



City of Santa Fe Springs

Planning Commission Meeting

AGENDA

REGULAR MEETING PLANNING COMMISSION CITY HALL COUNCIL CHAMBERS

November 10, 2014
6:00 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 October 13, 2014 Adjourned Planning Commission Meeting.

6. APPOINTMENT TO THE HERITAGE ARTS COMMITTEE**7. PUBLIC HEARING - (Continued from Oct. 13, 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).

8. PUBLIC HEARING**Conditional Use Permit Case No. 758**

A request for approval to allow the establishment, operation, and maintenance of an open storage yard use involving the open storage of pipes and coils on property located at 10212 Freeman Avenue (APN: 8011-004-064), within the M-2, Heavy Manufacturing, Zone and within the Consolidated Redevelopment Project Area. (Santa Fe Winwater Company)

9. PUBLIC HEARING**Development Plan Approval Case No. 881 and Environmental Document
(Mitigated Negative Declaration and Initial Study SCH Number: 2014091050)**

A request by applicant, InterHealth Corporation for development plan approval to construct a 35,076 sq. ft., three-story Medical Office Building (MOB) and

appurtenant improvements, on the 2.327-acre property located at 12438 Bloomfield Avenue (APN: 8026-042-019) in the M-2-BP, Heavy Manufacturing-Buffer Parking, Zone.

10. NEW BUSINESS

Lot Line Adjustment Map No. 2014-02

A request for approval of a lot line adjustment involving 4 parcels (3: APN: 8177-031-016 addressed as 8823 Pioneer Blvd., 2: APN: 8177-031-015 addressed as 8811 Pioneer Blvd., and 1: APN: 8177-031-014 addressed as 8839 Pioneer Blvd. and a portion of Parcel A: APN: 8177-029-817, commonly known as the Union Pacific Railroad Right-of-Way) with the objective of merging parcels 1 through 3 and also including a 14,865 square foot (0.34-acre) portion of the Railroad Right-of Way property to create a single, 3.195-acre parcel on properties located at 8823-8839 Pioneer Boulevard, in the M-2, Heavy Manufacturing, Zone.
(Samir Khoury for Coory Engineering)

11. NEW BUSINESS

Modification Permit Case No. 1247

Request for a Modification of Property Development Standards to eliminate the existing on-site parking stalls between 15600 Resin Place (APN: 7005-014-065) and 15601 Resin Place (APN: 7005-014-064) and use said area for a new truck well and open storage of empty steel drums. (Heraeus Metal Processing, Inc.)

12. NEW BUSINESS

Trucking Use Time Extension No. 12

Consideration of a request for an extension of Trucking Use Time Extension No. 12, to allow the continued operation and maintenance of a nonconforming truck and trailer parking and storage use located at 12027 Greenstone Avenue (APN: 8026-020-074 and APN: 8026-020-075), on a former landfill site, in the M-2, Heavy Manufacturing Zone, within the Consolidated Redevelopment Project Area.
(Arnold and June Silvey)

13. CONSENT ITEMS

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 ITEM

Conditional Use Permit Case No. 590-5

A compliance review of a church facility within an approximately 2,700 sq. ft. tenant space located at 14565 Valley View Avenue, Suite A (APN: 8069-006-042), in the C-4-PD, Community Commercial-Planned Development Overlay zone, and within the Valley View Commerce Center. (Living Water Stream Church)

B. CONSENT ITEM - (Cont. from Oct. 13, 2014 Planning Commission Meeting)
Conditional Use Permit Case No. 685-2

A compliance review of a transportation terminal on property located at 11910 Greenstone Avenue (APN: 8026-020-051), in the M-2, Heavy Manufacturing, Zone. (Chemical Transfer Company, Inc.)

C. CONSENT ITEM

Conditional Use Permit Case Nos. 739 and 740 and Environmental Document (Mitigated Negative Declaration/Initial Study)

A request for a time extension to construct, operate and maintain a Digital Billboard and Static Billboard, each 50-foot tall, with display areas of 14'x48', on the ±18.70-acre property at 13833 Freeway Drive (APN: 8069-014-009) with dual zoning: M-2-FOZ, Heavy Manufacturing-Freeway Overlay, Zone and M-2, Heavy Manufacturing. (Platinum Billboard, LLC)

14. ANNOUNCEMENTS

- ♦ Commissioners
- ♦ Staff

15. 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

November 6, 2014

Date

**MINUTES
REGULAR MEETING
SANTA FE SPRINGS PLANNING COMMISSION
October 13, 2014**

1. CALL TO ORDER

Chairperson Johnston called the meeting to order at 4:36 p.m.

2. PLEDGE OF ALLEGIANCE

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

3. ROLL CALL

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

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

4. ORAL COMMUNICATIONS

Oral Communications were opened at 4:37 p.m. There being no one wishing to speak, Oral Communications were closed at 4:37 p.m.

5. APPROVAL OF MINUTES

Minutes of the September 22, 2014 Planning Commission Meeting

Commissioner Zamora moved to approve the minutes of the September 22, 2014 meeting; Vice Chairperson Madrigal seconded the motion. The minutes were approved by the following roll call vote: In favor: Johnston, Madrigal, Arnold, Ybarra, and Zamora; Opposed: None; Abstained: None.

7. NEW BUSINESS

Resolution No. 48-2014

A resolution of the Planning Commission of the City of Santa Fe Springs regarding the time for regular planning meetings.

Item No. 7 was heard prior to Item No. 6 at the request of City Attorney Steve Skolnik.

City Attorney Steve Skolnik explained to the Planning Commissioners that Councilmember Moore is requesting that the Planning Commission meeting time change to 6:00 p.m. or later, to

accommodate those residents who work full time and cannot make the 4:30 p.m. meeting time.

City Attorney Steve Skolnik gave a brief history on the meeting times of the Planning Commission. A discussion ensued regarding the Planning Commission meeting times.

Vice Chairperson Madrigal moved to amend the Planning Commission meeting times to begin at 5:30 p.m. No second was received, causing the motion to become null and void.

Commissioner Arnold moved to amend the Planning Commission meetings time to 6:00 p.m. with a Study Session at 5:30 p.m. No second was received, causing the motion to become null and void.

Vice Chairperson Madrigal mentioned that a Study Session is for special meetings only. Director of Planning Wayne Morrell confirmed that a Study Session is for special cases and gave a few examples.

City Attorney Steve Skolnik indicated that at the City Council meetings if a Study Session is needed then Council will adjourn to the following meeting at an early time to accommodate for the Study Session. City Attorney Steve Skolnik indicated that if the Planning Commission wants, and if needed, can hold a Special Meeting that only requires a 24 hour notice.

A discussion ensued regarding Study Sessions and how other cities handle Study Sessions, etc.

Commissioner Ybarra inquired if a motion was necessary to maintain the same meeting time. City Attorney Steve Skolnik indicated no motion was necessary.

City Attorney Steve Skolnik called upon Councilmember Laurie Rios, who was in the audience, to clarify if this matter has been brought up at a City Council Meeting. City Attorney Steve Skolnik also indicated that most matters that are brought before the Planning Commission are business related and most of the members of the business community are only in the City during business hours.

Vice Chairperson Madrigal would like to keep the motion to move the Planning Commission meetings to 5:30 p.m. to allow for residents to attend the meetings.

Commissioner Arnold indicated that since the Planning Commissioners can request a Study Session at any time before the regular Planning Commission meetings he seconded Vice Chairperson Madrigal's motion to move the Planning Commission meetings to 5:30 p.m.

Item No. 6 was approved with the following roll call vote: In favor: Johnston, Madrigal, Arnold, and Zamora; Opposed: Ybarra; Abstained: None.

6. PUBLIC HEARING - (Continued from Sept. 8, 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 November 10, 2014.

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

8. CONSENT ITEM

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

Alcohol Sales Conditional Use Permit Case No. 42

Compliance review of Alcohol Sales Conditional Use Permit Case No. 42 to allow the continued operation and maintenance of an alcoholic beverage use permit involving the storage and wholesale distribution of alcoholic beverages including Tequila and other similar spirits at 8620 Sorensen Avenue, Unit 7, located in the Heavy Manufacturing (M-2) Zone within the Consolidated Redevelopment Project Area. (Selective Spirits, Inc.)

B. CONSENT AGENDA

Alcohol Sales Conditional Use Permit Case No. 62

Compliance review of Alcohol Sales Conditional Use Permit Case No. 62 to allow the continued operation and maintenance of an alcoholic beverage use involving the storage and wholesale distribution of alcoholic beverages at 9244 Norwalk Boulevard, in the Heavy Manufacturing (M-2) Zone. (Misa Imports)

C. CONSENT AGENDA

Conditional Use Permit Case No. 501-8

A compliance review of an open storage yard use involving empty truck trailers on property located at 11401 Greenstone Avenue (APN:8026-018-023), in the M-2, Heavy Manufacturing, Zone. (Coastal Property Holdings, LP)

D. CONSENT AGENDA

Conditional Use Permit Case No. 685-2

A compliance review of a transportation terminal on property located at 11910 Greenstone Avenue, in the M-2, Heavy Manufacturing, Zone. (Chemical Transfer Company, Inc.)

E. CONSENT AGENDA

Conditional Use Permit Case No. 692-2

A compliance review of a truck service and repair facility on property located at 11910 Greenstone Avenue, in the M-2, Heavy Manufacturing, Zone. (Rod's Truck Repair, Inc.)

F. CONSENT AGENDA

Conditional Use Permit Case No. 726-1

To allow the modification of an existing wireless tower with the replacement of three (3) wireless antennas and related equipment for property located at 9915 Cedardale Drive (APN: 8007-001-800), in the A-1 (Light Agricultural) Zone.
(Tod Petty for Base Consulting/Verizon Wireless)

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

Commissioner Arnold requested that Item 8D be pulled from the Consent Items and Vice Chairperson Madrigal requested Item 8F be pulled from the Consent Items also.

Vice Chairperson Madrigal moved to approve Consent Items No. 8A, 8B, 8C, and 8E; Commissioner Ybarra seconded the motion, which unanimously passed.

Commissioner Arnold inquired about Item 8D's Condition of Approval No. 7 stating that the condition had not been satisfied to date. Planning Consultant Paul Garcia indicated that Condition of Approval No. 7 was added in March 2010 when the CUP went before the Planning Commission.

Senior Planner Cuong Nguyen indicated that Condition of Approval No. 7 was a standard condition; however, the burden to comply was on the applicant and that at the staff level staff did not have a process to follow-up until an inspection is done again.

City Attorney Steve Skolnik stated that staff needed to have a mechanism to make sure that the applicants complies within sixty (6) days of approval.

Senior Planner Cuong Nguyen indicated that if the Planning Commission is comfortable, the Planning Department can make sure to tickle file this item and make sure to follow-up on the conditions.

Code Enforcement Officer Luis Collazo indicated that we should not put the cost to comply with Condition No. 7 on the applicant.

City Attorney Steve Skolnik indicated that since this condition is a standard condition, is this condition more than what is necessary for this applicant. Code Enforcement Officer Luis Collazo informed the Planning Commission that no phone calls for service have been received for this location and that staff sees no need to impose this cost upon the applicant and that he can go out to this location and monitor the lighting at night.

Commissioner Arnold stated that if Condition No. 7 is a standard condition for everyone else then why remove the condition for this applicant.

Code Enforcement Officer Luis Collazo indicated that Condition No. 7 is required for all new developments within the City and he would not recommend removing this condition from future projects, but since this condition was added after the initial CUP approval and we have gone this far, lets save the applicant the cost associated of complying with this condition.

Commissioner Ybarra moved to use Luis Collazo's idea.

City Attorney Steve Skolnik clarified that the motion on the floor was to amend the CUP's Condition of Approval No. 7 to state now state Staff shall make a night visit to see if the lighting (photometric) and security plan for the property is applicable to current code.

No second was received so the motion was null and void.

Vice Chairperson Madrigal moved to continue Item No. 8D to the November 10, 2014 Planning Commission Meeting and to provide a history on this location; Commissioner Arnold seconded the motion, which passed unanimously.

Vice Chairperson Madrigal wanted clarification on the visibility of the cell antennas for Item No. 8F.

Commissioner Arnold inquired if a Condition of Approval for Item 8F addressed the possible interference residential televisions, radios, etc.

Applicant Tod Petty responded that Verizon Wireless is regulated by the FCC and uses multiple frequencies that do not interfere with televisions, radios, or other cell services. Mr. Petty also indicated that the antennas height would not be any less or more visible then what is currently being utilized.

Having no further questions or comments, Chairperson Johnston requested a motion on Item 8F.

Commissioner Zamora moved to approve Item 8F; Commissioner Ybarra seconded the motion, which passed unanimously.

9. ANNOUNCEMENTS

◆ Commissioners

Commissioner Zamora thanked staff for scheduling the Planning Commissioners Workshop. Commissioner Zamora learned a lot of valuable information and insight and appreciated the workshop.

Vice Chairperson Madrigal apologized for not making the City Council meeting recognizing October as Planning Month, and encouraged everyone to take time to visit the Planning Department display in the lobby area.

Commissioner Arnold suggested that City Clerk Anita Jimenez should receive an award for the longest proclamation reading with regards to National Planning Month.

Chairperson Johnston thanked staff for everything they do and for making the Commissioners look good.

◆ Staff

Senior Planner Cuong Nguyen introduced the Planning Interns in the audience and echoed Vice Chairperson Madrigal's invitation to visit the Planning Department display in the lobby highlighting Planning, Zoning, and what residents would like to see being developed in their City. Mr. Nguyen also played a video, highlighting an area of the City taken by a drone.

10. ADJOURNMENT

At 5:17 p.m. Chairperson Johnston adjourned the meeting to Monday, November 10, 2014 at 5:30 p.m.*

* Please note that at the City Council meeting of October 23, 2014, Council voted to move the Planning Commission meeting time to 6:00 p.m.

Chairperson Johnston

ATTEST:

Teresa Cavallo, Planning Secretary



PUBLIC HEARING (Continued from October 13, 2014 PC 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

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RECOMMENDATION

Staff is recommending a continuance of Conditional Use Permit Case No. 750 and Zone Variance Case No. 76 to the next regularly held Planning Commission meeting on December 8, 2014.

BACKGROUND/DESCRIPTION OF PROPOSAL

On July 14, 2014, at the applicant's request, the Planning Commission opened and continued the subject CUP and ZV to the August 11th Planning Commission meeting. The applicant has since requested several continuances to allow additional time to work with staff and obtain consensus on the conditions of approval and also finalize the Development Agreement associated with the proposed digital billboard.

Although, we are getting closer to reaching a consensus on both items, neither items are considered resolved at this time. The applicant is, therefore, requesting a continuance to the next regularly held Planning Commission meeting on December 8, 2014.

A handwritten signature in blue ink that reads "Wayne M. Morrell".

Wayne M. Morrell
Director of Planning

Attachment

1. Continuance Letter from Applicant

BULLETIN DISPLAYS, LLC

"CREATIVE OUTDOOR ADVERTISING"

3127 E. South Street, Ste. B
Long Beach, CA 90805
(310) BULLETIN [285-5384]
(562) 470-6680 * Fax (562) 470-6686

October 30, 2014

Mr. Wayne Morrell
Planning Director

Mr. Cuong Nguyen
Planner

City of Santa Fe Springs
Telegraph Road
Santa Fe Springs, CA

Dear Wayne and Cuong,

I am requesting that my case CUP 760 & ZV 76 (Gilbert Blank LLC) being heard before the Planning Commission in October be continued until the December meeting.

There are three reasons for Bulletin Displays requesting this continuance. Although we have discussed the terms of the Development Agreement with Staff, Bulletin Displays has not received a formal copy of the Development Agreement from the city. It is our belief that the Development Agreement, CUP 760 and ZV 76 should run simultaneously through the Planning Commission and City Council. We believe that progress has been made in the negotiations and anticipate a resolution to the Development Agreement in the near future.

Secondly, Bulletin Displays is working with Staff to amend the language in the Conditions of Approval provide by the city. We believe that this will be achieved prior to the next meeting. We have made progress on the Conditions of Approval with both the Land Owner, Tenant, and Staff and anticipate a positive outcome.

Lastly, Staff has requested a survey and letter from Bulletin Displays showing the size of the property prior to the taking by Cal Trans. This should be completed within the next couple of weeks.

Thank you for your understanding, we look forward to meeting with you in the near future.

Thank you

Andy Goodman
Vice President Real Estate
Bulletin Display

bulletindisplays.com



PUBLIC HEARING

Conditional Use Permit Case No. 758

A request for approval to allow the establishment, operation, and maintenance of an open storage yard use involving the open storage of pipes and coils on property located at 10212 Freeman Avenue (APN: 8011-004-064), within the M-2, Heavy Manufacturing, Zone and within the Consolidated Redevelopment Project Area. (Santa Fe Winwater Company)

RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions:

1. Open the Public Hearing and receive any comments from the public regarding Conditional Use Permit Case No. 758, and thereafter, close the Public Hearing.
2. Find that the proposed open storage use involving pipes and coils, if conducted in strict compliance with the conditions of approval, will be harmonious with adjoining properties and surrounding uses in the area and, therefore, will not be detrimental to persons or property in the immediate vicinity and will not adversely affect the city in general.
3. Find and determine that the proposed open storage yard use is pursuant to and in furtherance of the existing Program EIR and Final Subsequent EIR for the Consolidated Redevelopment Project Area; therefore, no additional environmental analysis is necessary to meet the requirements of the California Environmental Quality Act (CEQA).
4. Approve CUP No. 758, subject to the conditions of approval as stated within the staff report.

BACKGROUND

The subject property is located on the east side of Freeman Avenue approximately between Los Nietos Road and Telegraph Road at 10212 Freeman Avenue (APN: 8011-004-064). The subject property measures 34,790 square feet (approximately .80 acres) and is currently an undeveloped industrial lot. The property is zoned M-2, Heavy Manufacturing and the General Plan designation is Industrial.

