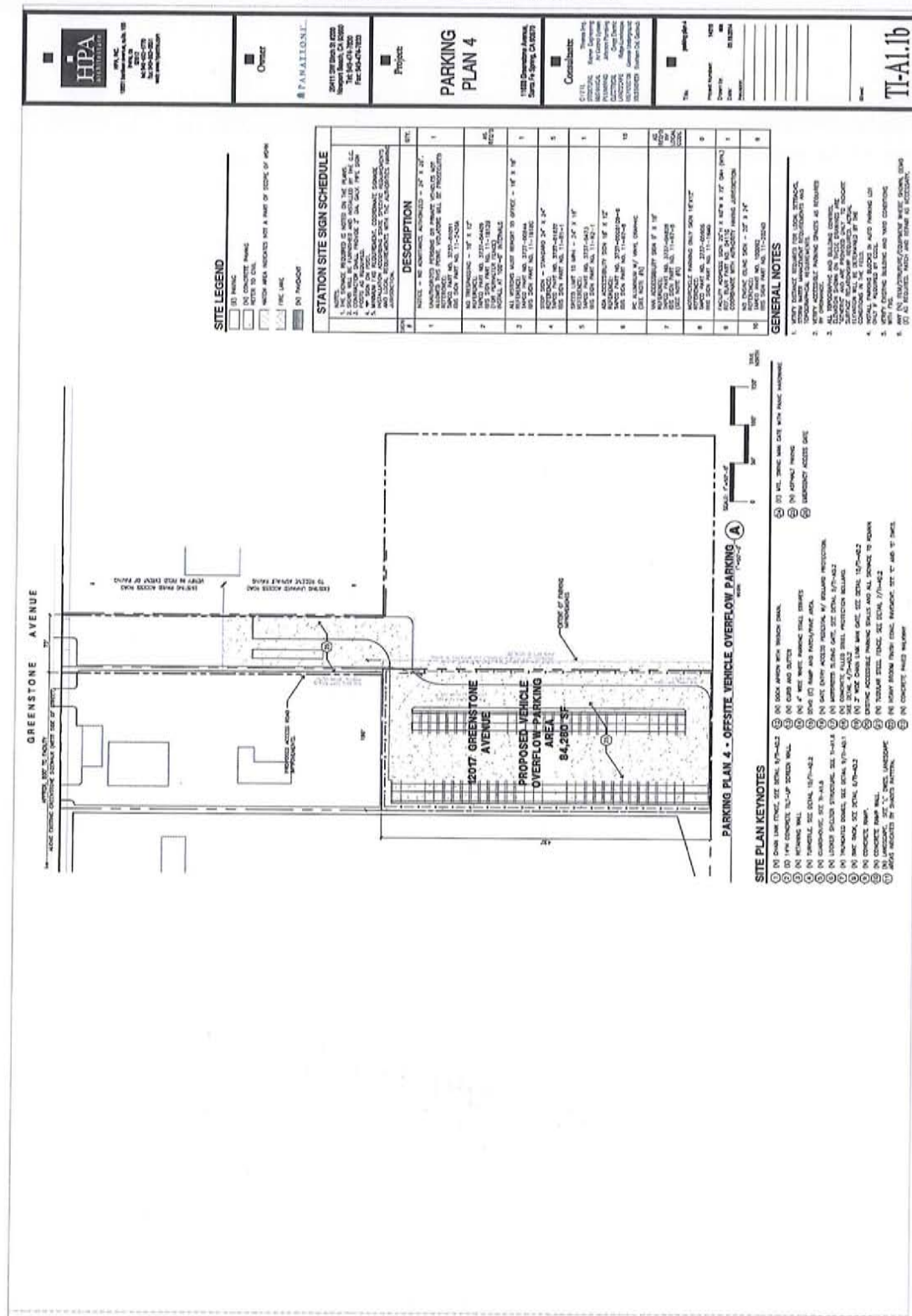
PARKING PLAN 3 (Cont.)

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PARKING PLAN 4

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PARKING PLAN 4 (Cont.)