The applicant, Santa Fe Winwater Company, is one of the leading suppliers of Waterworks and Industrial Piping System materials in Southern California. The company originated in 1990 and was previously known as Santa Fe Industrial Plastics before it was acquired in 2000. Santa Fe Winwater is currently located at 10244

Freeman Avenue (roughly 175 feet south of the subject property). Santa Fe Winwater intends to lease the vacant site and is proposing to use it to store PVC pipes, HDPE pipes, and HDPE pipe coils.

In accordance with Section 155.243(J)(18) of the City's Zoning Regulations, a Conditional Use Permit (CUP) is required within the M-2 (Heavy Manufacturing) Zone for the establishment of an open storage yard use. The applicant is, therefore, seeking approval of the subject CUP, to allow the use of the subject property for the open storage of pipes and coils.

ZONING CODE REQUIREMENT

Pursuant to the procedures set forth in Section 155.243 (J)(18) of the Zoning Regulations, a Conditional Use Permit (CUP) is required within the M-2 (Heavy Manufacturing) Zone for the establishment of an open storage yard use.

Section 155.243 (J)(18)

Section 155.243

Notwithstanding the list of uses set forth in Section 155.243, the following are the uses permitted in the M-2 Zone only after a valid conditional use permit has first been issued:

(J) Also the following:

(18) Open Storage yards except those otherwise listed as a principal or a conditional use.

The applicant is, therefore, seeking approval of the subject CUP, to allow the open storage of pipes and coils on the subject property.

DETAILS OF PROPOSED USE

As stated previously, Santa Fe Winwater Company is currently located at 10244 Freeman Avenue (roughly 175 feet south of the subject property). Since they have already maximized the outdoor storage capacity of their current site, they have been looking to find a nearby site to accommodate their growing need for open storage. Santa Fe Winwater Company believes they have found the ideal location in the subject property as it is located conveniently down the street from their existing facility. If approved, the applicant will utilize the site to store overflow pipes and coils (PVC pipes, HDPE pipes, and HDPE pipe coils) on the subject property.

Hours of Operation

The typical hours of operation for Santa Fe Winwater Company are as follows:

Monday – Friday:	7:00AM-5:00PM
Saturday:	9:30AM-2:00PM
Sunday:	Closed

Employee Count

The Santa Fe Springs facility has a total of 23 employees currently employed at their primary site at 10244 Freeman Avenue. No additional employees will be added as a result of the proposed open storage use. All employees will continue to park on the primary site at 10244 Freeman Avenue.

Site Improvements

With the exception of the area around the two existing water injections wells, Santa Fe Winwater Company will gravel and landscape the entire site.

From the street, the property will be provided with a 20 foot landscaping setback that will match the appearance of surrounding properties. This includes planting shrubs and vines to soften the appearance of the existing screen fence. Nevertheless, it should be noted that staff will condition that the outdoor storage activity shall be limited to the height of the existing perimeter fencing.

Behind the existing screen fence, the applicant will provide gravel throughout the site. The gravel will be a method for dust and dirt control, as well as, delineate the path of travel and the open storage activities.

STREETS AND HIGHWAYS

The subject site is located on the east side of Freeman Avenue, between Telegraph Road and Los Nietos Road. Within the Circulation Element of the City's General Plan, Telegraph Road is classified as a major arterial, while Los Nietos is a secondary highway and Freeman Avenue is a local industrial street.

ZONING AND LAND USE

The subject property is zoned M-2 (Heavy Manufacturing). The property has a General Plan Land Use designation of Industrial.

The zoning, General Plan and land use of the surrounding properties are as follows:

<i>Direction</i>	<i>Zoning District</i>	<i>General Plan</i>	<i>Land Use</i>
North	M-2, Heavy Manufacturing	Industrial	10144 Freeman Ave. – American Compressors Co.; Manufactures, sales, & rents air/gas compressors;
South	M-2, Heavy Manufacturing	Industrial	10230 Freeman Ave. – American Made Fashion, LLC; Apparel Manufacturing;
East	M-2, Heavy Manufacturing	Industrial	10103 Greenleaf Ave.- Spring Town, Inc.; Warehouse and Wholesale of Adult Media; and
West	M-2, Heavy Manufacturing	Industrial	10207 Freeman Ave. – (1) P.W.C International Inc.; Trucking Carrier for Office/Warehouse (2) Anthony Electric Inc.; Electrical Contractor.

ENVIRONMENTAL DOCUMENTS

Because the proposed project is located within the Consolidated Redevelopment Project Area for which an Environmental Impact Report (EIR) and Final Subsequent EIR was previously prepared as required by law, further environmental documents are not required if it is determined that the operation and maintenance of the proposed open storage yard use is:

1. Pursuant to and in furtherance of the adopted Redevelopment Plan;
2. Within the scope of the Program EIR and Final Subsequent EIR which was prepared for said Redevelopment Plan; and
3. That no new significant effects would occur.

Staff finds that the proposed open storage yard use meets the aforementioned criteria. Although, the proposed open storage use is a new use on the property, staff finds the use is similar to other uses that are already in the general area. Moreover, since the outdoor storage activity is merely overflow storage related to a new contract secured by the applicant, it will not increase the number of employees on-site. The anticipated parking and/or traffic impacts are, therefore, seen as insignificant. For the reasons mentioned, staff finds that the proposed open storage yard use would still be within the scope of the Program EIR and Final Subsequent EIR; consequently, no further environmental documents are 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 CUP 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 October 29, 2014. The legal notice was also posted in the Santa Fe Springs City Hall, the City Library and the City's Town Center on October 29, 2014, and published in a newspaper of general circulation (Whittier Daily News) October 31, 2014, as required by the State Zoning and Development Laws and by the City's Zoning Regulations.

As of the date of this report, staff has not received any comments and/or inquiries regarding the proposal.

COMMISSION'S CONSIDERATIONS**Conditional Use Permit**

As mentioned previously, per Section 155.243 (J)(18) of the Zoning Regulations, a Conditional Use Permit (CUP) is required within the M-2 (Heavy Manufacturing) Zone for the establishment of any open storage yard use, except those otherwise listed as a principal permitted use.

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 proposed open storage use will not be detrimental to persons or property in the immediate vicinity, nor the welfare of the community for the following reasons:**

Staff finds that the proposed use will not be detrimental for the following reasons:

- An outdoor storage use, provided a CUP has been obtained, is consistent with the M-2 zone;
- All storage activities will be adequately screened from view by an existing fence;
- Adequate on-site circulation will be provided and maintained;
- The applicant will provide gravel throughout the storage area to both control dust and debris, as well as, help delineate the driveway and open storage areas; and
- The applicant intends to improve the appearance of the site from the street through installation of new landscaping throughout the front yard setback area.

2. That the proposed open storage use has been designed to preserve the general appearance and welfare of the community for the following reasons:

Staff finds that the proposed use will preserve the general appearance and welfare of the community for the following reasons:

- The proposed outdoor storage use will be adequately screened from view by an existing fence;
- The applicant will provide gravel throughout the storage area to both control dust and debris, as well as, help delineate the driveway and open storage areas; and
- The applicant intends to improve the appearance of the site from the street through installation of new landscaping throughout the front yard setback area.

STAFF CONSIDERATIONS:

For the reasons stated within the report, staff finds that if the proposed open storage use operates in strict compliance with the required conditions of approval, it will be compatible with the surrounding properties and will not be detrimental or pose a nuisance risk to persons or property in the immediate vicinity. Staff is, therefore, recommending approval, subject to a compliance review after one-year to ensure the open storage use is still operating in strict compliance with 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 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.

CITY UTILITIES

2. Storm drains, catch basins, connector pipes, retention basin and appurtenances built for this project shall be constructed in accordance with City specifications on Freeman Ave. and Romandel Ave. Storm drain plans shall be approved by the City Engineer.

3. Fire hydrants shall be installed as required by the Fire Department. Existing public fire hydrants adjacent to the site, if any, shall be upgraded if required by the City Engineer. That the owner/developer shall pay to the City the entire cost of design, engineering, installation and inspection of Fire hydrants.
4. That the owner/developer shall obtain a Storm Drain Connection Permit for any connection to the storm drain system.
5. 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.

MISCELLANEOUS

6. 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.
7. 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.
8. 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.
9. That the owner/developer shall comply with the National Pollutant Discharge Elimination System (NPDES) program and shall require the general contractor to implement storm water/urban runoff pollution prevention controls and Best Management Practices (BMPs) on all construction sites in accordance with the current MS4 Permit. The owner/developer will also be required to submit a Certification for the project and will be required to prepare a Storm Water Pollution Prevention Plan (SWPPP).
10. The owner and/or developer shall install Portland cement concrete pavement drive approach satisfactory to the City Engineer for the entire width of the driveway. To be installed by the developer

POLICE SERVICES DEPARTMENT:**(Contact: Luis Collazo 562.868-0511 x3319)**

11. That the applicant shall submit and obtain approval of a proposed lighting (photometric) and security plan for the property from the City's Department of Police Services. The photometric plan shall be designed to provide adequate

lighting (minimum of 1 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. 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 City Council.

12. 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 City Council. Emergency information shall allow emergency service to reach the applicant or their representative any time, 24 hours a day.
13. 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.
14. That the Applicant shall also obtain and maintain a valid Conditional Use Permit for the outdoor storage yard for Parcel 8011-004-043.
15. That the Applicant shall obtain a number address from the Building Department and forward that address number to the Department of Police Services as part of compliance with Condition No. 2. The Applicant is also subject to obtaining a Business License for this new location pursuant to Section 35.074 of the Santa Fe Springs Municipal Code.
16. That the fence and gate fronting Freeman Avenue shall be posted with signs notifying that unauthorized individuals will be charged with trespassing.
17. That the Applicant shall not install razor or barbed wire on the fence fronting Freeman Avenue or on any wall or structure.
18. That the stacking of material shall not be higher than the proposed fence line.
19. That climbing vines shall be planted along the fence line fronting on Freeman Avenue to provide additional screening.

20. That the Applicant and/or his employees shall be made responsible to prevent and stop truck drivers from backing trucks from the street into the premises, or from blocking traffic.

DEPARTMENT OF FIRE - RESCUE (FIRE PREVENTION DIVISION)
(Contact: Michael Crook 562.868-0511 x3701)

21. That interior gates or fences are not permitted across required Fire Department access roadways unless otherwise granted prior approval by the City Fire Department.
22. That the standard aisle width for onsite emergency vehicle maneuvering shall be 26 feet with a minimum clear height of 13 feet 6 inches. Internal driveways shall have a turning radius of not less than 52 feet. The final location and design of this 26 feet shall be subject to the approval of the City's Fire Chief as established by the Uniform Fire Code. A request to provide emergency vehicle aisle width less than 26 feet shall be considered upon the installation/provision of mitigation improvements approved by the City's Fire Chief.
23. That prior to submitting plans to the Building Department or Planning Commission, a preliminary site plan shall be approved by the Fire Department 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.
24. 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.
25. That signs and markings required by the Fire Department shall be installed along the required Fire Department access roadways.

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

26. 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.

WASTE MANAGEMENT:**(Contact: Teresa Cavallo 562.868.0511 x7309)**

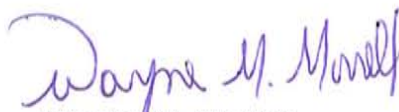
27. That the applicant shall comply with Section 50.51 of the Municipal Code which prohibits any business or residents from contracting any solid waste disposal company that does not hold a current permit from the City.
28. That all projects over \$50,000 are subject to the requirements of Ordinance 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)**

29. That the Owner shall submit for approval a detailed landscape and automatic irrigation plan pursuant to the Landscaping Guidelines of the City. Said landscape plan shall indicate the location and type of all plant materials, existing and proposed, to be used and shall include 2 to 3 foot high berms (as measured from the parking lot grade elevation), shrubs designed to fully screen the interior yard and parking areas from public view and 24" box trees along the street frontage. **Said plans shall be consistent with AB 1881 (Model Water Efficient Landscape Ordinance).**
30. That the landscaped areas shall be provided with a suitable, fixed, permanent and automatically controlled method for watering and sprinkling of plants. This operating sprinkler system shall consist of an electrical time clock, control valves, and piped water lines terminating in an appropriate number of sprinklers to insure proper watering periods and to provide water for all plants within the landscaped area. Sprinklers used to satisfy the requirements of this section shall be spaced to assure complete coverage of all landscaped areas. **Said plan shall be consistent with AB 1881 (Model Water Efficient Landscape Ordinance).**
31. That upon completion of the new landscaping and landscape upgrade, the required landscaped areas shall be 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.
32. 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.

33. That the outdoor storage of pipes and coils shall be limited to the height of the existing perimeter fencing.
34. That the Department of Planning and Development shall first review and approve all sign proposals for the 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 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.
35. That the owner shall not allow commercial vehicles, trucks and/or truck tractors to queue on Freeman Avenue, use street(s) as a staging area, or to backup onto the street from the subject property.
36. That approved suite numbers/letters or address numbers shall be placed somewhere on the site in such a position as to be plainly visible and legible from the street fronting the property. Said numbers shall contrast with their background. The size recommendation shall be 12" minimum.
37. That the owner/developer shall be responsible for reviewing and/or providing copies of the required conditions of approval to his/her architect, engineer, contractor, tenants, etc. Additionally, the conditions of approval contained herein, shall be made part of the construction drawings for the proposed development. ***Construction drawings shall not be accepted for Plan Check without the conditions of approval incorporated into the construction drawings.***
38. That the owner/developer shall require and verify that all contractors and sub-contractors have successfully obtained a Business License with the City of Santa Fe Springs prior to beginning any work associated with the subject project. A late fee and penalty will be assessed to any contractor or sub-contractor that fails to obtain a Business License and a Building Permit final or Certificate of Occupancy will not be issued until all fees and penalties are paid in full. Please contact Cecilia Pasos, Business License Clerk, at (562) 868-0511, extension 7527 for additional information. A business license application can also be downloaded at www.santafesprings.org.
39. That the owner/developer shall not sublet, lease or rent the proposed development without prior approval from the Director of Planning and Development.

40. That the development shall otherwise be substantially in accordance with the plot plan, floor plan, and elevations submitted by the owner and on file with the case.
41. 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.
42. That Conditional Use Permit Case No. 758 shall be subject to a compliance review in one (1) year, no later than November 10, 2015, to ensure the outdoor storage use is still operating in strict compliance with the conditions of approval as stated in this staff report.
43. That the applicant, Santa Fe Winwater Company, 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.
44. 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

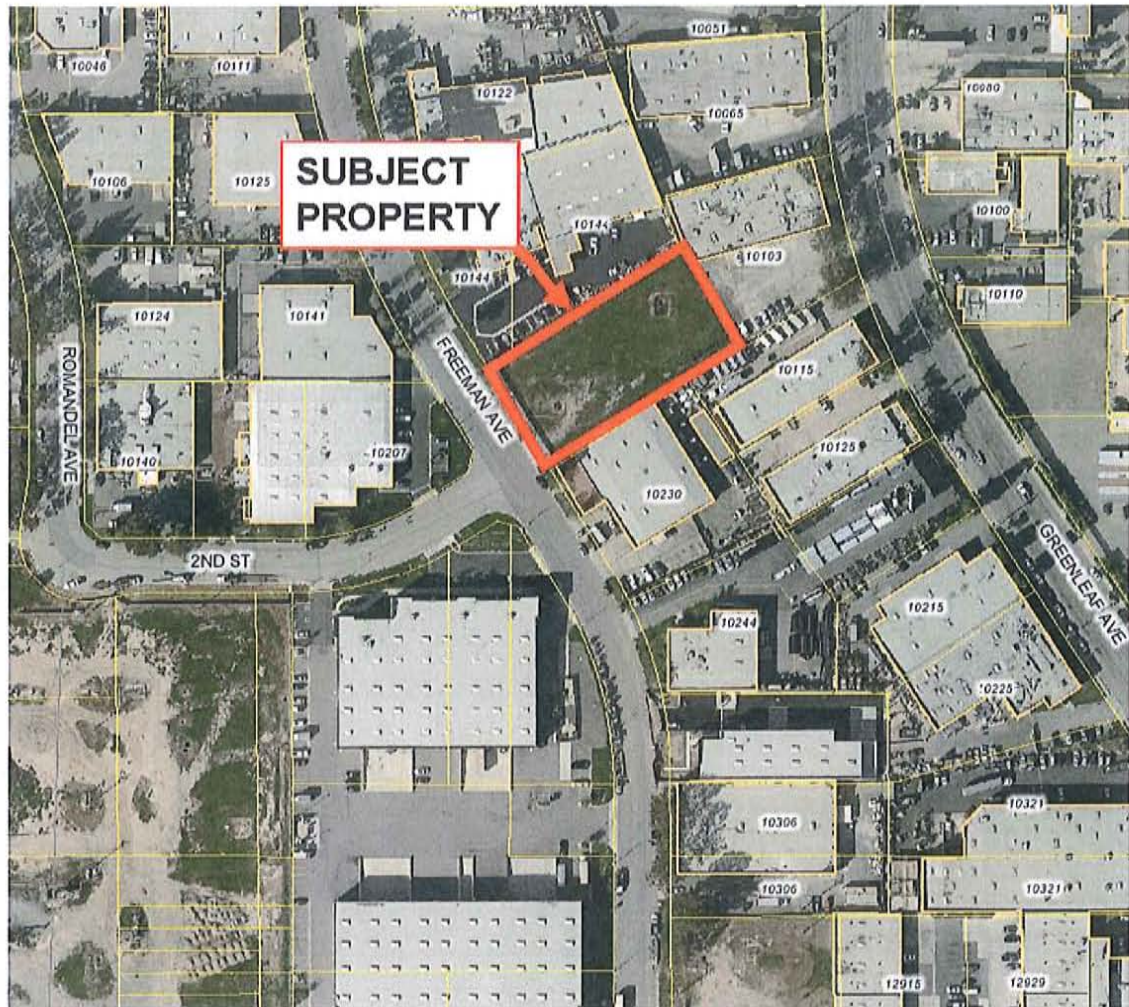
Attachments:

1. Aerial Photograph
2. Site Plan
3. Section View / ISO View
4. CUP Application

AERIAL PHOTOGRAPH



CITY OF SANTA FE SPRINGS



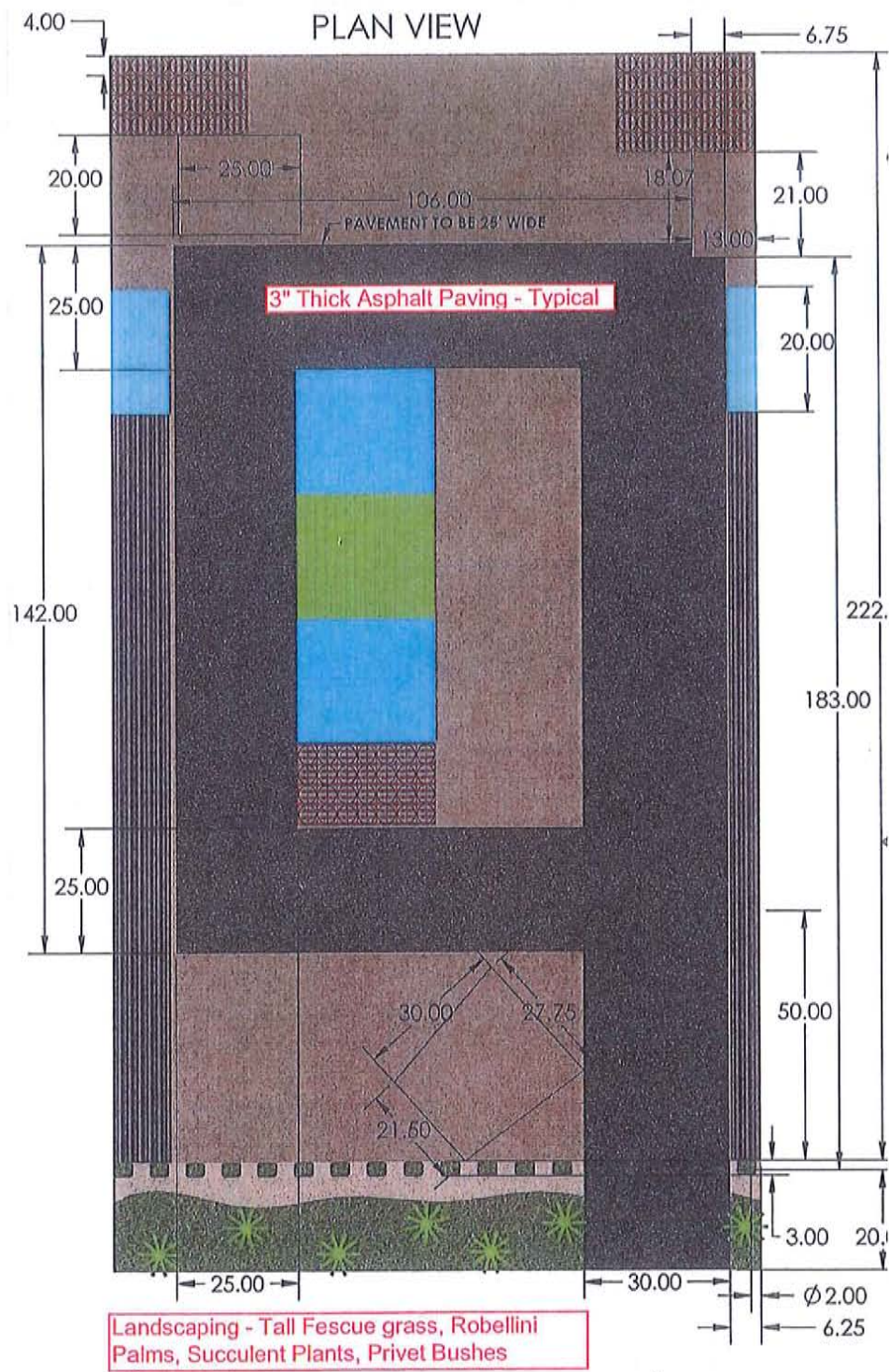
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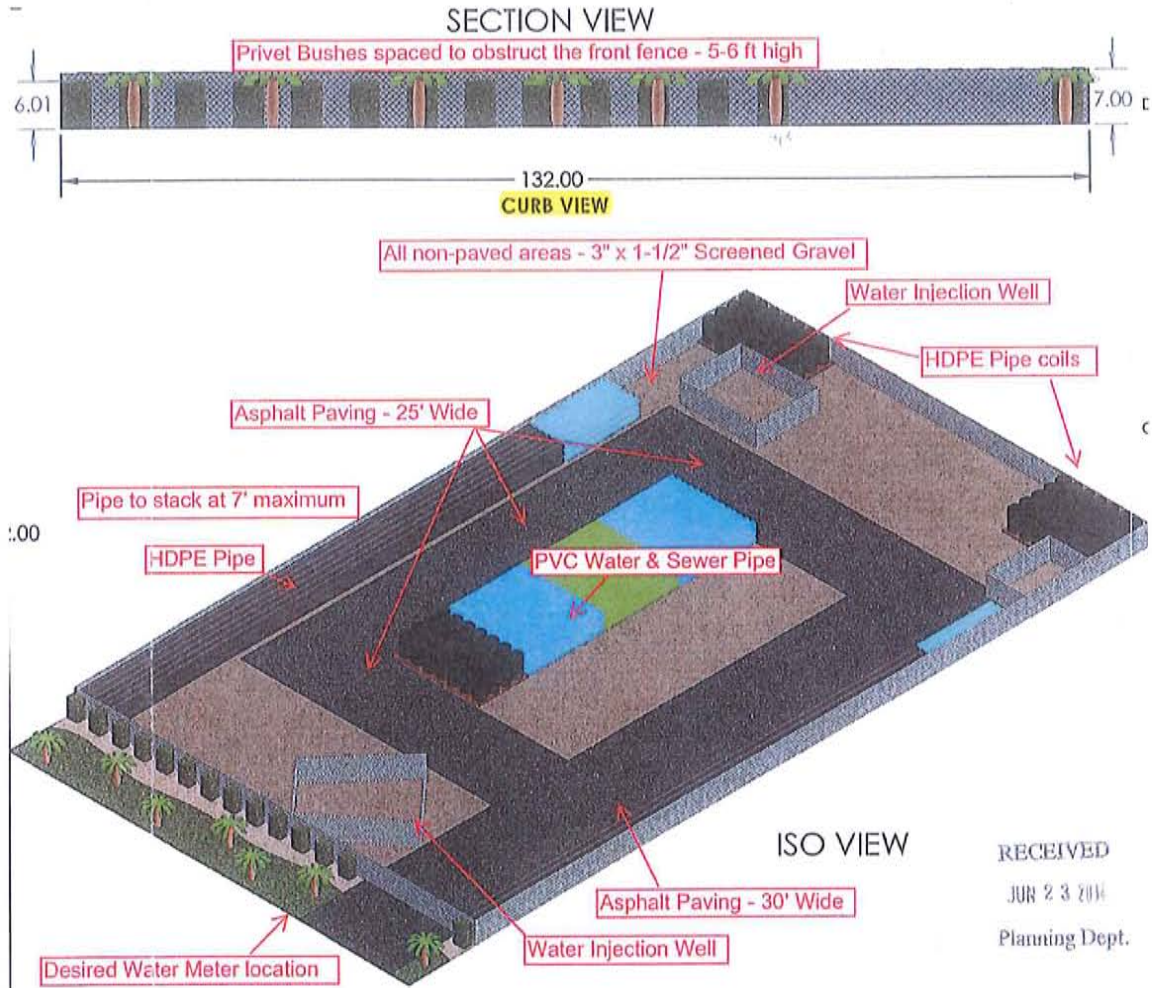
CONDITIONAL USE PERMIT CASE NO. 758

8011-004-064

SITE PLAN



SECTION VIEW / ISO VIEW



CUP APPLICATION



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

RECEIVED

APR 17 2016

Planning Dept.

FILE COPY

Application is hereby made by the undersigned for a Conditional Use Permit on the property located at (Provide street address or, if no address, give distance from nearest cross street): APN # 8011-004-064
East Side of Freeman Avenue at Telegraph Rd. & Romadel Ave.

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) APN # 8011-004-064 Current Vacant Fenced Lot
Unpaved & no landscaping 242' x 132' See attached Map "A"

Record Owner of the property: FELBY Associates
Name: Stephen Fawcett Phone No: 949-664-4725
Mailing Address: 630 Via Lido Road Newport Beach Date of Purchase: —
Fax No: 949-445-9035 E-mail: 1330mg@aol.com
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: 777-9724
Name: Santa Fe USinwater Phone No: 562-979-6648
Mailing Address: 10244 Freeman Ave. Santa Fe Spgs CA 90670
Fax No: 562-977-8084 E-mail: Katynovikoff@hotmail.com
Describe any easements, covenants or deed restrictions controlling the use of the property: None.

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):

See attached "B"

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 (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.
This Vacant Lot is close to our facility for storage. This Proposed Request will not be a permanent situation.
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.
This use will not hinder any of the local businesses. But just the Improvement of using the Vacant Lot will make the street look better.
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?
We plan to grave & landscape property only. There will be no Buildings on site.
4. Explain why the proposed use will not in the future become a hindrance to quality development or redevelopment of adjoining properties.
Adjoining properties are already developed. Existing proposed property will be clean, landscaped, and well taken care of.
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.
We are only storing on property. No additional traffic, employees, vehicles will be on site.
6. If the operator of the requested conditional use will be someone other than the property owner, state name and address of the operator.
*Santa Fe Water.
10244 Freeman Ave.
Santa Fe Springs, CA 90670*

CUP APPLICATION (Cont.)

CUP Application
Page 2 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): FEELYBY ASSOCIATES, LLC (801 004-004)
Mailing Address: 630 VIA LIDO ROAD, NEWPORT BEACH, CA 92663
Phone No: (949) 446-4125
Fax No: (949) 446-4035 Email: BTOMCHT@SBCGLOBE.NET
Signature: [Signature]

Name (please print): _____
Mailing Address: _____
Phone No: _____
Fax No: _____ Email: _____
Signature: _____

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.

I, STEVEN FARWELL, being duly sworn, depose and say that I am the petitioner in this application for a Conditional Use Permit, and thereby 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)

On 11/13/13, before me, Mike Soliman, Notary Public, personally appeared STEVEN FARWELL, 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 individual capacity(ies), and that by his/her/their signature(s) on the instrument, he/she/they, as the only person(s) on 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>CUP 758</u>
DATE FILED:	<u>11/13/13</u>
FILING FEE:	<u>\$4,046</u>
RECEIPT NO:	
APPLICATION COMPLETE?	<u>NO</u>



PUBLIC HEARING

Development Plan Approval Case No. 881 and Environmental Document (Mitigated Negative Declaration and Initial Study SCH Number: 2014091050)

A request by applicant, InterHealth Corporation for development plan approval to construct a 35,076 sq. ft., three-story Medical Office Building (MOB) and appurtenant improvements, on the 2.327-acre property located at 12438 Bloomfield Avenue (APN: 8026-042-019) in the M-2-BP, Heavy Manufacturing-Buffer Parking, Zone.

RECOMMENDATION

That the Planning Commission continue this item to the Planning Commission Meeting of December 8, 2014, and thereby providing the Planning Commission sufficient time to study the proposed development, environmental document and traffic study.

BACKGROUND/DESCRIPTION OF REQUEST

The ±2.327-acre property is located at 12438 Bloomfield Avenue, (APN: 8026-042-019) approximately 338 feet north of Imperial Highway, along the border between the Cities of Santa Fe Springs and Norwalk. It is zoned M-2-BP, Heavy Manufacturing-Buffer Parking, with a General Plan land use designation of Industrial

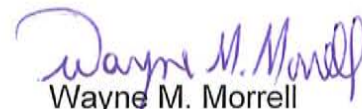
InterHealth Corp., the current owners of the property, intends to construct an approximately 35,076 sq. ft., 3-story Medical Office Building (MOB) for outpatient uses on the subject property. The MOB will house outpatient uses and doctor's offices typical of a medical office building, providing approximately 100 medical-related jobs to the area.

An Initial Study/Mitigated Negative Declaration (IS/MND), that included a Mitigation Monitoring Program, and traffic study were prepared for the proposed MOB. The IS/MND and traffic study were circulated for public review for a period of thirty (30) days. All comments received from public agencies during the public review comment period have been addressed.

Legal notice of the Public Hearing for the proposed MOB 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 October 29, 2014. The legal notice was also posted in Santa Fe Springs City Hall, the City Library and the City's Town Center on October 29, 2014, and published in a newspaper of general circulation (Whittier Daily News) on October 31, 2014, as required by the State Zoning and Development Laws and by the City's Zoning Regulations.

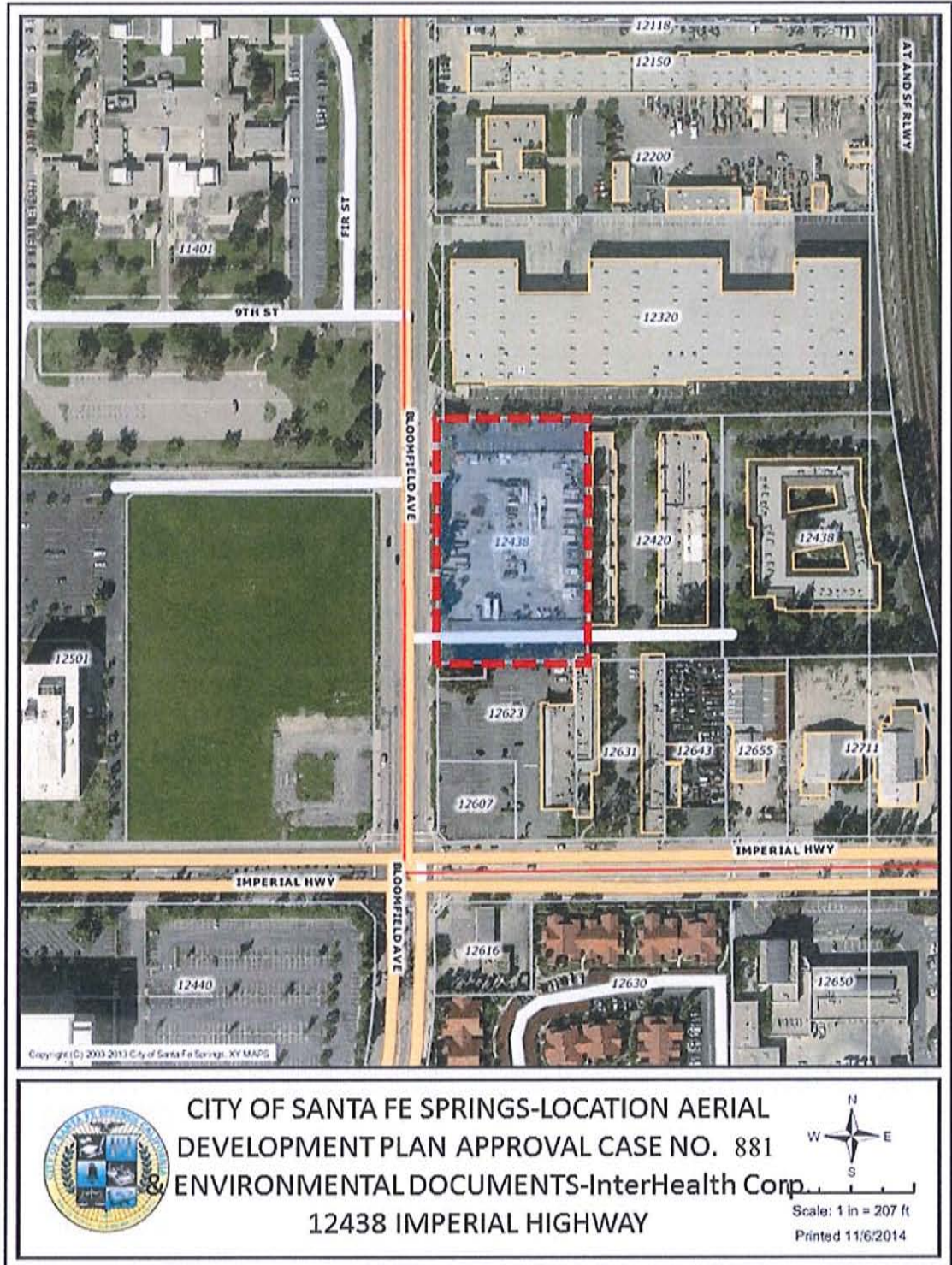
Although, the proposed entitlement and environmental document are scheduled to be heard before the Planning Commission on November 10, 2014, Staff and the applicant have decided to ask the Planning Commission to continue the item to the December 8, 2014, Planning Commission meeting. The environmental document and traffic study consist of ±281 pages. Presenting the Planning Commission with a ±281 page document on Thursday, November 6, 2014, and asking them to review it to make a decision on the project, on Monday, November 10, 2014, is undesirable.

Staff will, therefore, provide the Commission with the environmental document and traffic study on Monday, November 10, 2014, and request that the Planning Commission review the document and be prepared to make a decision on the project at the Planning Commission meeting of December 8, 2014.



Wayne M. Morrell
Director of Planning

Attachment(s)
Location Aerial
Site Plan
Elevation





Report Submitted By: W. Morrell, Planning and Development Dept. Date of Report: November 6, 2014



NEW BUSINESS

Lot Line Adjustment Map No. 2014-02

A request for approval of a lot line adjustment involving 4 parcels (3: APN: 8177-031-016 addressed as 8823 Pioneer Blvd., 2: APN: 8177-031-015 addressed as 8811 Pioneer Blvd., and 1: APN: 8177-031-014 addressed as 8839 Pioneer Blvd. and a portion of Parcel A: APN: 8177-029-817, commonly known as the Union Pacific Railroad Right-of-Way) with the objective of merging parcels 1 through 3 and also including a 14,865 square foot (0.34-acre) portion of the Railroad Right-of Way property to create a single, 3.195-acre parcel on properties located to 8823-8839 Pioneer Boulevard, in the M-2, Heavy Manufacturing, Zone.
(Samir Khoury for Coory Engineering)

RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions:

1. Determine that Lot Line Adjustment Map No. 2014-02 is an exempt activity (Minor Alterations in Land Use Limitations) pursuant to Section 15305-Class 5 of the California Environmental Quality Act (CEQA) and is therefore, a categorically-exempt project.
2. Find that Lot Line Adjustment Map No. 2014-02 is consistent with the City's General Plan, Zoning, Regulations and Building Code will not create a greater number of parcels than originally existed.
3. Approve Lot Line Adjustment Map No. 2014-02.