CUP APPLICATION - AMENDMENT REQUEST



City of Santa Fe Springs
Application for
CONDITIONAL USE PERMIT (CUP)

Application is hereby made by the undersigned for a Conditional Use Permit on the property located at (Provide street address, if no address, give distance from nearest cross street): The sites are located at 11801-11829 Shoemaker Ave (APN's 8026-020-038, 024, 022, 048, & 049), 11813 Shoemaker Ave (APN 8026-020-037), 11741 Shoemaker Ave (APN 8026-020-009), 11735 Shoemaker Ave (APN 8026-020-081), 11720 Greenstone Ave (APN 8026-018-015), 12017 Greenstone Ave (APN 8026-020-080), Santa Fe Springs, CA.

Give the correct legal description of the property involved (Include **only** the portion to be utilized for the Conditional Use Permit. If description is lengthy, attach supplemental sheet if necessary) Please refer to the attached legal description of the property.

Record Owner of the property:

Name: See Attached _____ Phone No: _____
Mailing Address: _____ Date of Purchase: _____
Fax No: _____ E-mail: _____

Is this application being filed by the Record Owner? No
(If filed by anyone other than the Record Owner written authorization signed by the Owner must be attached to the application).

Representative authorized by the Record Owner to file this application:

Name: Mark Payne, Partner, Panattoni Development, as Agent For Owner Phone No: (213) 256-8862
Mailing Address: 20411 SW Birch St. STE 200, Newport Beach, CA 92660
Fax No: (916) 669-4841 E-mail: mpayne@panattoni.com
Describe any easements, covenants or deed restrictions controlling the use of the property:
None known to the best of my knowledge.

The Conditional Use Permit is requested for the following use (Describe in detail the nature of the proposed use, the building and other improvements proposed):

Ancillary parking to accompany business operations for FedEx distribution facility at 11688 Greenstone Avenue.

NOTE: This application must be accompanied by the filing fee, map and other data specified in the form entitled "Checklist for Conditional Use Permits."

CUP APPLICATION - AMENDMENT REQUEST (Cont.)

CUP Application
Page 2 of 3

JUSTIFICATION STATEMENT

ANSWERS TO THE FOLLOWING QUESTIONS MUST BE CLEAR AND COMPLETE THEY SHOULD JUSTIFY YOUR REQUEST FOR A CONDITIONAL USE PERMIT

1. Explain why the proposed use is essential or desirable in the location requested.

The parking areas are located in close proximity of the primary use. Four of these parking lots must be located within 400-feet to qualify as "remote parking." While other surface parking areas may be available in the City, the parking lots identified in this CUP are the only parking areas that would meet the project objectives.

2. Explain why the proposed use will not be detrimental to persons and properties in the vicinity, nor to the welfare of the community in general.

The proposed surface parking areas will serve an existing approved land use. The new parking areas will be subject to the same mitigation regarding site access restrictions to Greenstone Avenue, the screening of the parking areas, and the installation of landscaping.

3. What steps will be taken to ensure that there will be no harmful noise, dust, odors or other undesirable features that might affect adjoining properties?

The use of the parking areas will be subject to the same mitigation measures that were required for the primary use. In addition, no manufacturing or loading activities will be permitted within the surface parking areas. In addition, access to Shoemaker Avenue will be permitted.

4. Explain why the proposed use will not in the future become a hindrance to quality development or redevelopment of adjoining properties.

The majority of the subject sites are in a dilapidated state of maintenance. In addition, a number of the lots are currently being used for trailer and truck parking. The rehabilitation of these parking areas would improve the area's overall appearance in addition to providing the FedEx facility with additional sources of parking.

5. Explain what measures will be taken to ensure that the proposed use will not impose traffic burdens or cause traffic hazards on adjoining streets.

All vehicles using the new parking areas must utilize Greenstone Avenue for ingress and egress. No access to Shoemaker Avenue will be permitted.

6. If the operator of the requested conditional use will be someone other than the property owner, state name and address of the operator.

Federal Express Ground will use the lots.

CUP APPLICATION - AMENDMENT REQUEST (Cont.)CUP Application
Page 3 of 3**PROPERTY OWNERS STATEMENT**

We, the undersigned, state that we are the owners of all of the property involved in this petition (Attach a supplemental sheet if necessary):

Name (please print): See Attached Owner's Consents

Mailing Address: _____

Phone No: _____

Fax No: _____

E-mail: _____

signature: _____

Name (please print): _____

Mailing Address: _____

Phone No: _____

Fax No: _____ E-mail: _____

signature: _____

CERTIFICATIONSTATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.

I, Mark Payne, Partner, Panattoni Development Company, Inc., as Agent for Owner being duly sworn, depose and say that I am the petitioner in this application for a Conditional Use Permit, and I hereby certify under penalty of law that the foregoing statements and all statements, maps, plans, drawings and other data made a part of this application are in all respects true and correct to the best of my knowledge and belief.

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

On _____ before me, _____ personally appeared _____ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument, the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Notary Public

Notarial
Acknowledgment
Attached

FOR DEPARTMENT USE ONLY
CASE NO: CUP 748-1
DATE FILED: 8/5/14
FILING FEE: \$2933
RECEIPT NO: _____
APPLICATION COMPLETE? _____

APPEAL LETTER DATED 8/19/14

RECEIVED
City Clerk's Office

AUG 25 2014

City of
Santa Fe Springs

August 19th, 2014

Ms. Anita Jimenez
City Clerk
11710 Telegraph Road
Santa Fe Springs, CA 90670

RECEIVED

AUG 26 2014

Planning Dept.

Re: Fed Ex Ground Distribution Facility

Dear Ms. Jimenez:

I am writing to formally appeal the decision made Monday August 4th by the City of Santa Fe Springs Planning Commission approving a Conditional Use Permit ("CUP") to operate a Federal Express ("FedEx") distribution center at 11688 Greenstone Avenue in the City of Santa Fe Springs.

I represent the owner of a 215,420 square foot industrial building located at 11333 Greenstone Avenue, which is located one parcel away from the proposed FedEx site. Despite the proximity of our building, we were not given formal notice of their application for a CUP. The Planning Department indicated that formal notice is given to owners within 500 feet. We have not been able to confirm whether our property is within 500 feet of the proposed FedEx site. Nonetheless, given that we are only separated by one parcel and along the exclusive access route for the proposed facility, the City should have required we be provided with formal notice of the proposed application and the opportunity to present our concerns and comments regarding the proposed project. Even if our site is located outside the 500 foot radius from the exterior boundary of the Fed Ex facility, 500 feet does not seem to be a reasonable notice distance considering the fact that we are in an industrial zone with large blocks and that we are being asked to bear the brunt of the proposed traffic pattern. As a result, we do not feel like our voice was able to be heard concerning this matter.

Accordingly, we request that the matter be remanded back to the Planning Commission and that we be given an opportunity to present our concerns. In the alternative, by this letter, we formally appeal the Planning Commission's determination or ask that the City Council on its own motion review the Planning Commission's determination and provide us with an opportunity to present our concerns.

We have strong concerns regarding FedEx' use and occupancy of the facility at 11688 Greenstone Avenue. Specifically, we are concerned about the traffic impacts on Greenstone and surrounding streets and its impact on public safety. FedEx facilities have heavy traffic at peak times – specifically early in the morning and late in the afternoon. When I asked the Planning Department for details on traffic at peak times,

APPEAL LETTER DATED 8/19/14 (Cont.)



Cuong Nguyen told me that a traffic study was conducted at the property when it was originally constructed and before FedEx was contemplated as a tenant. As far as he knew, he said that no further traffic study was conducted to specifically look at FedEx's use. Given FedEx's use, a full traffic study is warranted, particularly taking into consideration peak hour travel times.

The Mitigated Negative Declaration ("MND") supporting Fed Ex's CUP application contains incomplete and often contradictory information regarding Fed Ex's proposed use, and how the intensity that/use will grow over time. We note the following defects:

- There are inconsistent references to parking demands, and how peak parking will be met. It appears that the project site itself will not have sufficient capacity to meet projected Year 1 and Year 2 demands. There is absolutely no data regarding parking demands following Year 2 or how those will be met.
- The MND identifies several alternative off site properties that are intended to provide parking to serve the Fed Ex. There is no analysis of any impacts associated with the use of any of these alternatives sites, including traffic impacts, and thus there is improper deferral of environmental analysis and piecemealing.
- The MND fails to provide projected traffic trips coming to and from the Fed Ex facility, particularly during AM or PM peak. Thus, there is no way to determine whether the previous environmental analysis addressed the proposed project's traffic impacts.
- The MND fails to set forth the maximum occupancy levels for the Fed Ex facility, including maximum employee counts and truck traffic. Instead, the analysis is limited to Year 1 and Year 2 projected occupancy. As a result, the environmental analysis is inadequate and fails to analyze the worst case traffic, noise, greenhouse gas, air quality and other impacts. In addition, this is improper piecemealing.