BACKGROUND/DESCRIPTION OF REQUEST

The subject property is located at 8823-8839 Pioneer Boulevard and is roughly bounded by the 605 Freeway to the west, Rivera Road to the north, and Los Nietos Road to the southeast. The subject site is zoned M-2, Heavy Manufacturing and the General Plan designation is Industrial. The proposed site (Parcel B) is comprised of three parcels measuring approx. 3.195-acres (139,195 sq. ft.) in area and is currently developed with various warehouse and distribution buildings built around the 1970s and 1980s. The area included in the proposed lot line adjustment is approximately 14,865 sq. ft. portion of the Union Pacific Railroad parcel located southwest of Parcel B. The Union Pacific Railroad parcel is identified as Parcel A.

The proposed Lot Line Adjustment is a result of the need for sole ownership of the multiple parcels. There is a tenant located on Parcel B whom is currently occupying approximately 14,865 sq. ft. of Parcel A and using the area for outdoor storage (see

attachment 2). As shown in Exhibit B-1, the lot line adjustment will involve the removal of existing property lines for Parcels 1, 2 and 3, as well as inclusion of a 14,865 sq. ft. parcel from Parcel A. The result will be a total of two parcels.

The existing parcels are currently as follows:

Parcel "1" –	53,126 sq. ft. (approx. 1.220-acres)
Parcel "2" –	48,091 sq. ft. (approx. 1.104-acres)
Parcel "3" –	37,978 sq. ft. (approx. 0.872-acres)
Parcel "A" –	<u>276,553 sq. ft. (approx. 6.349-acres)</u>
	415,748 sq. ft. (approx. 9.544-acres)

If approved, the lots will be as follows:

Parcel "A" –	261,809 sq. ft. (approx. 6.010-acres)
Parcel "B" –	<u>153,939 sq. ft. (approx. 3.534-acres)</u>
	415,748 sq. ft. (approx. 9.544-acres)

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.

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, 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 DOCUMENTS

The proposed map is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15305-Class 5 (Minor Alterations in Land Use Limitations) of the CEQA Guidelines. If the Commission agrees, Staff will file a Notice of Exemption with the County Clerk of the Los Angeles County Registrar-Recorder office within five (5) days of approval by the Planning Commission of the proposed lot line adjustment map.

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.

The proposed lot line adjustment is between four parcels (3: APN: 8177-031-016 addressed as 8823 Pioneer Blvd., 2: APN: 8177-031-015 addressed as 8811 Pioneer Blvd., and 1: APN: 8177-031-014 addressed as 8839 Pioneer Blvd. and a portion of Parcel A: APN: 8177-029-817, commonly known as the Union Pacific Railroad Right-of-Way) with the objective of merging parcels 1 through 3 and also include a 14,865 square foot (0.34-acre) portion of the Railroad Right-of Way property to create a single, 3.195-acre. Approval by the Planning Commission will not result in additional parcels or lots being created.

2. 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 "Industrial" and Zoning designation of M-2, Heavy Manufacturing, Zone, will remain unchanged. The M-2 zone is primarily intended for industrial related commercial, service and office uses, as well as industrial type public facilities. Since the proposed lot line adjustment does not involve a change of use or zone, it is therefore consistent with the City's General Plan and Zoning.

Parking: Staff reviewed and confirmed through a parking analysis plan, that adequate parking is provided and will be maintained.

Building Ordinance/Code: Prior and after proposed lot line adjustment, the existing buildings would be in conformance with applicable Building Codes.

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. 2014-02.

STAFF REMARKS

Based on the reasons enumerated above, Staff believes that Lot Line Adjustment Map No. 2014-02 meets the standards as set forth in Section 66412 of the State's Subdivision Map Act. Staff is, therefore recommending approval of Lot Line Adjustment Map No. 2014-02.

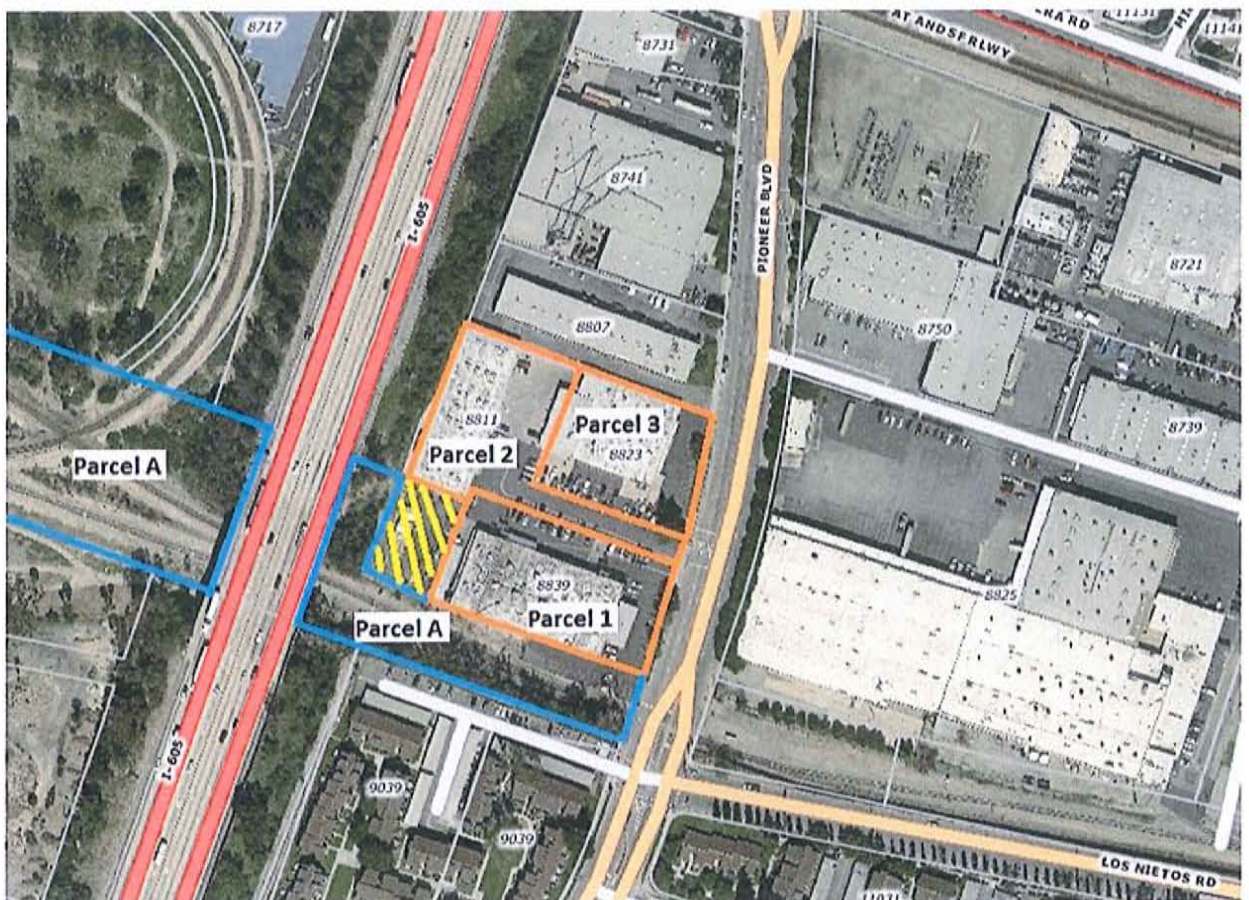

Wayne M. Morrell
Director of Planning

Attachment(s)

1. Location Aerial
2. Exhibit "A" Legal Description
3. Exhibits "A-1" of Adjusted Parcels
4. Exhibit "B" Legal Description
5. Exhibit "B-1" of Adjusted Condition
6. Parking Analysis Plan
7. Application



CITY OF SANTA FE SPRINGS



AERIAL PHOTOGRAPH



LOT LINE ADJUSTMENT 2014-02

LEGAL DESCRIPTION

LOT LINE ADJUSTMENT NO. 2014_00

PARCEL A

ALL THAT CERTAIN REAL PROPERTY IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, BEING A PORTION OF TRACT NO. 2 OF THE RANCHO SANTA GERTRUDES AS PER MAP RECORDED IN BOOK 1, PAGE 502 OF MISCELLANEOUS RECORD, RECORDS OF LOS ANGELES COUNTY.

BEGINNING AT THE SOUTHEAST CORNER OF PARCEL 1 OF PARCEL MAP NO. 2840 AS PER MAP FILED IN BOOK 47, PAGE 41 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. THENCE NORTHWEST ALONG THE SOUTHERLY WITH VARIOUS CURVES TO A POINT MEASURED 137 FEET FROM THE SOUTHWEST CORNER OF SAID PARCEL, THENCE NORTH 69°46'39" WEST 137.00 FEET; THENCE NORTH 20°13'21" EAST 150.00 FEET; THENCE NORTH 69°46'39" WEST 1097.90' MORE OR LESS TO NORTHEASTERLY LINE OF SAN GABRIEL RIVER RIGHT-OF-WAY 400 FEET WIDE; THENCE SOUTH 24°13'56" EAST 350.24 FEET TO A POINT MEASURED 250 FEET PERPENDICULAR FROM THE NORTHERLY LINE AS DESCRIBED IN BOOK 1784, PAGE 308 OF DEEDS, THENCE SOUTH 69°46'39" EAST 1180.80 FEET; TO A POINT AT WESTERLY RIGHT-OF-WAY OF PIONEER BOULEVARD 100 FEET WIDE; THENCE NORTH 18°10'00" EAST 101.95 FEET TO POINT OF BEGINNING.

CONTAINING 276,553 SQUARE FEET, 6.349 ACRES, MORE OR LESS.

PARCEL B

ALL THAT CERTAIN REAL PROPERTY IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCELS 1, 2 AND 3 OF PARCEL MAP NO. 2840, AS PER MAP FILED IN BOOK 47, PAGE 41 OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXHIBIT "A"

RECEIVED

JUN 24 2014

Planning Dept.

698-101

LEGAL DESCRIPTION

LOT LINE ADJUSTMENT NO. 2014_00

CONTAINING 139,195 SQUARE FEET, 3.195 ACRES, MORE OR LESS.

DESCRIPTION PREPARED BY:

SAMIR M. KHOURY DATE _____



EXHIBIT "A"

698-101



LEGAL DESCRIPTION

LOT LINE ADJUSTMENT NO. 2014_00

PARCEL A

ALL THAT CERTAIN REAL PROPERTY IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, BEING A PORTION OF TRACT NO. 2 OF THE RANCHO SANTA GERTRUDES AS PER MAP RECORDED IN BOOK 1, PAGE 502 OF MISCELLANEOUS RECORD, RECORDS OF LOS ANGELES COUNTY.

BEGINNING AT THE SOUTHEAST CORNER OF PARCEL 1 OF PARCEL MAP NO. 2840 AS PER MAP FILED IN BOOK 47, PAGE 41 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. THENCE NORTHWEST ALONG THE SOUTHERLY WITH VARIOUS CURVES TO A POINT MEASURED 137 FEET FROM THE SOUTHWEST CORNER OF SAID PARCEL, THENCE NORTH 69°46'39" WEST 234.49 FEET; THENCE NORTH 20°13'21" EAST 150.01 FEET; THENCE NORTH 69°46'39" WEST 998.80 FEET MORE OR LESS TO NORTHEASTERLY LINE OF SAN GABRIEL RIVER RIGHT-OF-WAY 400 FEET WIDE; THENCE SOUTH 24°13'56" EAST 350.24 FEET TO A POINT MEASURED 250 FEET PERPENDICULAR FROM THE NORTHERLY LINE AS DESCRIBED IN BOOK 1784, PAGE 308 OF DEEDS, THENCE SOUTH 69°46'39" EAST 1180.80 FEET; TO A POINT AT WESTERLY RIGHT-OF-WAY OF PIONEER BOULEVARD 100 FEET WIDE; THENCE NORTH 18°10'00" EAST 101.95 FEET TO POINT OF BEGINNING.

CONTAINING 261,809 SQUARE FEET, 6.010 ACRES, MORE OR LESS.

PARCEL B

ALL THAT CERTAIN REAL PROPERTY IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, BEING PARCELS 1, 2 AND 3 OF PARCEL MAP NO. 2840 AS PER MAP FILED IN BOOK 47, PAGE 41 OF PARCEL MAPS AND PORTION OF UNION PACIFIC RAILROAD AS DESCRIBED IN BOOK 1784, PAGE 308 OF DEEDS, ALL IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. DESCRIBED AS FOLLOWS:

EXHIBIT "B"

698-101

LEGAL DESCRIPTION

LOT LINE ADJUSTMENT NO. 2014

BEGINNING AT THE SOUTHEAST CORNER OF PARCEL 1 OF PARCEL MAP NO. 2840 AS PER MAP FILED IN BOOK 47, PAGE 41 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. THENCE NORTHWEST ALONG THE SOUTHERLY LINE WITH VARIOUS CURVES TO A POINT MEASURED 137 FEET FROM THE SOUTHWEST CORNER OF SAID PARCEL 1, THENCE NORTH 69°46'39" WEST 234.49 FEET; THENCE NORTH 19°36'24" EAST 232.82 FEET; THENCE NORTH 32°03'02" EAST 61.45 FEET; THENCE NORTH 20°00'03" EAST 88.08 FEET TO NORTHWESTERLY CORNER OF PARCEL 2 OF SAID PARCEL MAP. THENCE SOUTH 69°46'39" EAST ALONG THE NORTHERLY LINE OF PARCELS 2 AND 3 OF SAID PARCEL MAP DISTANCE OF 368.68 FEET MORE OR LESS TO WESTERLY RIGHT-OF-WAY OF PIONEER BOULEVARD; THENCE SOUTH ALONG A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 1950.00 FEET, A RADIAL LINE OF SOUTH 81°53'23" EAST; THENCE SOUTHERLY 342.26 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°03'23" TO THE BEGINNING OF A TANGENT LINE SOUTH 18°10'00" WEST 39.96 FEET TO THE POINT OF BEGINNING.

CONTAINING 153,939 SQUARE FEET, 3.534 ACRES, MORE OR LESS.

DESCRIPTION PREPARED BY:

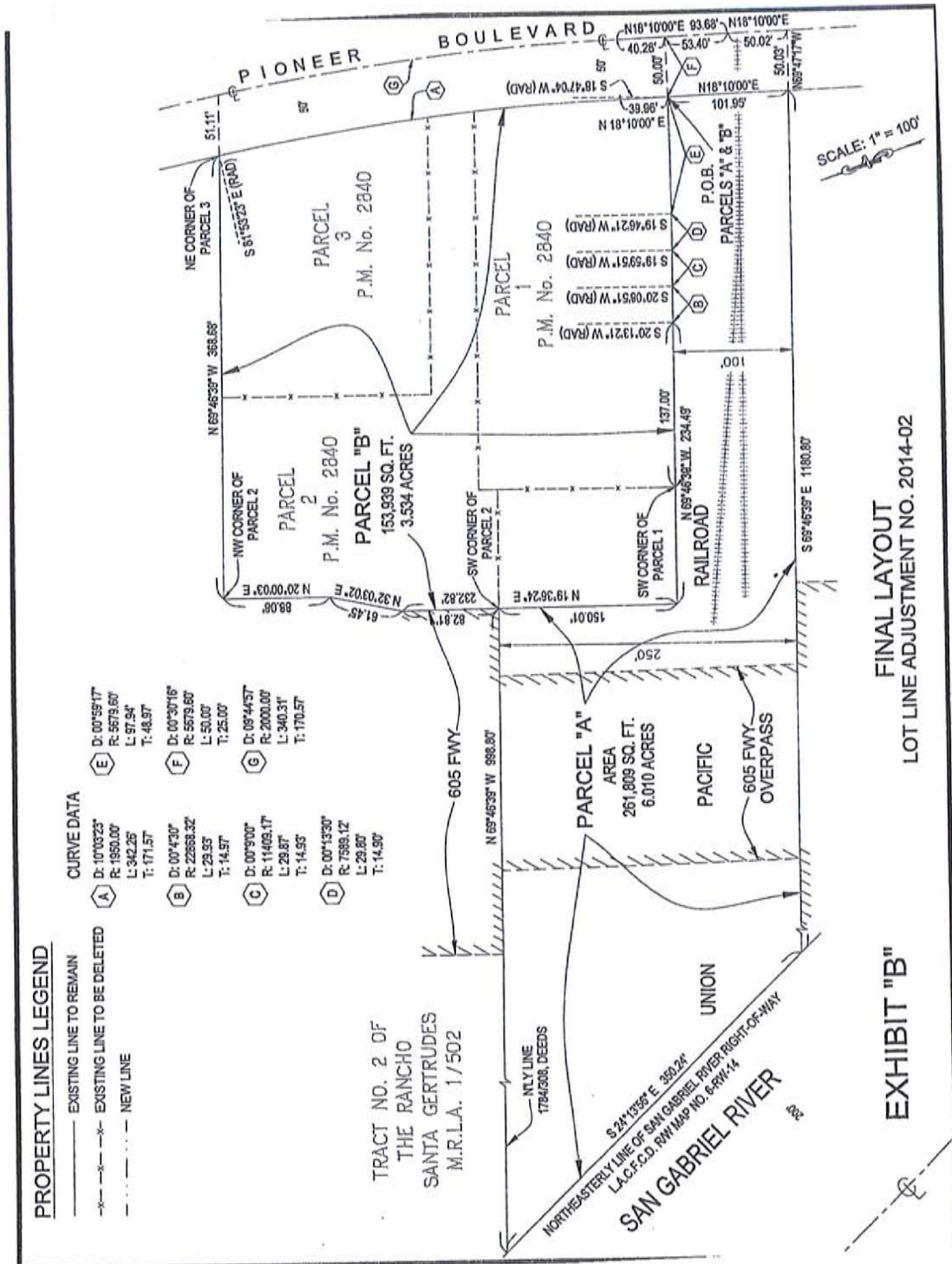
SAMIR M. KHOURY

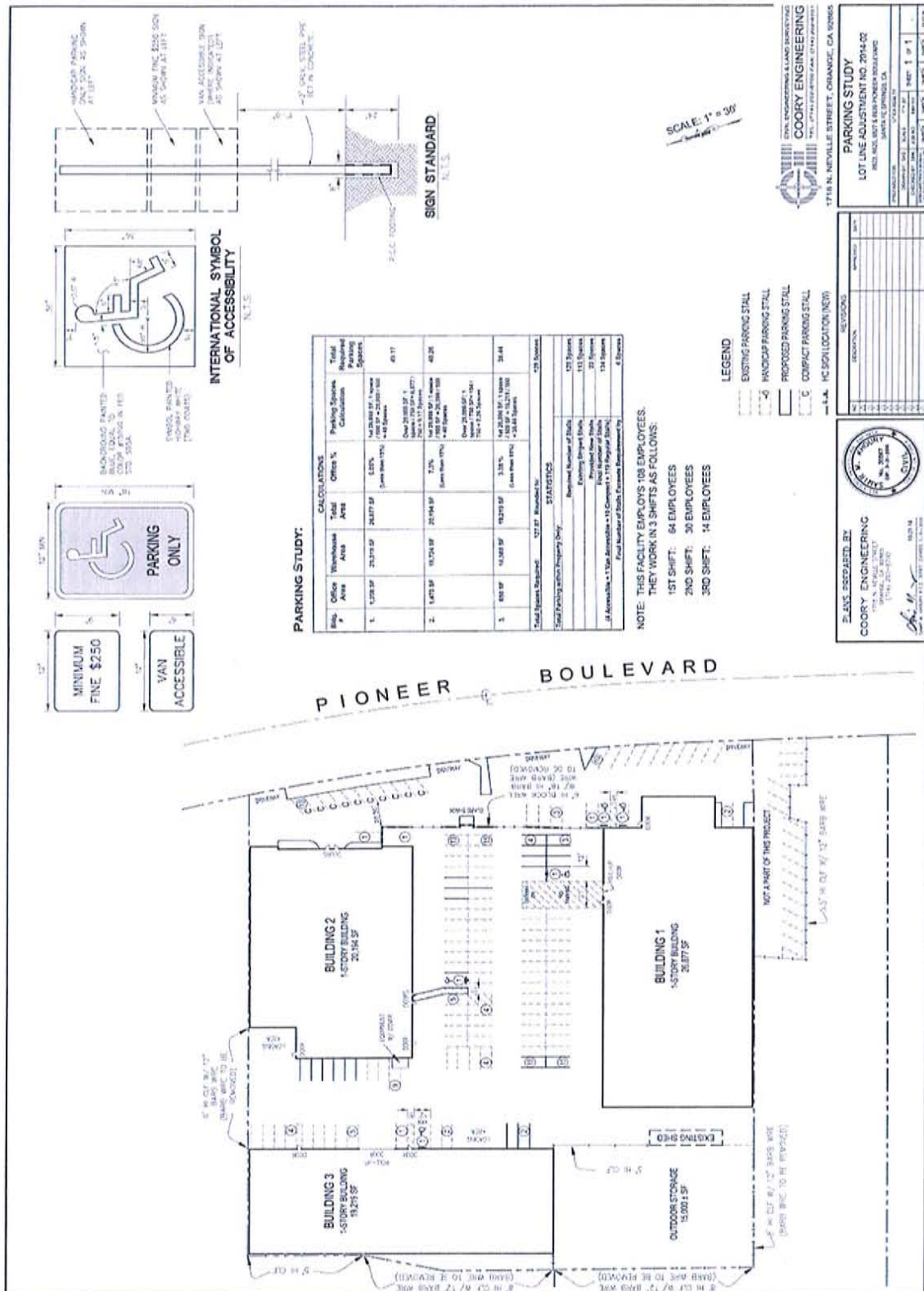
DATE



EXHIBIT "B"

698-101







City of Santa Fe Springs

LOT LINE ADJUSTMENT APPLICATION AND OWNER'S STATEMENT

AREA: What is the total area of the land to be divided? 2.544 ACRES 8823-8839 Pioneer
Number of lots proposed? 2 Bld

USE: Proposed use of the lots: SAME AS EXISTING

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

WATER: What provisions are being made to provide an adequate water system? EXISTING (N/A)

SEWERS: What provisions are being made to provide an adequate sewer system? EXISTING (N/A)

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

STREETS: Will each resulting parcel or lot front on a dedicated and improved street? NO
Have you discussed street improvement requirements with the Department of Public Works? YES

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

RESTRICTIONS: N/A

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.): ENGINEER

I HEREBY CERTIFY, under penalty of law, 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: UTICA REALTY, S.F.S.
Contact Person: HORACE S. JENNINGS
Address: TWO TOWN SQUARE BLDG. # 310
City: ASHEVILLE
State: NC Zip: 28803
Phone: (828) 493-1697

OWNER'S AGENT

Name: JONES DAY - ONE FIRM WORLD WIDE
Contact person: EVAN S. HIRSCH, ESQ.
Address: 201 LAKESIDE AVE.
City: CLEVELAND
State: OHIO Zip: 44114
Phone: (216) 586-1365

ENGINEER OR LICENSED SURVEYOR

Name: CORY ENGINEERING
Contact Person: SAMIR M. KHOURY
Address: 1718 N. NEVILLE ST.
City: ORANGE
State: CA Zip: 92865
Phone: (714) 202-8700

LLA

FOR DEPARTMENT USE ONLY
TRACT/PARCEL MAP NO: 2014-02
DATE FILED: 06/24/2014
FILING FEE: \$ 3,590.00
RECEIPT NO: 1706668
APPLICATION COMPLETE? N

Last Updated: 8/27/2010

Q:\Planning\Database\Planning Handouts\Application for Lot Line Adjustment.doc

RECEIVED

JUN 24 2014

Planning Dept.



NEW BUSINESS

Modification Permit Case No. 1247

Request for a Modification of Property Development Standards to eliminate the existing on-site parking stalls between 15600 Resin Place (APN: 7005-014-065) and 15601 Resin Place (APN: 7005-014-064) and use said area for a new truck well and open storage of empty steel drums. (Heraeus Metal Processing, Inc.)

RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions:

1. Find that the proposed project, 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 Permit.
3. Approve Modification Permit Case No. 1247, subject to the conditions of approval as stated in this staff report.

LOCATION / BACKGROUND

The subject site is located approximately 0.3 mile west of Interstate Highway 5 (I-5), near the border of the City of Cerritos and close to the City of Norwalk. The site is located at the northeast corner of Alondra Boulevard and Carmenita Road. The site measures approximately 6.15 acres and is located within the M-2 (Heavy Manufacturing) Zone. The applicant, Heraeus Metal Processing, Inc. (HMPI), currently occupies ten buildings (13409, 13429, 13443 and 13501 Alondra Boulevard; 15600, 15601, 15610, and 15611 Resin Place; and 15524 and 15536 Carmenita Road) that make up the subject site. HMPI operates and maintains a precious metal reclamation operation on the subject property within strict limitations set forth by Conditional Use Permit Case No. 497.

PROJECT DESCRIPTION

HMPI typically receives several shipments of bulk materials each week. The site is currently not equipped with a truck dock or truck well. Loading and unloading of bulk

materials is, therefore, very labor intensive and logistically is somewhat disorganized. To help improve the site logistics, HMPI is proposing to construct a new truck well, east of Building 4 (15601 Resin Place). The proposed project will allow for two (2) trucks to concurrently load / offload in the truck well. Additionally, HMPI is also proposing to utilize an approximately 2,500 sq. ft. parking area immediately west of Building 5 (15600 Resin Place) to store empty steel drums. Approval of a Modification Permit, however, is required because the proposed truck well and outdoor storage area will displace a total of 28 existing parking stalls on the subject property.

It should be noted that a previous Modification Permit (MOD 1185) was granted to HMPI in 2007 to allow the construction of a wastewater treatment facility between Building 5 (15600 Resin Place) and Building 6 (15610 Resin Place). According to the previous Modification Permit, a total of 162 parking stalls (157 standard stalls and 5 handicap stalls) are to be continually provided and maintained on the subject site. The proposed site plan, which includes the proposed truck well and outdoor storage area, shows the site with a total of 153 parking stalls (148 standard stalls and 5 handicap stalls); a net decrease of 9 parking stalls.

The applicant has stated, however, that this project will not result in additional staff being on site. At peak period, HMPI expects to continue with the current employee count of 131 employees. Since the proposed site plan shows that 153 parking stalls will remain available, parking should be adequate to satisfy HMPI's parking demand during peak periods. In fact, if every staff person drove to work alone, there would still be 22 parking stalls remaining for visitors.

Regardless, similar to the previous Modification Permit granted for the wastewater treatment facility, staff will place a condition to clarify that the parking modification, if granted, is solely for HMPI and is not transferrable unless prior written approval is granted by the Director of Planning. Further, should HMPI vacate the premises, the subject truck well and outdoor storage area shall be fully removed and the area shall be re-stripe for parking purposes

STREETS AND HIGHWAYS

The subject site has frontage on Alondra Boulevard and Carmenita Road. Both streets are designated as a "Major Highway" on the City's General Plan Map. The Commission should note that Resin Place was vacated in 2007 as part of Parcel Map No. 69700, an approval to consolidate nine (9) parcels measuring approximately 6.15 acres into one parcel at 13429, 13443, and 13501 Alondra Boulevard; 15600, 15601, 15610, and 15611 Resin Place; and 15524 and 15536 Carmenita Road (APN #'s: 7005-014-034, 035, 036, 062, 063, 064, 065, 066, and 067). Resin Place is, therefore, now considered a private street.

ZONING AND LAND USE

Industrially zoned areas generally surround the subject site. Properties to the north, east and west are zoned M-2, Heavy Manufacturing, and are currently occupied with industrial manufacturing, production, or warehouse/distribution facilities. Properties to the south are located in the City of Cerritos and are developed with commercial and warehouse facilities.

ENVIRONMENTAL DOCUMENTS

Staff finds the proposed project is categorically-exempt pursuant to Section 15303-Class 3 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA); consequently, no other environmental documents are required by law. Staff will be filing a Notice of Exemption (NOE) within 5 days following action by the Planning Commission

NOTICE TO ADJACENT PROPERTY OWNERS

As with similar requests, staff mailed a letter to adjacent property owners to advise them of the Modification Permit request and of the date and time when this matter would be considered by the Planning Commission. It should be noted that since Heraeus Metal is the property owner for the adjacent properties along the south and west side, only two notices were mailed out: one to the property owner to the north and another notice to the property owner to the east. To date, staff has not received any correspondence concerning the request.

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 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 similar requests have been granted in the past. The chart provided on the following page identifies similar parking Modifications that were approved and justified based on the existing employee to parking ratios that are unique to each respective business and location.

Recent Parking Modifications

Case No.	Site Address	Request	Date Approved
MOD 1221	9306 Sorenson Avenue	Parking Reduction	Jan 2012
MOD 1222	8201 Sorenson Avenue	Parking Reduction	Nov 2011
MOD 1216	10810-10900 Painter Avenue	Parking Reduction	Nov 2010
MOD 1204	10020 Norwalk Boulevard	Parking Reduction	May 2008

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

The site is already fully developed. There is no available space on the subject property to provide a new truck well without impacting existing parking spaces. The truck well project is a critical component that is necessary to improve the efficiency of their current operations. Since there is currently no area designated for loading and unloading of bulk materials, the new truck well will help improve the logistics of their operations. As for the bulk storage of empty steel drums, the proposed area is ideal because it is located behind the existing screen fence and it does not interfere with the flow of their existing operations.

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

The unique circumstance in this case is the fact that HMPI's employee count, which is unique to their business, is less than the amount of parking spaces provided for the site in which they currently occupy/lease. Additionally, HMPI owns and/or occupies a total of 10 adjacent parcels and the existing parking available on each parcel may be shared among the entire site. Moreover, the proposed truck well project will not result in additional employees/demand. HMPI needs the truck well to help improve the logistics of their current operation.

(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.

Granting the Modification Permit request would not be detrimental to other persons, properties in the area, or the community in general. Given HMPI's existing employee count, the Modification Permit is not expected to result in an overflow parking onto the adjacent streets and businesses. At their highest capacity, HMPI expects to have a maximum of 131 employees. According to the provided site plan, the property will have a total of 153 parking spaces which is sufficient to handle the anticipated parking demands related to their business. In fact, if every staff person drove to work alone, there would still be 22 parking stalls remaining for visitors.

Nevertheless, similar to previous Modification Permits granted by the Commission, staff placed a condition to clarify that the parking modification, if granted, is solely for HMPI and is not transferable unless prior written approval is granted by the Director

of Planning. Further, should HMPI vacate the premises, they are required to fully remove the subject truck well with an approved Demolition Permit (see condition #10).

STAFF CONSIDERATIONS

For the aforementioned reasons and findings, staff finds that approval of Modification Permit Case No. 1247 will not be detrimental to the surrounding properties or to the community as a whole and is, therefore, recommending approval of the Modification request subject to the conditions of approval as contained in this report.

CONDITIONS OF APPROVAL:

ENGINEERING / PUBLIC WORKS DEPARTMENT: **(Contact: Robert Garcia 562.868-0511 x7545)**

CITY UTILITIES

1. Storm drains, catch basins, connector pipes, retention basin and appurtenances built for this project shall be constructed in accordance with City specifications on Resin Place. Storm drain plans shall be approved by the City Engineer.
2. That the owner/developer shall obtain a Storm Drain Connection Permit for any connection to the storm drain system.
3. 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.

MISCELLANEOUS

4. 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.
5. 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.
6. 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.

7. That the owner/developer shall comply with the National Pollutant Discharge Elimination System (NPDES) program and shall require the general contractor to implement storm water/urban runoff pollution prevention controls and Best Management Practices (BMPs) on all construction sites in accordance with the current MS4 Permit. The owner/developer will also be required to submit a Certification for the project and will be required to prepare a Storm Water Pollution Prevention Plan (SWPPP).

WASTE MANAGEMENT:

(Contact: Teresa Cavallo 562.868.0511 x7309)

8. 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.
9. 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.

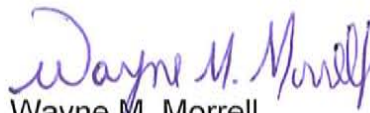
PLANNING AND DEVELOPMENT DEPARTMENT:

(Contact: Cuong Nguyen 562.868-0511 x7359)

10. That the applicant acknowledges that the City is granting this Permit for the sole benefit of Heraeus Metal Processing Inc. (HMPI). Should HMPI transfer, sell or vacate the premises, the subject truck well and outdoor storage area shall be fully removed with an approved Demolition Permit and the area re-stripe for parking purposes.
11. That prior to vacating the premises, Heraeus Metal Processing Inc. shall provide a 90-day advance notice to the Director of Planning of its intent to vacate the property.
12. That 153 off-street parking spaces shall be made continuously available on the subject site at all times as shown on the site plan submitted by the applicant and on file with this case.
13. That there shall be a maximum of 137 employees total (at peak period) within the ten buildings currently occupied/leased by HMPI.
14. That only storage of materials directly related to the applicant's business shall be stored within the outdoor storage area. Additionally, the outdoor storage area shall be adequately screened from public view, to the satisfaction of the Director of Planning.

15. That no portion of the required access driveways, off-street parking and loading areas, shall be used for outdoor storage, manufacturing, repackaging, assembly or similar uses at any time, unless approved by the Director of Planning.
16. That all vehicles associated with the subject business shall be parked on the subject site at all times. In addition, all vehicles associated with the property shall not obstruct or impede any traffic along Alondra Boulevard and Carmenita Road. If parking or traffic issues arise, the applicant shall immediately work with staff to ensure such issue is expeditiously resolved.
17. That, in the event the need arises for the additional required off-street parking spaces as determined by the Director of Planning, the applicant shall work with the planning staff to come up with a solution to immediately mitigate the parking issues.
18. That the owner shall not allow commercial vehicles, trucks and/or truck tractors to queue on Alondra Boulevard, use street(s) as a staging area, or to backup onto the street from the subject property.
19. That the development shall otherwise be substantially in accordance with the plot plan submitted by the owner and on file with the case.
20. That the applicant shall obtain all necessary Building Permits and related approvals from the Building, Planning and Fire Department for the proposed improvements.
21. That the owner/developer shall be responsible for reviewing and/or providing copies of the required conditions of approval to his/her architect, engineer, contractor, tenants, etc. Additionally, the conditions of approval contained herein, shall be made part of the construction drawings for the proposed development.
22. That the owner/developer shall require and verify that all contractors and sub-contractors have successfully obtained a Business License with the City of Santa Fe Springs prior to beginning any work associated with the subject project. A late fee and penalty will be assessed to any contractor or sub-contractor that fails to obtain a Business License and a Building Permit final or Certificate of Occupancy will not be issued until all fees and penalties are paid in full. Please contact Cecilia Pasos, Business License Clerk, at (562) 868-0511, extension 7527 for additional information. A business license application can also be downloaded at www.santafesprings.org.