In addition, we are very concerned about the public safety impacts of this project, particularly in light of its inevitable traffic impacts on Greenwood Avenue. The Fire Station is located at 13000 Greenstone Ave, approximately 1000 feet from the proposed FedEx facility. Any backup on Greenstone would pose a significant safety concern for vehicles trying to get in and out of the Fire Station. I have called the Deputy Fire Marshall Brian Reparuk several times to ask how he has gotten comfortable with FedEx's proposed tenancy but have yet to hear back from him. If the FedEx facility were to cause inadequate LOS standards on this road, such that emergency service response times are delayed, then such impact needs to be analyzed, disclosed and mitigated to the extent feasible. The MND fails to adequately analyze or address this impact.

www.aew.com

APPEAL LETTER DATED 8/19/14 (Cont.)

We have concerns about FedEx's proposed CUP application, particularly the impact the facility will have on traffic and safety in the area. We are requesting that further study be completed which takes into consideration the maximum occupancy levels of the proposed use and how it will impact traffic and safety prior to the City's review and decision on the CUP application. I am available to discuss this further. I can best be reached at 213-312-2648.

Sincerely,

A handwritten signature in blue ink that reads "Michael Smith".

Michael Smith
AEW Capital Management

cc: Wayne Morrell, Director of Planning and Community Development
Juanita Trujillo, Major
Lauric Rios, Mayor Pro-Tem
Richard Moore, Councilmember
William K. Rounds, Councilmember
Jay Sarno, Councilmember
Mike Crook, Fire Chief
Tom Mullahey, AEW Capital Management

LETTER RESCINDING APPEAL DATED 8/27/14



August 27, 2014

Ms. Anita Jimenez
City Clerk
11710 Telegraph Road
Santa Fe Springs, CA 90670

Re: Fed Ex Ground Distribution Facility

Dear Ms. Jimenez:

I am writing to formally withdraw my appeal that was made in my later dated August 19th, 2014 regarding FedEx's tenancy at 11688 Greenstone Avenue in Santa Fe Springs.

If you have any questions, I can best be reached at 213-312-2648.

Sincerely,

A handwritten signature in blue ink that reads "Michael Smith".

Michael Smith
AEW Capital Management

cc: Wayne Morrell, Director of Planning and Community Development
Juanita Trujillo, Major
Laurie Rios, Mayor Pro-Tem
Richard Moore, Councilmember
William K. Rounds, Councilmember
Jay Sarno, Councilmember
Mike Crook, Fire Chief
Tom Mullahey, AEW Capital
Mark Payne, Panattoni Development Company
Adon Panattoni, Panattoni Development Company



NEW BUSINESS

Modification Permit Case No. 1248

Request for Modification of Property Development Standards to deviate from Section 155.483(B)(1) and allow satellite parking more than 400 feet from the principal use for property located at 11927 Greenstone Avenue* (APN: 8026-020-080), in the M-2, Heavy Manufacturing, zone. (Copp Paving Co Inc.)

* **NOTE:** The primary address for the site is 11927 Greenstone Avenue, however, the 2-acre portion of the site that will be used for satellite parking will have the following address: 12017 Greenstone Avenue.

RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions:

1. Find that the proposed satellite parking, 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 purposes and objectives of the Zoning Regulations and consistent with the goals, policies and programs of the City's General Plan.
2. Find that the applicant's Modification Permit request meets the criteria set forth in Section 155.695 of the City's Zoning Regulation for the granting of a Modification in nonresidential zones.
3. Approve Modification Permit Case No. 1248, subject to the conditions of approval as contained within this staff report.

BACKGROUND

The subject property measures approximately 5.5-acres and is located at the west side on Greenstone Avenue just north of Sunshine Avenue at 11927 Greenstone Avenue (APN: 8026-020-080). The subject property is zoned M-2, Heavy Manufacturing and the General Plan designation is Industrial. The property is also located within the Consolidated Redevelopment Project Area.

An asphalt and concrete crushing operations currently occupies most of the site with a remaining 2-acre portion that has consistently been used for various outdoor storage uses since 1978. It should be noted that the property is a former landfill site. In its current condition, the site is not suitable for development and is, therefore, limited to surface use activities.