23. That the applicant, Heraeus Metal Processing, 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.
24. 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.
25. That if there is evidence that 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 modification 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 modification permit.
26. 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

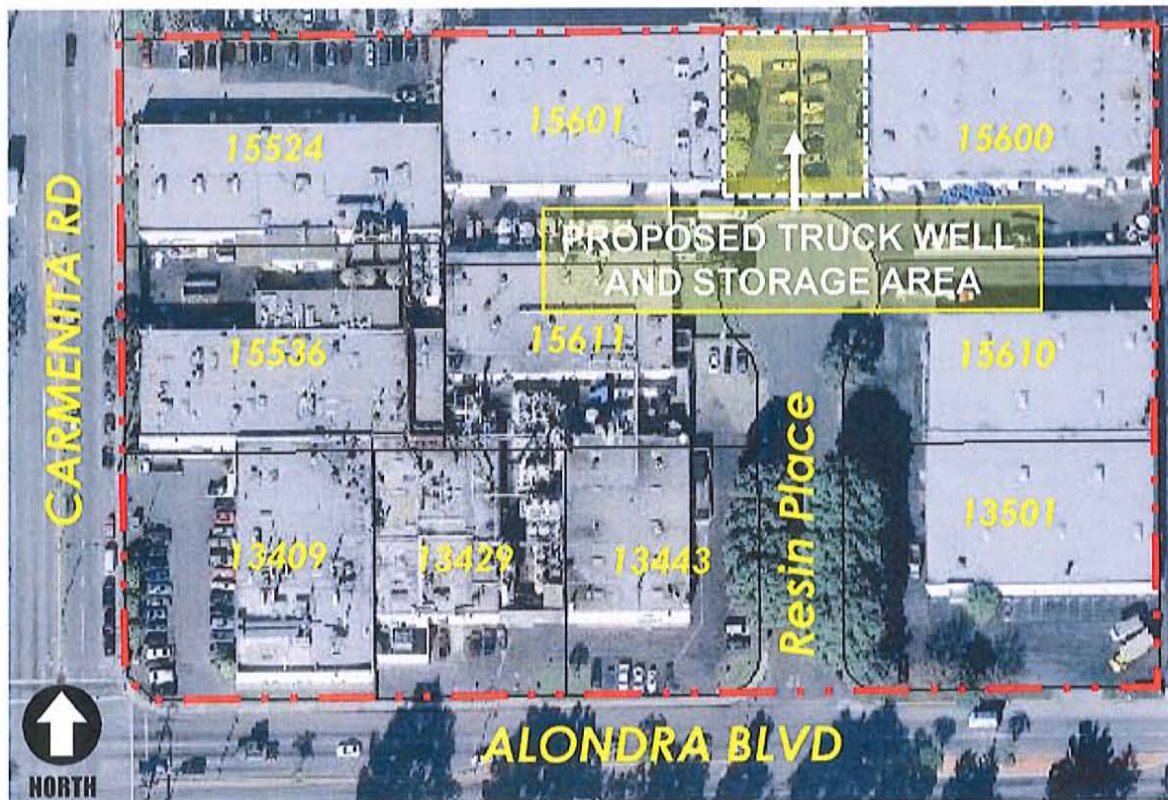
Attachments:

1. Aerial Photograph
2. Site Plan
3. MOD 1247 – Application

C:\Cuong\Cases\Aug.14-Aug.15\MOD 1247 - Heraeus Metal Processing\MOD1247_PCstaffreport_Nov2014.doc

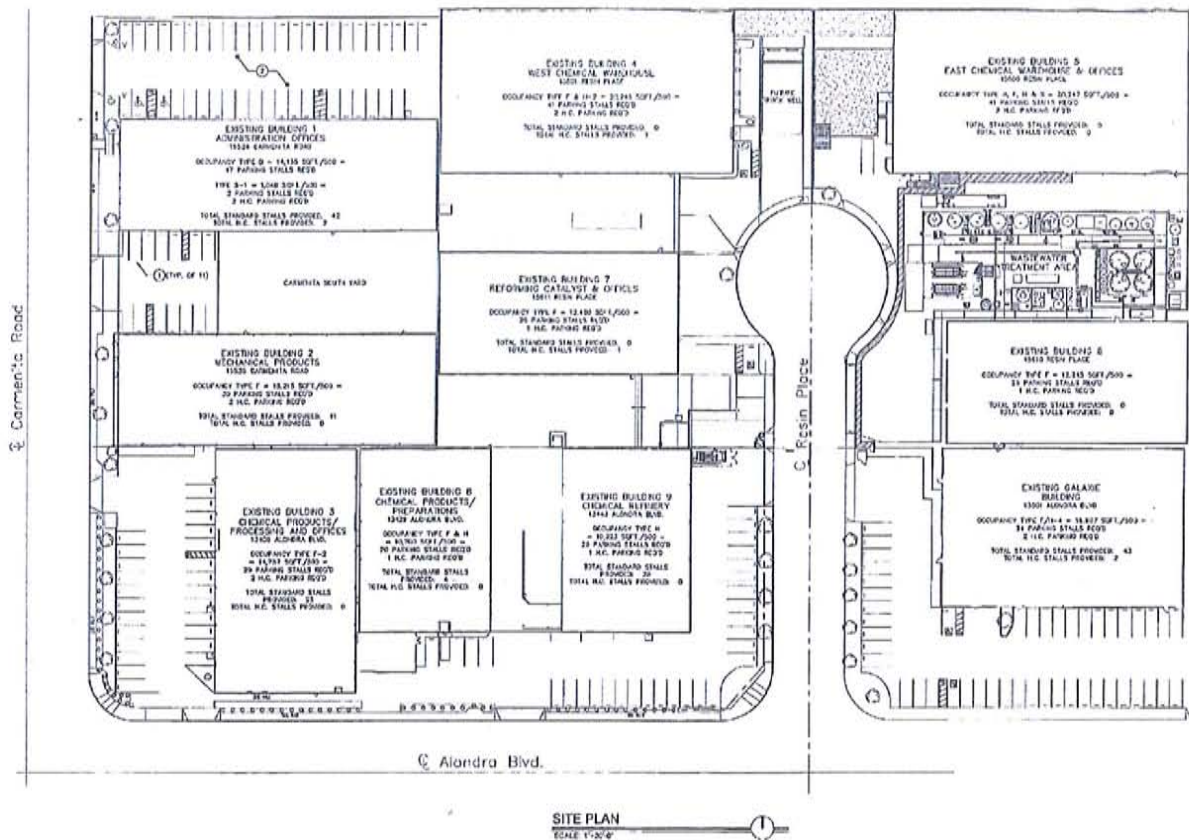
Aerial Photograph

AERIAL PHOTOGRAPH



HERAEUS METAL PROCESSING, LLC

Site Plan



MOD 1247 Application



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

RECEIVED

JUN 25 2014

Planning Dept.

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): 15600 & 15601 Resin Place
Santa Fe Springs, CA 90670

Legal description of property: _____
Heraeus Precious Metals North America L.L.C.
see parcel map P.M. 197-66-67 parcels 7&8

Record Owner of Property:

Name: Heraeus Precious Metals North America L.L.C. Phone No: 562-483-1822
Mailing Address: 15524 Carmenita Rd., Santa Fe Springs, CA 90670

Fax No: 562-926-5333 E-mail: william.wiljer@heraeus.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.): _____
employee

Describe the modification requested: _____
Reduction of parking spaces associated with the construction of an outdoor storage area between
15600 and 15601 Resin Place. Reduction of parking spaces associated with a future truckwell between 15600 Resin
Place and 15601 Resin Place.

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 1247 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. Heraeus Metal Processing currently receives several shipments a week. The site is not currently equipped with a truck dock or truckwell making it difficult to load/offload materials. This project will allow for two (2) trucks to be loaded/offloaded in the truckwell; improving the site logistics.
4. Explain the unusual or unique circumstances involved with the subject property which would cause hardship if compliance with the existing regulations is required.
If the parking space reduction is not granted, the truckwells could not be installed and Heraeus would be limited in its shipping/receiving capabilities as the site productivity increases.
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.
The parking reduction will only effect the Heraeus facility
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.
As the parking spaces are only to be used for Heraeus employees, no impact of public welfare is expected.

MOD 1247 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): Bill Wiljer for Heraeus Precious Metals North America, LLC
 Mailing Address: 15524 Carmenita Rd., Santa Fe Springs, CA 90670
 Phone No: 562-483-1822
 Fax No: 562-926-5333 e-mail: william.wiljer@heraeus.com
 Signature: *William Wiljer*

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

CERTIFICATION

STATE OF CALIFORNIA)
 COUNTY OF LOS ANGELES) ss.

I, William Wiljer, 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: *William Wiljer*
 (If signed by other than the Record Owner, written authorization must be attached to this application)

On 06-05-14 before me, Jeong Koo Rho, Notary Public
 Personally appeared WILLIAM WILJER
 personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) 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

Jeong Koo Rho
 Notary Public



FOR DEPARTMENT USE ONLY	
CASE NO:	<u>MOD # 1247</u>
DATE FILED:	<u>6/25/14</u>
FILING FEE:	<u>\$ 1,140.00</u>
RECEIPT NO:	_____
APPLICATION COMPLETE?	_____

MOD 1247 Application (cont.)*Piping Systems Engineering* **PSE****HERAEUS PRECIOUS METALS NORTH AMERICA****PARKING STUDY
FOR
EAST RESIN BUILDING OUTDOOR STORAGE
June 4, 2014****INTRODUCTION**

As part of the engineering and design effort for the Heraeus Precious Metals North America East Resin building outdoor storage project, Piping Systems Engineering has completed an evaluation of the parking for the entire Heraeus site located at the northeast corner of Carmenita Road and Alondra Boulevard in Santa Fe Springs, California.

OVERVIEW OF PROJECT

The East Resin building outdoor storage project will involve a tenant improvement in the west parking area of the East Resin building addressed as 15600 Resin Place. The proposed outdoor storage area is shown on the attached drawing G-1. Heraeus purchased all the buildings on the site with the exception of building 3, which they currently lease. There is an existing security gate and fence across Resin Place from the northwest corner of the Galaxie building to the northeast corner of building 9 as shown on drawing G-1. In addition, a fence and CMU wall exists on the east end of the wastewater treatment area between buildings 5 and 6. This results in the area north of the fence on Resin Place non-accessible to the public.

In addition to the proposed tenant improvement in the Galaxie building and building 6, a future truckwell is proposed to be installed between building 4 and building 5 as shown on the attached drawing G-1. This truckwell will remove additional parking from the site.

Any trucks delivering items to the site now go through the access controlled gate on Resin Place. Trucks serving the new East Resin building outdoor storage area will enter in through the security gate on Resin and back in to the area over the private sidewalk in the cul de sac. Trucks backing into the new truckwell will enter through the security gate on Resin and back over the private sidewalk in the cul de sac.

PARKING EVALUATION

The required number of parking spaces as determined in the previous 2006 study performed by Lockwood Greene is shown on drawing G-1 for each building. The number of proposed actual parking spaces (153), not including the handicapped spaces, is less than is required by the code. However, the maximum total number of personnel that are proposed to be on site including this project during the peak time of the day is approximately 131 when accounting for the 1st and 2nd shifts together. Refer to drawing G-1 which shows the current peak staff headcount for Heraeus. The previous 2006 parking study reserved a total of six (6) spaces for Galaxie Displays employees. Galaxy Displays no longer occupies the building; therefore these spaces are not required to be allocated for their use.

J:\Projects\2014\14043 Heraeus_Storage\14043 parking study.doc
Page 1

1905 S. Lindsay Rd. • Mesa, Arizona 85204 • Phone: 480 345 0052 • Fax: 480 491 0486

MOD 1247 Application (cont.)**RECOMMENDED PARKING PLAN**

Heraeus is requesting that the City of Santa Fe Springs approve the attached parking plan based on the fact that the number of existing and new parking spaces exceeds the total number of employees that will ever be on site. Finally, the issue of backing trucks over public sidewalks has been eliminated by installing the fence and access control gate on Resin Place.

J:\Projects\2014\14043 Heraeus_Storage\14043 parking study.doc
Page 2



NEW BUSINESS

Trucking Use Time Extension No. 12

Consideration of a request for an extension of Trucking Use Time Extension No. 12, to allow the continued operation and maintenance of a nonconforming truck and trailer parking and storage use located at 12027 Greenstone Avenue (APN: 8026-020-074 and APN: 8026-020-075), on a former landfill site, in the M-2, Heavy Manufacturing Zone, within the Consolidated Redevelopment Project Area. (Arnold and June Silvey)

RECOMMENDATION

That the Planning Commission recommend that the City Council grant a twenty (20) year extension of Trucking Use Time Extension No. 12, to Arnold Silvey and June Silvey on behalf of Silvey and Silvey, Inc., to continue the truck parking and storage use on the 2.32-acre, former landfill properties at 12027 Greenstone Avenue, subject to the conditions of approval set forth in the revised Memorandum of Understanding.

BACKGROUND/DESCRIPTION OF REQUEST

The subject 2.32-acre site consist of two contiguous assessor parcels (APN: 8026-020-074 and APN: 8026-020-075, each of 1.16 acres and with a single address of 12027 Greenstone Avenue. The 2.32-acre site is located on the west side of Greenstone Avenue, north of Sunshine Avenue, south of Lakeland Road and west of Shoemaker Avenue. According to Los Angeles County Office of the Assessor, the site is developed with a 1,768 sq. ft. office building that was constructed in 1975 and a 7,140 sq. ft. metal building constructed in 1979. Both parcels, are located on a former landfill, and are owned by Silvey and Silvey, Inc.

At its meeting of March 23, 1989, the City Council passed Resolution No. 5315 adopting the Development Standards for Trucking Uses. The Development Standards set forth certain site improvements that must be complied with in conjunction with a Trucking Use Time Extension and was intended to upgrade the appearance of nonconforming trucking operations in exchange for the granting of a time extension to allow their continued operation.

City records indicate that, in 1974, Silvey Transportation Inc., was granted a Conditional Use Permit (CUP 183) for truck and trailer parking and storage on the subject properties. The CUP was granted to a large degree because the property is a former landfill (Kobra), thereby limiting its potential development. R&R Transportation, Inc., is the current trucking use that occupies the site.

The Planning Commission will note that Ordinance No. 358, adopted in 1969, established a two acre size limitation on trucking uses, and provided for a twenty year amortization period. Pursuant to Section 155.656 (Trucking; Transit and Transportation Facilities), however, special consideration is given to trucking uses operated "on a site composed of filled land which cannot be better utilized for other industrial use." This consideration allows a trucking use conducted on filled land to exceed the two acre size limitation, but does not waive the time limitation.

The Planning Commission and City Council, at their respective meetings held March 28 and April 14, 1994, approved a request by Arnold Silvey on behalf of Silvey Transportation, for a Trucking Use Time Extension to continue the operation and maintenance of the truck and trailer parking and storage use. The Trucking Use Time Extension was granted for five (5) years provided that the applicant did certain site improvements. If at the end of the initial five (5) years, all improvement were satisfactorily completed, Staff anticipated recommending a twenty (20) year time extension. A Memorandum of Understanding (MOU) set forth the conditions of approval for the 20 year Trucking Use Time Extension. The MOU was between the property owners, Arnold L. Silvey and Leonard S. Silvey, and the City of Santa Fe Springs.

The applicant was able to successfully complete all the required site improvement within a year. As a result, the Planning Commission and City Council at their respective meetings of February 14 and February 23, 1995, granted an extension of Trucking Use Time Extension No. 12 for twenty (20) years, until February 23, 2015. The revised MOU set forth the conditions of approval for the twenty (20) year extension. As was previously done, the MOU was between the property owners, Arnold L. Silvey and Leonard S. Silvey, and the City of Santa Fe Springs.

On May 16, 2014 staff received a Trucking Use Time Extension application from Arnold and June Silvey of Silvey and Silvey, Inc., requesting an extension of Trucking Use Time Extension No. 12 for a period of twenty (20) years. Attached to the application was a copy of the executed 1995 MOU. Since the Trucking Use Time Extension expires in February 2015, the applicant was informed that staff could not present the case before the Planning Commission and City Council at this time, Staff did, however, e-mailed a copy of the MOU and asked the applicant to verify that all conditions as listed within the MOU were completed. Staff, subsequently, followed-up with an exterior inspection of the property and noted that the limbs of several trees along the frontage of the property extended into the utility lines and that several of the slats of the perimeter fence needed to be repaired or replaced. The applicant was subsequently informed of the results of the inspection and asked to address all issues observed.

On September 04, 2014, Staff conducted a walk-through inspection of the property to determine if the conditions of approval, as listed in the MOU, were complied with. Following the initial walk-through inspection the applicant was directed to comply with the following:

1. Provide a solid door for the trash enclosure
2. Replace any damaged and missing slats in the fence and gate. Paint to match existing.
3. Repair and/or replace the paved driveway (Condition E) extending from the front property line fifty (50) feet into the property.
4. Replace and/or replace all impervious surface area (asphalt, etc.,) on the site.

On October 15, 2014, Staff received an e-mail from the applicant stating that "we have met all the City Requirements that have been requested." The e-mail was accompanied by several photographs showing the accomplishments and also listing them.

- Maintained front landscape and trimmed trees.
- Replaced front fence slats and painted off color sections.
- Stephen Doreck Construction Inc. Tenant renewed business license.
- Produced a scale site plan of property
- Installed heavy duty metal trash enclosure doors.
- Repaved 70' front entrance driveway and repaved lot potholes.