DESCRIPTION OF REQUEST

The property owner, Copp Paving Co Inc., has been in negotiations with FedEx Ground to lease out the 2-acre portion of the site. FedEx is proposing to utilize the 2-acres as a satellite parking site to store their unhitched trailers (see proposed site plan). The addition of this site to accommodate their unhitched trailers will allow FedEx more flexibility to lay out the parking areas within the other sites that they have secured.

It should be noted that, as recommended by staff, at no point will the subject site be striped or otherwise utilized for passenger vehicles. This was suggested by staff to help ensure that pedestrian traffic does not become a prevalent issue along Greenstone Avenue. To ensure it continually occurs, staff has placed a condition of approval within the subject Modification Permit restricting the use of passenger vehicles on the subject property.

STREETS AND HIGHWAYS

The subject site has frontage on Greenstone Avenue. Greenstone Avenue is classified as a local industrial street within the Circulation Element of the City's General Plan.

ZONING AND LAND USE

The subject property, as well as the surrounding properties to the north, south, east and west are zoned M-2, Heavy Manufacturing with a General Plan land use designation of Industrial. The subject property and properties abutting the site are currently developed with various warehouse, manufacturing, and outdoor storage type uses.

NOTICE TO ADJACENT PROPERTY OWNERS

The Planning Commission should note that, unlike with similar requests whereby staff would typically mail out a notice of public hearing to the adjacent property owners (north, south, east and west), staff included the Modification Permit within the notice for the request to amend CUP 748. Therefore, the noticing for MOD Case No. 1248 included all property owners within 500 feet from the subject site.

With that said, legal notice of the Public Hearing for the modification permit was sent by first class mail to all property owners whose names and addresses appear on the latest County Assessor's Roll within 500 feet of the exterior boundaries of the subject property on September 8, 2014. The legal notice was also posted in the Santa Fe Springs City Hall, the City Library and the City's Town Center on September 8, 2014, and published in a newspaper of general circulation (Whittier Daily News) on September 11, 2014, as required by the State Zoning and Development Laws and by the City's Zoning Regulations.

REQUIRED SHOWING

In accordance with Section 155.695 of the City's Zoning Regulations, a Modification Permit request by an applicant in non-residential zones may be granted by the Planning Commission if the applicant shows that the following conditions apply:

- (A) *That the granting of the modification would not grant special privileges to the applicant not enjoyed by other property owners in the area.*

The Planning Commission would not be granting special privileges to the applicant since other satellite parking agreements have been granted in the past. The list provided below identifies current properties whereby satellite parking is or had been used:

1. Liz Claiborne (old Fedco Building): 9300 Santa Fe Springs Road
2. Santa Fe Springs Swap Meet: Multiple addresses adjacent to subject site
3. American Parcel Express: SW/C of Matern Place and Geary Avenue

In fact, satellite parking uses (provided they are within 400 from the primary site) are allowed "by-right." The only reason why this particular case is before the Planning Commission is because the request is for a property located more than 400 feet away.

- (B) *That the subject property cannot be used in a reasonable manner under the existing regulations.*

Given that the distance from the primary FedEx ground distribution facility is approximately 800 feet from the subject property, applying the existing regulations and limitation of 400 feet maximum distance would take the subject property out of consideration as a satellite parking site.

When considering the allowable distance for satellite parking, the type of use involved should be a critical factor to be considered. Unfortunately, the current zoning regulations do not appear to take that into consideration.

Staff agrees that it makes sense to limit certain uses such as schools, retail, restaurants, offices, etc. to a maximum of 400 feet because of the amount of pedestrian traffic associated with such uses. However, staff feels that placing the same limitation on an outdoor storage use, whereby there is almost no pedestrian traffic involved, would be unreasonable.

- (C) *That the hardship involved is due to unusual or unique circumstances.*

The unique circumstance related to this project is the history and development challenges related to the existing contamination on-site. The site was a former landfill site, and thus, would need extensive clean-up before it could be suitable for development. As a result, the site has been utilized for various above surface uses and outdoor storage activities.

- (D) *That the modification, if granted, would not be detrimental to other persons or properties in the area nor be detrimental to the community in general.*

FedEx would be a quality tenant that would provide the owner with a stable operation within the designated 2-acre portion of the site. Additionally, FedEx intends to invest money to make improvements to their lease area, thus, improving the property value of the site and indirectly increasing the value of nearby properties.