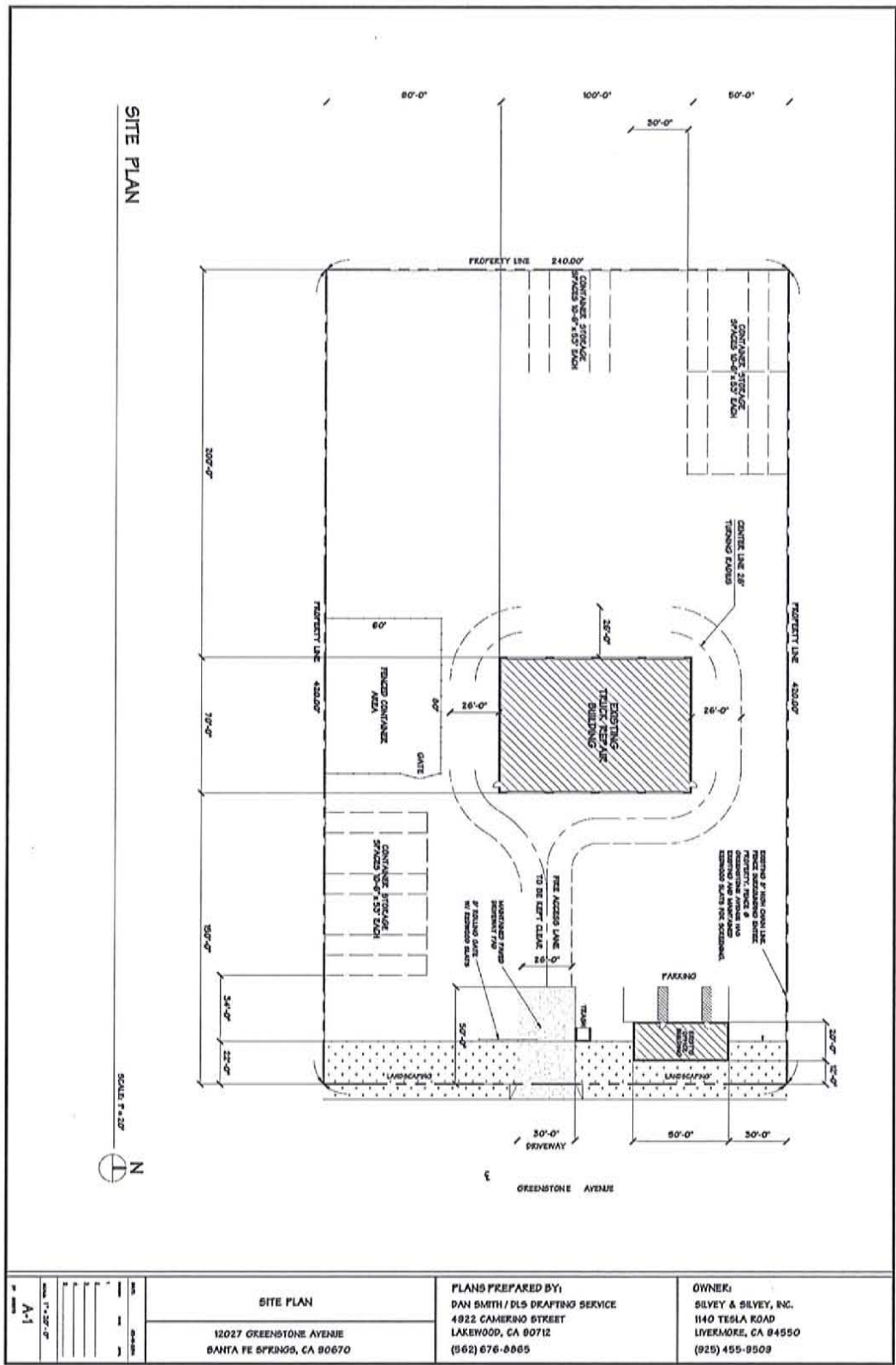
Staff has verified that the applicant has completed the aforementioned items; consequently, the applicant is now in full compliance with the conditions of approval as outlined in the MOU. Staff, therefore, finds that if the use continues to operate in strict compliance with the required conditions of approval as outlined in the MOU, 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 that the Planning Commission recommend that the City Council grant a twenty (20) year extension of Trucking Use Time Extension No. 12, to continue the truck parking and storage use on the 2.32-acre, subject to the conditions of approval set forth in the revised Memorandum of Understanding.


Wayne M. Morrell
Director of Planning

Attachment(s)

Location Aerial
Site Plan
Memorandum of Understanding (1995)
Memorandum of Understanding (2014)
Application for Trucking Use Time Extension





MEMORANDUM OF UNDERSTANDING
(revised 1995)

This Memorandum of Understanding ("MOU"), dated Feb. 24, 1995 is entered into by and between the City of Santa Fe Springs, a body corporate and politic of the State of California ("City"), and Arnold L. Silvey and Leonard S. Silvey ("Applicant"), the owners of the property located at 12027 Greenstone Avenue, upon which the subject trucking operation (Silvey Transportation Inc.) is conducted, and supersedes the previous MOU between the abovenoted parties.

1. Purpose of MOU.

The purpose of this MOU is to set forth the conditions under which the Applicant may continue the operation and maintenance of a nonconforming trucking use in the City of Santa Fe Springs. Section 51.17 of the City Zoning Ordinance allows for an extension of time for nonconforming uses if the City Council finds that circumstances so warrant.

On March 23, 1989, the City Council passed Resolution No. 5325 adopting the Development Standards for Trucking Uses. The Development Standards set forth certain site improvements that must be complied with in connection with a Trucking Use Time Extension. Recognizing that many trucking uses in the City have already become illegally nonconforming uses, it is the intent of the Development Standards to upgrade the appearance and operation of these illegally nonconforming uses in consideration for an extension of the termination date.

2. Responsibility of City.

The City of Santa Fe Springs hereby agrees to grant an extension of the required termination date for the nonconforming trucking use, thereby allowing the lawful continuation of the Silvey Transportation Inc. truck and trailer parking and storage use on the subject site for a period of twenty (20) years, until February 23, 2015.

3. Responsibility of Applicant.

The Applicant agrees to fully and on an ongoing basis for the term of this MOU comply with all of the conditions of approval as set forth in No. 4. Failure to comply with any of the conditions of approval within the prescribed time period will be considered a breach of this MOU.

4. Conditions of Approval.

The City Council hereby grants to Arnold L. Silvey and Leonard S. Silvey an extension of Trucking Use Time Extension No. 12 to allow Silvey Transportation Inc. to continue use of the subject 2.32 acre former landfill site located at 12027 Greenstone Avenue for truck and trailer parking and storage subject to the following conditions:

- A. That the applicant shall maintain in a satisfactory condition the eight (8) foot high chain link fence provided with redwood slats for screening purposes located along the entire length of the twenty (20) foot front yard setback line (as measured from the Greenstone Avenue front property line), exclusive of the existing driveway which shall be served by an eight foot high rolling gate with redwood slats.
- B. That the applicant shall maintain in conformance with the previously approved landscape and irrigation plan on file with this case the onsite and parkway landscape areas of the subject property.
- C. That the applicant shall continue to maintain the property in a clean and orderly manner; that abandoned or inoperative vehicles and unused vehicle parts shall not be kept or stored within the outdoor yard area, and that the property shall continuously be kept free of weeds, trash, debris and vehicle parts.
- D. That the existing metal maintenance building located in the middle of the property that has been lawfully provided with a wood exterior facade treatment shall be maintained in compliance with the Zoning Regulations of the City Code regarding metal buildings.
- E. That the applicant shall maintain in satisfactory condition the paved driveway pad extending from the front property line fifty (50) feet westward into the property.
- F. That a sufficient number of approved outdoor trash enclosures shall continuously be provided on the site subject to the approval of the Director of Planning and Development
- G. That the applicant shall provide all public improvements needed to serve the subject site as determined by the City Engineer. Said public improvements shall be installed in accordance with City specifications and the requirements of the City Engineer.
- H. That the subject use shall be maintained at all times in strict conformance with the final plot plan, elevations and landscape plan prepared for and on file with the subject request.
- I. That all other requirements of the City Zoning Ordinance, Building Code, Property Maintenance Ordinance, Fire Code and all other applicable regulations shall be complied with.

5. Assignment.

The entitlement granted herein may not be transferred without the prior written consent of the City.

6. Institution of Legal Actions.

In addition to any other rights or remedies, either party may institute legal action to cure, correct or remedy any default, to recover damages for any default, or obtain any other remedy consistent with the purpose of this MOU. Such legal actions must be instituted in the Superior Court of the County of Los Angeles, State of California.

7. Applicable Law.

The laws of the State of California shall govern the interpretation and enforcement of this MOU.

8. Notices, Demands and Communications Between the Parties.

Formal notices, demands and communications between the City and the Applicant shall be given by personal service or registered or certified mail, postage prepaid, return receipt requested, to the principal offices of City and Applicant, as set forth below. Such written notices, demands and communications may be sent in the same manner to such other addresses either party may from time to time designate by mail as provided in this MOU.

To City:

Director of Planning and Development
City Hall, Santa Fe Springs
11710 Telegraph Road
Santa Fe Springs, CA 90670-3658

To Applicant's Representative:

Arnold L. Silvey or Leonard S. Silvey
Silvey Transportation Inc.

3170 Fourth Street
Livermore, CA
94550

9. Conflict of Interest.

- (a) No member, official or employee of any personal interest, direct or indirect, in this MOU, nor shall any such member, official or employee participate in any decision relating to the MOU which effects his personal interest or the interests of any corporation, partnership or association in which he is directly or indirectly interested.

- (b) Applicant warrants that it has not paid or given, and will not pay or give, any third party any money or other consideration for obtaining this MOU. Third parties, for the purposes of this clause, shall not include persons to whom fees were paid for professional services if rendered by attorneys, accountants, engineers, architects and the like when such fees are considered necessary by Applicant.

10. Non-Liability of City or City Officials or Employees.

No member, official or employee of the City of Santa Fe Springs shall be personally liable to Applicant in the event of any default or breach by City or for any amount which may become due to Applicant on any obligations under the terms of this MOU.

IN WITNESS WHEREOF, City and Applicant have signed this Memorandum of Understanding as of the dates set below their signatures.

CITY OF SANTA FE SPRINGS

By: [Signature]
Director of Planning and Development

Date: February 24, 1995

ATTEST: [Signature]
Secretary

APPLICANT/PROPERTY OWNER

By: [Signature]

Title: Pres.

Date: 3-3-95

[Signature]
U.P.
3-3-95

MEMORANDUM OF UNDERSTANDING
(revised 2014)

This Memorandum of Understanding ("MOU"), dated November _____, 2014 is entered into by and between the City of Santa Fe Springs, a body corporate and politic of the State of California ("City"), and Arnold L. Silvey and June Silvey ("Applicant"), the owners of the property located at 12027 Greenstone Avenue, upon which the subject trucking operation is conducted, and supersedes the previous MOU between the above noted parties.

1. Purpose of MOU.

The purpose of this MOU is to set forth the conditions under which the Applicant may continue the operation and maintenance of a nonconforming trucking use in the City of Santa Fe Springs. Section 155.401 of the City Zoning Ordinance allows for an extension of time for nonconforming uses if the City Council finds that circumstances so warrant.

On March 23, 1989, the City Council passed Resolution No. 5325 adopting the Development Standards for Trucking Uses. The Development Standards set forth certain site improvements that must be complied with in connection with a Trucking Use Time Extension. Recognizing that many trucking uses in the City have already become illegally nonconforming uses, it is the intent of the Development Standards to upgrade the appearance and operation of these illegally nonconforming uses in consideration for an extension of the termination date.

2. Responsibility of City.

The City of Santa Fe Springs hereby agrees to grant an extension of the required termination date for the nonconforming trucking use, thereby allowing the lawful continuation of the truck and trailer parking and storage use on the subject site for a period of twenty (20) years, until February 23, 2015.

3. Responsibility of Applicant.

The Applicant agrees to fully and on an ongoing basis for the term of this MOU comply with all of the conditions of approval as set forth in No. 4. Failure to comply with any of the conditions of approval within the prescribed time period will be considered a breach of this MOU.

4. Conditions of Approval.

The City Council hereby grants to Arnold L. Silvey and June Silvey an extension of Trucking Use Time Extension No. 12 to allow. to continue use of the subject 2.32 acre former landfill site located at 12027 Greenstone Avenue for truck and trailer parking and storage subject to the following conditions:

- A. That the applicant shall maintain in a satisfactory condition the eight (8) foot high chain link fence provided with redwood slats for screening purposes located along the entire length of the twenty (20) foot front yard setback line (as measured from the Greenstone Avenue front property line), exclusive of the existing driveway which shall be served by an eight foot high rolling gate with redwood slats.
- B. That the applicant shall maintain in conformance with the previously approved landscape and irrigation plan on file with this case the onsite and parkway landscape areas of the subject property.
- C. That the applicant shall continue to maintain the property in a clean and orderly manner; that abandoned or inoperative vehicles and unused vehicle parts shall not be kept or stored within the outdoor yard area, and that the property shall continuously be kept free of weeds, trash, debris and vehicle parts.
- D. That the existing metal maintenance building located in the middle of the property that has been lawfully provided with a wood exterior facade treatment shall be maintained in compliance with the Zoning Regulations of the City Code regarding metal buildings.
- E. That the applicant shall maintain in satisfactory condition the paved driveway pad extending from the front property line fifty (50) feet westward into the property.
- F. That a sufficient number of approved outdoor trash enclosures shall continuously be provided on the site subject to the approval of the Director of Planning and Development
- G. That the applicant shall provide all public improvements needed to serve the subject site as determined by the City Engineer. Said public improvements shall be installed in accordance with City specifications and the requirements of the City Engineer.
- H. That the subject use shall be maintained at all times in strict conformance with the final plot plan, elevations and landscape plan prepared for and on file with the subject request.
- I. That all other requirements of the City Zoning Ordinance, Building Code, Property Maintenance Ordinance, Fire Code and all other applicable regulations shall be complied with.

5. Assignments.

The entitlement granted herein may not be transferred without prior written consent of the City.

6. Institution of Legal Actions.

In addition to any other rights or remedies, either party may institute legal action to cure, correct or remedy any default, to recover damages for any default, or obtain any other remedy consistent with the purpose of this MOU. Such legal actions must be instituted in the Superior Court of the County of Los Angeles, State of California.

7. Applicable Law.

The laws of the State of California shall govern the interpretation and enforcement of this MOU.

8. Notices, Demands and Communications Between the Parties.

Formal notices, demands and communications between the City and the Applicant shall be given by personal service or registered or certified mail, postage prepaid, return receipt requested, to the principal offices of City and Applicant, as set forth below. Such written notices, demands and communications may be sent in the same manner to such other addresses either party may from time to time designate by mail as provided in this MOU.

To City: Director of Planning
City Hall, Santa Fe Springs
11710 Telegraph Road
Santa Fe Springs, CA 90670-3658

To Applicant's Representative: Arnold L. Silvey or June Silvey
Silvey and Silvey Inc.
11140 Tesla Road
Livermore, CA 94550

9. Conflict of Interest.

- (a) No member, official or employee of the City shall have any personal interest, direct or indirect, in this MOU, nor shall any such member, official or employee participate in any decision relating to the MOU which effects his personal interest or the interests of any corporation, partnership or association in which he is directly or indirectly interested.

6. (b) Applicant warrants that it has not paid or given, and will not pay or give, any third party any money or other consideration for obtaining this MOU. Third parties, for the purposes of this clause, shall not include persons to whom fees were paid for professional services if rendered by attorneys, accountants, engineers, architects and the like when such fees are considered necessary by Applicant.

10. Non-Liability of City or City Officials or Employees.

No member, official or employee of the City of Santa Fe Springs shall be personally liable to Applicant in the event of any default or breach by City or for any amount which may become due to Applicant on any obligations under the terms of this MOU.

IN WITNESS WHEREOF, City and Applicant have signed this Memorandum of Understanding as of the dates set below their signatures.

CITY OF SANTA FE SPRINGS

By: _____
Director of Planning

Date: _____

ATTEST: _____
City Clerk

APPLICANT/PROPERTY OWNER

By: _____

Title: _____

Date: _____

APPLICATION FOR TRUCKING USE TIME EXTENSION

The undersigned hereby applies for a Trucking Use Time Extension, a request to continue the operation and maintenance of a nonconforming trucking use on property located at:

12027 Greenwood Ave. Shasta Co. Spring Ca.
(Site Address)

Applicant's Name: Silvey + Silvey, INC Phone Number: (916)-455-9509

Mailing Address: 11140 Tesla Rd. Livermore, CA. 94550

Recorded Owner of Property: Silvey + Silvey, Inc.

Mailing Address: 11140 Tesla Rd. Livermore, CA. 94550

Phone Number: (916) 455-9509 Term of Existing Lease: Sept. to 2-2015

Please answer the following questions concerning the trucking operation. Attach an additional sheet if necessary.

1. How many trucks, tractors and trailers will operate from the site and/or be parked or stored?
maybe 20 in and out
2. How many trips per day will be generated to and from the site?
maybe 20 in and out
3. What are the days and hours of operation? How many shifts per day?
6 days - 6am to 6pm - 1 shift.
4. How many employees will operate on or from the site on the largest shift?
4 employees on site - 5 drivers in & out
5. Describe the type of products stored and/or shipped from the site.
*nothing stored on property
Hauls Feedstuff.*

05-15-14 1014639 CHC/RC 3449,00

Please answer the following questions regarding the property. Attach an additional sheet if necessary.

1. Size and dimensions of site (provide a site plan). - ATTACHED
240' x 400' - 2.31 acre
2. Size and type of buildings or structures currently located on the site.
Shop building - 70' x 100' - office - 750 sq. ft.
3. Size and type of buildings or structures proposed on the site.
none proposed
4. Is the property included on the attached Identified Hazardous Waste and Substances Sites list? (Please complete and sign the attached Statement).
Research done on 514 properties listed in Calif.
Not on list.

I/We, the undersigned, state that I/we are the owners of all the property involved in this application:

Name (please print): Arnold Silvey Phone: 925-455-9509

Mailing Address: 11140 Tesla Rd Livermore Ca 94550

Signature: _____

Name (please print): Juan Silvey Phone: 925-455-9509

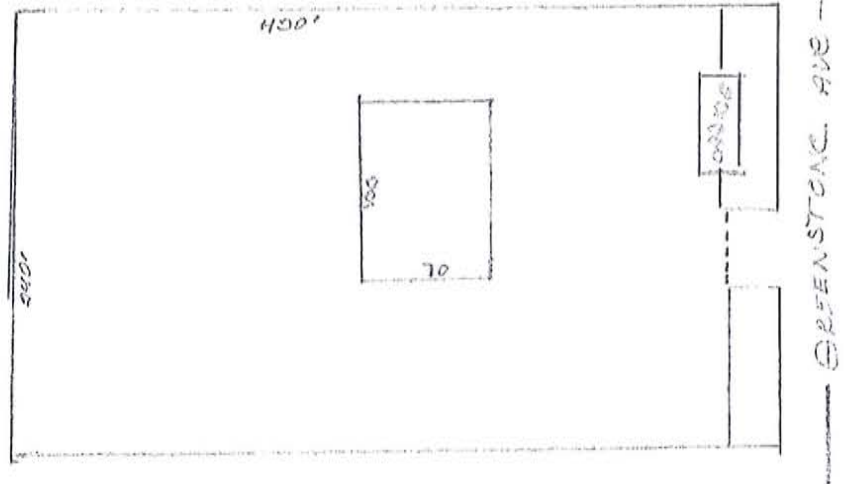
Mailing Address: 11140 Tesla Rd Livermore Ca 94550

Signature: Juan Silvey

05-14-14 1014439

CHECK 3661.00

19029 Greenstone Ave
Santa Fe, Springs, CO



11-11-14

City of Santa Fe Springs, Co.