STAFF CONSIDERATIONS

For the aforementioned reasons and findings, staff finds that approval of Modification Permit Case No. 1248 will not be detrimental to the property of others or to the community as a whole and is, therefore, recommending approval of the Modification Permit request subject to the conditions of approval as contained in this report.

CONDITIONS OF APPROVAL:

PLANNING AND DEVELOPMENT DEPARTMENT:

(Contact: Cuong Nguyen 562.868-0511 x7359)

1. That the applicant understands that conditions related the proposed satellite parking use on the subject property are already addressed in the amendment of CUP 748. All applicable conditions described in the Amendment of CUP 748 shall therefore also apply to MOD 1248.
2. That the privileges granted under Modification Permit Case No. 1248 are for the sole use by FedEx Ground. Should FedEx Ground move, vacate, or otherwise abandon the property, the future tenant would need to obtain approval to continue with the satellite parking use.
3. That the applicant understands that at no point will the subject site be striped or otherwise utilized for passenger vehicles.
4. That all other applicable requirements of the City's Zoning Regulation, Property Maintenance Ordinance, Los Angeles County Building Code, Fire Code and all other applicable regulations shall be complied with.
5. That the applicant, Copp Paving Co 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 arising from or in any way related to the subject Modification Permit, or any actions or operations conducted pursuant thereto. 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.

6. That if there is evidence that any of the conditions of approval have not been fulfilled or the use has or have resulted in a substantial adverse effect on the health, and/or general welfare of users of adjacent or proximate property, or have a substantial adverse impact on public facilities or services, the Director of Planning may refer the use permit to the Planning Commission for review. If upon such review, the Commission finds that any of the results above have occurred, the Commission may modify or revoke the subject Modification Permit.
7. That it is hereby declared to be the intent that if any provision of this Approval is violated or held to be invalid, or if any law, statute or ordinance is violated, this Approval shall be void and the privileges granted hereunder shall lapse.



Wayne M. Morrell
Director of Planning

Attachments:

1. Aerial Photograph
2. Site Plan
3. MOD 1248 – Application

C:\Cuong\Cases\Aug.14-Aug.15\MOD 1248 - Copp Paving Co (FEDEX)\MOD1248_PCRPT.doc

Aerial Photograph



CITY OF SANTA FE SPRINGS



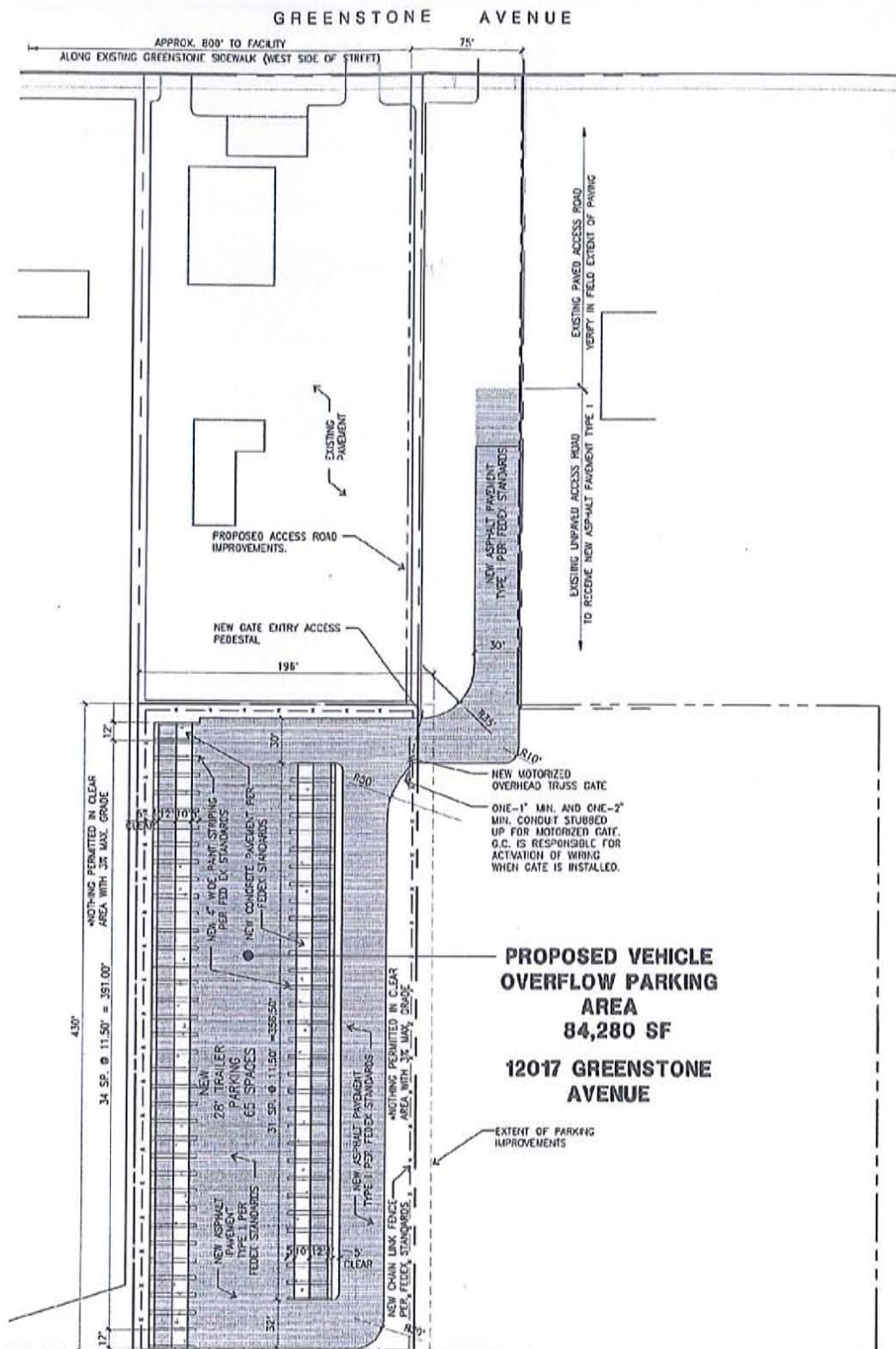
AERIAL PHOTOGRAPH



Modification Permit Case No. 1248

APPLICANT: Copp Paving Co Inc

Site Plan



MOD 1248 Application



City of Santa Fe Springs
Application for
MODIFICATION PERMIT (MOD)

The Undersigned hereby petitions for a Modification of one or more property development requirements of the Zoning Ordinance.

Location of property (ies) involved (Provide street address or if no address, give distance from nearest street intersection): 12017 GREENSTONE AVENUE
SANTA FE SPRINGS, CA 90670

Legal description of property: A PORTION OF PARCEL 2 OF PARCEL MAP NO. 20982 IN THE CITY OF SANTA FE SPRINGS COUNTY OF LOS ANGELES STATE OF CALIFORNIA AS PER MAP FILED IN BOOK 226 PAGES 97 AND 98 OF PARCEL MAPS IN THE OFFICE OF THE COUNTY REGISTER OF SAID COUNTY

Record Owner of Property:

Name: COPP PAVING CO INC Phone No: (714) 403-8033

Mailing Address: 254 EL VALLE DRUENTO

Fax No: _____ E-mail: ccai@copp2@msn.com

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, lessee, etc.): LESSEE

Describe the modification requested: WE ARE REQUESTING RELIEF FROM SECTION 15.48.3 (LOCATION OF PARKING FACILITIES IN RELATION TO THE PARCEL THEY ARE INTENDED TO SERVE)

NOTE

This application must be accompanied by the filing fee, detailed plot plan, and other data specified in the form entitled "Information on Modification of Property Development Standards"

MOD 1248 Application (cont.)

MOD Application
Page 2 of 3

JUSTIFICATION STATEMENT

BEFORE A MODIFICATION CAN BE GRANTED, THE PLANNING COMMISSION MUST BE SATISFIED THAT ALL OF THE FOLLOWING CONDITIONS APPLY. YOUR ANSWERS SHOULD JUSTIFY YOUR REQUEST FOR A MODIFICATION

JUSTIFICATIONS TO NO. 1 & 2 ARE REQUIRED FOR RESIDENTIALLY ZONED PROPERTIES:

1. Explain how the modification request, if granted, will allow you to utilize your house in a more beneficial manner.
2. Explain how the modification request, if granted, will not be detrimental to the property of others in the area.

JUSTIFICATIONS TO NOS. 3-6 ARE REQUIRED FOR PROPERTIES OTHER THAN RESIDENTIAL:

3. Explain why the subject property cannot be used in a reasonable manner under the existing regulations. *THE SUBJECT PROPERTY CANNOT BE USED UNDER THE EXISTING REGULATIONS BECAUSE THE PARKING FACILITIES ARE NOT LOCATED ON THE SAME PARCEL AS THEY ARE INTENDED TO SERVE.*
4. Explain the unusual or unique circumstances involved with the subject property which would cause hardship if compliance with the existing regulations is required. *THIS PROPERTY ALLOWS MORE FLEXIBILITY TO FEDEX'S OPERATIONS.*
5. Explain how the approval of the requested modification would not grant special privileges which are not enjoyed by other property owners in the area. *ALL PROPERTIES WITHIN 400' HAVE BEEN CHECKED IF FOR SALE OR FOR LEASE. WAS ABLE TO SECURE 5 SITES IN 400'. THIS SITE WOULD NOT BE FOR AUTO STORAGE HELPING GENERATE SIGNIFICANT EMPLOYMENT TO THE AREA.*
6. Describe how the requested modification would not be detrimental to other persons or properties in the area, nor to the public welfare in general. *PUBLIC SIDEWALK TO AND FROM PROPERTY. NO AUTO STORAGE. SITE IS OFF STREET WITHIN LOT. WILL BE PROPERLY FENCED, SECURED, PAVED + LIGHTED. HELPING GENERATE SIGNIFICANT EMPLOYMENT TO THE AREA.*

MOD 1248 Application (cont.)

MOD Application
Page 3 of 3

PROPERTY OWNERS STATEMENT

We, the undersigned, state that we are the owners of all of the property involved in this petition (Attach a supplemental sheet if necessary):

Name (please print): SEE ATTACHED OWNER'S CONSENT
 Mailing Address: _____
 Phone No: _____
 Fax No: _____ E-mail: _____
 Signature: _____

Name (please print): _____
 Mailing Address: _____
 Phone No: _____
 Fax No: _____ E-mail: _____
 Signature: _____

CERTIFICATION

STATE OF CALIFORNIA)
 COUNTY OF LOS ANGELES) ss.
MARK PAYNE, PARTNER, PAVATONI DEVELOPMENT
COMPANY, INC. AS AGENT FOR OWNER

I, _____, being duly sworn, depose and say that I am the petitioner in this application for a Modification Permit, and I hereby certify under penalty of law that the foregoing statements and all statements, maps, plans, drawings and other data made a part of this application are in all respects true and correct to the best of my knowledge and belief.

Signed: [Signature]
 (If signed by other than the Record Owner, written authorization must be attached to this application)

(seal)

On _____ before me, _____
 personally appeared _____
 personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s) of the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Notary Public

FOR DEPARTMENT USE ONLY	
CASE NO:	<u>MOD 1248</u>
DATE FILED:	<u>9/22/14</u>
FILING FEE:	<u>\$1,140.</u>
RECEIPT NO:	_____
APPLICATION COMPLETE?	_____

QB-22-14 1CL0163 CHECK 1140.00

MOD 1248 Application (cont.)

Jul25 14 09:57a

Ernest Copp

760 536 3305

p.2

July 24, 2014

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

Re: 12017 Greenstone Ave., Santa Fe Springs, CA 90670

Dear Mr. Nguyen,

COPP PAVING CO INC is the owner of the above referenced property. This letter authorizes Panattoni Development Company, Inc. ("PDC") and its architect HPA, Inc., located at 18831 Bardeen Avenue Suite 100, Irvine, California, 92612, to submit planning documentation in connection with an Application for a Conditional Use Permit on behalf of FedEx Ground Package System, Inc. ("FedEx") to the City of Santa Fe Springs in connection with the proposed re-development of the property following possession of the property by FedEx. Any Development or changes made to property at 12017 Greenstone Ave., Santa Fe Springs, CA 90670, will be limited to those required by the City, or as agreed to in Fed Ex lease with Greenstone Land Co. LLC and Copp Paving Co. Inc.

Please contact the undersigned if you have any questions regarding this matter.

Sincerely,

COPP PAVING CO INC

By: E.A. Copp Pres.

Name: ERNEST COPP

Address: 254 EL VALLE OPULENTA

Phone: 714-403-8033