Have applying for a renewal term
of 30 years.

The last tenant was in for 18 and
the tenant would like to renew for renewal
years.

June Silbey
Silbey & Silbey, Inc.

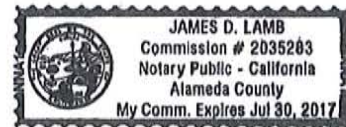
STATE OF CALIFORNIA)
Alameda) ss.
COUNTY OF LOS ANGELES)

Signature: Ernest J. Jones
(If signed by other than the Record Owner, written authorization must be attached to this application.)

Notary Public

Or

City Clerk
City of Santa Fe Springs



CASE NO: _____
DATE FILED: _____
FILING FEE: _____
RECEIPT NO: _____
APPLICATION COMPLETE? _____

Date of Report: November 5, 2014

CITY OF SANTA FE SPRINGS
NOTICE TO DEVELOPMENT PROJECT APPLICANTS

Regarding: Compliance with State Government Code Section 69562.5(e)

The City of Santa Fe Springs cannot accept an application for any development project as complete until the applicant has consulted the latest Identified Hazardous Waste and Substances Sites List prepared pursuant to State Government Code Section 65962.5(e) and submitted a signed statement indicating whether or not the proposed development project is to be located on a site which is included on said list.

APPLICANT'S STATEMENT OF PROPERTY STATUS

I, Arnold Silver hereby attest that I am the applicant for a development project on property located at 10007 Greenstone Ave. Santa Fe Springs Ca Santa Fe Springs, California. I further attest that I have consulted the latest Identified Hazardous Waste and Substances Sites List prepared pursuant to State Government Code Section 69562.5(e) and determined that the development project proposed on the above-described property (is)/(is not) located on a site which is included on the said list.


Signature of Applicant

11-11-14
Date

OWNER
Title (owner/agent)

11140 Tesla Rd.
Mailing Address

Livermore, Ca. 94550

925-455-9509
Phone Number



CONSENT ITEM

Conditional Use Permit Case No. 590-5

A compliance review of a church facility within an approximately 2,700 sq. ft. tenant space located at 14565 Valley View Avenue, Suite A (APN: 8069-006-042), in the C-4-PD, Community Commercial-Planned Development Overlay zone, and within the Valley View Commerce Center. (Living Water Stream Church)

RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions:

1. Find that the continued operation and maintenance of a church 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 purposes and objectives of the Zoning Regulations and consistent with the goals, policies, and programs of the City's General Plan.
2. Require that Conditional Use Permit Case No. 590, be subject to a compliance review in five (5) years, on or before, November 10, 2019, to ensure that the use is still operating in strict compliance with the conditions of approval as contained within this staff report.

BACKGROUND

In accordance with Section 155.153(Z) of the City's Zoning Regulations, church uses are required to obtain a Conditional Use Permit prior to commencement of such activities.

Living Stream Water Church established itself in January of 2008. The church currently has a membership of approximately 100 individuals. The subject property accommodates their needs. It should be noted that Living Stream Water Church is not the original church that was permitted on the subject property. The original CUP was granted to Hinneniy Presbyterian Church. In March of 2008, City Staff permitted Hinneniy Presbyterian Church to transfer the entitlement to Living Water Stream Church, provided that Living Water Stream Church agreed to abide by the conditions of approval set forth for Hinneniy Presbyterian Church.

Hinneniy Presbyterian Church was initially granted Planning Commission approval to operate a church use on May 29, 2001, for a period of one year, with three time extensions thereafter: a one year extension on August 26, 2002; a two year extension on September 22, 2003; a three year extension on February 27, 2006; and a three year extension on July 13, 2009.

STAFF CONSIDERATIONS

As standard practice for all CUP compliance reviews, an inspection of the subject property was 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 Planning Department, the applicant was directed to comply with the following:

1. Removal of non-permitted construction/alterations made to the tenant space that included a shower installed in the women's restroom and a window alteration due to air conditioning needs.

Staff recently conducted a follow-up inspection and has verified that the applicant has completed the aforementioned item; consequently, the applicant is now in full compliance with the existing conditions of approval. Staff therefore finds that if the church facility use operates 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 that CUP 590-5 be subject to a compliance review in five (5) years to ensure the use is still operating in compliance with the conditions of approval as contained in this staff report.

CONDITIONS OF APPROVAL

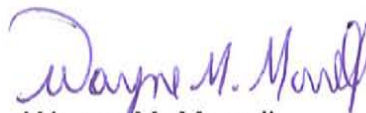
NOTE: Changes to existing conditions are provided as a strike-through or bold.

PLANNING AND DEVELOPMENT DEPARTMENT

(Contact: Kristi Rojas 562.868-0511 x7451)

1. That all vehicles associated with the church use be parked on the subject site; off-site parking is not permitted and may result in the restriction or revocation of privileges granted under this Permit. **(Ongoing)**
2. That congregational or public assembly meeting activities shall be limited to Friday's from 8:00 p.m. to 12:00 a.m. and Sunday mornings from 11:00 a.m. to 5:00p.m.; Daily Prayer Meetings activities shall be limited to Monday through Friday's from 8:00 p.m. to 12:00 a.m. Any deviation from or proposed addition to these hours shall be subject to the prior written approval of the Director of Planning and Development. **(Ongoing)**

3. That all church activities shall be conducted within the subject unit at all times. **(Ongoing)**
4. That all other requirements of the City's Zoning Ordinance, Property Maintenance Ordinance, and all other applicable Federal, State, and local regulations shall be complied with. **(Ongoing)**
5. That any changes to the approved floor plan and any other improvements to the church facility shall be subject to the prior written approval of the Director of Planning and Development. **(Ongoing)**
6. That portable signs are prohibited; any future signage for the church use shall comply with Section 155.515 of the City Code of Ordinance and the related Sign Guidelines of the City. **(Ongoing)**
7. That the owner/applicant shall strictly adhere to the maximum occupancy of 49 persons during all hours of operation. Any increase in maximum occupancy will require the installation of emergency preparedness hardware to meet Building code requirements and be subject to the prior approval of the City Fire Marshall. **(Ongoing)**
8. That Conditional Use Permit Case No. 590-5 shall be subject to a compliance review in five (5) years, on or before November 10, 2019 to ensure the church use is still operating in strict compliance with the attached conditions of approval. **(Ongoing)**
9. 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 laws, statute, or ordinance is violated, this Approval shall be void and the privileges granted hereunder shall lapse. **(Ongoing)**



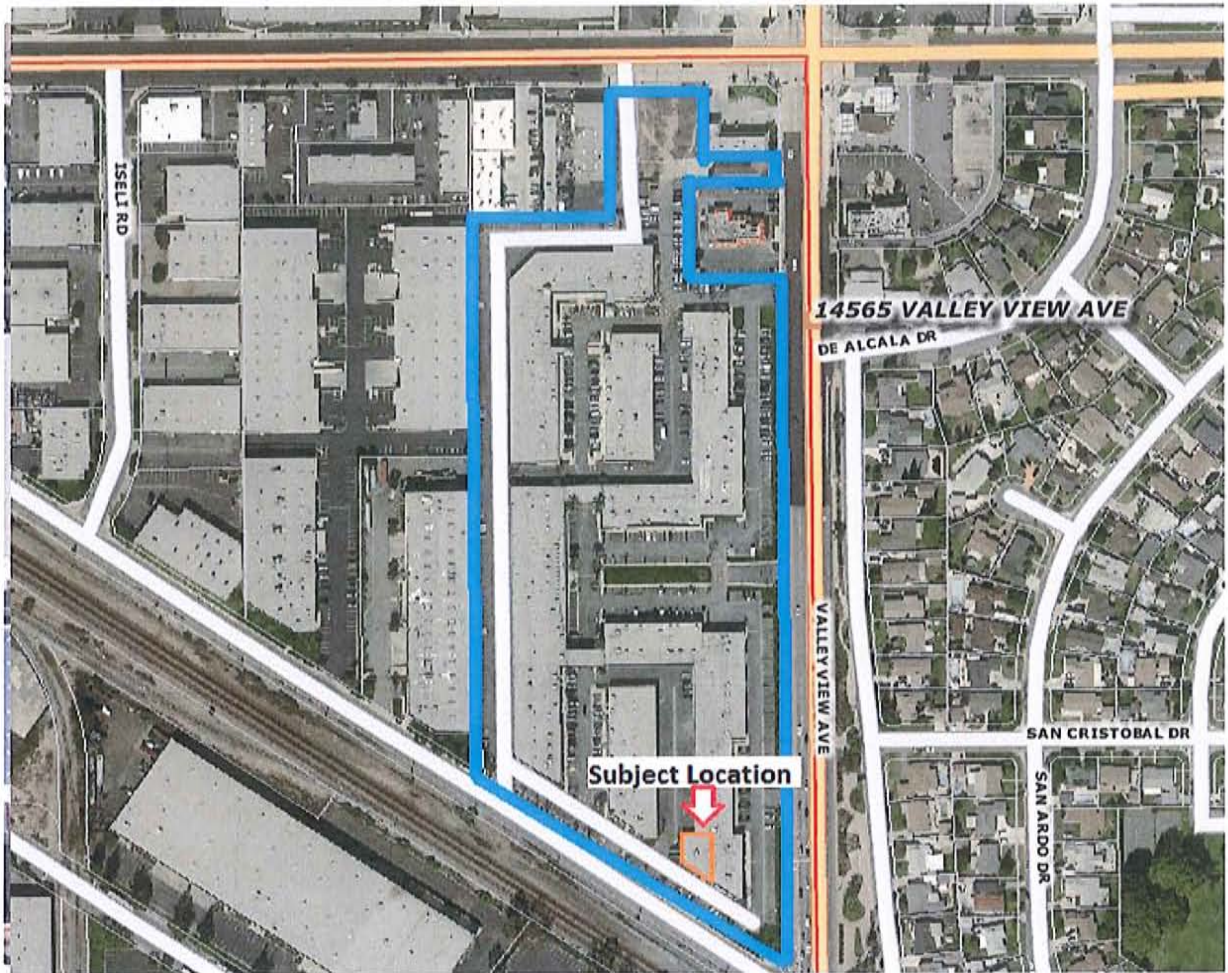
Wayne M. Morrell
Director of Planning

Attachment(s)

1. Aerial Photograph
2. Time Extension Request Letter



CITY OF SANTA FE SPRINGS



AERIAL PHOTOGRAPH



Conditional Use Permit Case No. 590-5

14565 Valley View Ave., Suite A (APN: 8069-006-042)

TIME EXTENSION REQUEST LETTER

Michael Cho
Living Water Stream Church
14565 Valley View Avenue Unit A
Santa Fe Springs, CA 90670

July 10, 2012

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

RECEIVED

JUL 10 2012

Planning Dept.

Re: **Conditional Use Permit (CUP) Case No. 590**
14565 Valley View Avenue Unit A, Santa Fe Springs, CA 90670

Dear Mr. Nguyen:

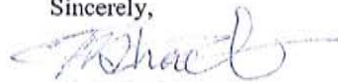
We hereby request a formal review for compliance of the subject Permit referenced above. Listed below are the major church activities, and please note that there are no major changes to the use since the last review of the subject Permit.

Congregational Hours

- Sunday: 11 a.m. to 5 p.m. (Sunday worship service, bible study, and other church activities)
- Friday Service: 8:00 p.m. to 12:00 a.m.
- Daily Prayer Meetings: 8:00 p.m. to 12:00 a.m.
- Pastor Office Hours: 9 a.m. to 5 p.m. (Mon – Fri)

Enclosed is the \$563.00 (five-hundred sixty three dollars) required for the review. Please do not hesitate to contact me with any questions (213) 300 - 6726

Sincerely,


Michael Cho

City

of

Santa Fe Springs

DISTRIBUTION

FUND	G/L	ACTIVITY	OBJECT	PROJECT	AMOUNT
110	277	7110	2000		\$1,563.00

~~Original~~ Living Water Shuman Church

14315 Valley View Avenue Unit A

Santa Fe Springs, CA 90670

CUP Time Extension - CUP 590

RECEIPT

07-10-12 1CL6189

CHECK 563.00

City of Santa Fe Springs	DISTRIBUTION				
	FUND	G/L	ACTIVITY	OBJECT	PROJECT
	110	397	4110	BDOO	RCUP 611
					AMOUNT
					\$1,075.00

Spiritual Rock Presbyterian Church
(NAME)
14515 Valley View Ave., UNIT D
(ADDRESS)
Santa Fe Spring, CA. 90670
(CITY AND STATE)
Reconsideration FEE - RCUP 611
(DESCRIPTION)

RECEIPT



CONSENT ITEM - (Continued from October 13, 2014 Planning Commission Meeting)

Conditional Use Permit Case No. 685-2

A compliance review of a transportation terminal on property located at 11910 Greenstone Avenue (APN: 8026-020-051), in the M-2, Heavy Manufacturing, Zone. (Chemical Transfer Company, Inc.)

RECOMMENDATION

Staff is recommending a continuance of Conditional Use Permit Case No. 685 to the Planning Commission meeting on January 12, 2015.

BACKGROUND

On October 13, 2014, the Planning Commission considered and continued the subject Conditional Use Permit (CUP) to the November 10, 2014 Planning Commission meeting. The Commission directed staff to provide additional background on condition #7 and the status of its compliance.

Condition #7 (see condition below) was initially imposed by the City's Police Services Department in September of 2008, and states:

That the applicant shall submit and obtain approval of a proposed lighting (photometric) and security plan for the property from the City's Department of Police Services. 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. 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.

The condition requiring a lighting and security plan is a standard condition of approval from the Police Services Department for new uses and/or structures. Staff became aware of the outstanding condition during the recent compliance review and, therefore, had originally recommended giving the applicant sixty (60) days to comply with said condition. In retrospect, since the applicant should have complied within the first sixty (60) days of the original approval granted in 2008, but had not, staff should not have brought this item before the Planning Commission.

Since the last meeting, staff has been working with the applicant in an effort to achieve full compliance. Preparation of a security plan has been completed and will be submitted shortly, and the applicant has begun work on a photometric plan for submittal. Although, we still do not have full compliance, staff is confident that the applicant will be in full compliance within the sixty (60) day time period staff recommended on October 13, 2014. Staff is, therefore, requesting a continuance to the Planning Commission meeting scheduled for January 12, 2015.



Wayne M. Morrell
Director of Planning



CONSENT ITEM

Conditional Use Permit Case Nos. 739 and 740 and Environmental Document (Mitigated Negative Declaration/Initial Study)

A request for a time extension to construct, operate and maintain a Digital Billboard and Static Billboard, each 50-foot tall, with display areas of 14'x48', on the ±18.70-acre property at 13833 Freeway Drive (APN: 8069-014-009) with dual zoning: M-2-FOZ, Heavy Manufacturing-Freeway Overlay, Zone and M-2, Heavy Manufacturing. (Platinum Billboard, LLC)

RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions:

1. Find and determine that granting a one (1) year time extension of Conditional Use Permit Case Nos. 739 and 740, will not be detrimental to persons or properties in the surrounding area or to the City in general and that due consideration has been given to the appearance of any proposed structures.
2. Find and determine that on October 22, 2012, the Planning Commission of the City, at a duly noticed hearing, approved Development Plan Approval Case No. 878 for the development of the subject property, in compliance with, and satisfying the requirements of, the California Environmental Quality Act ("CEQA"), on the basis that a Mitigated Negative Declaration and Initial Study, which was also approved at the October 22, 2012 meeting, concluded that although the proposed project could have a significant effect on the environment, there will not be a significant effect with the incorporation of mitigation measures pertaining to air quality, hazardous materials, and water quality. Such CEQA determination considered the impacts of the two billboards which are the subject of this time extension request; consequently, no additional environmental documents and/or studies are required.
3. Approve a one (1) year extension of Conditional Use Permit Case Nos. 739 and 740, subject to the original conditions of approval as contained within this staff report.

BACKGROUND/DESCRIPTION OF REQUEST

The ±18.70-acre property is located 13833 Freeway Drive at the northeast corner of Marquardt Avenue and Freeway Drive, with additional frontage on Mica Street. It is developed with a 444,784 sq. ft. concrete tilt-up building constructed in 2013. The building is currently for lease. The property is also located north of Interstate 5 (I-5) freeway, which is currently being expanded by Caltrans.

On October 22, 2012, the Planning Commission approved Development Plan Approval (DPA) Case No. 878 and Tentative Parcel Map (TPM) No. 71982. The DPA allowed the construction of a $\pm 449,238$ sq. ft. concrete tilt-up (spec) building and appurtenant improvements, while the TPM allowed the consolidation of two existing lots (APN: 8069-014-007 with an address of 13833 Freeway Drive and APN: 8069-013-022 with an address of 15300 Marquardt Avenue) with a combined area of 20.049 acres, into one parcel of 18.732 acres. The parcel map has since been recorded, hence the site now consist of one parcel of ± 18.70 -acre and one address: of 13833 Freeway Drive.

The Planning Commission also approved the environmental document (Initial Study/Mitigated Negative Declaration) that was prepared to analyze the potential environmental impacts associated with the development of the site, in compliance with, and satisfying the requirements of, the California Environmental Quality Act (CEQA). Such CEQA document also considered the environmental impacts of the two billboards, (a Digital Billboard and Static Billboard, each 50-foot tall, with display areas of 14'x48') which are the subject of this time extension.

During the October 22, 2012 meeting, the Planning Commission also recommended that the City Council adopt Ordinance No. 1036, relating to the standards for the installation of billboards on certain properties in the City (properties adjacent to Interstate 5 (I-5), between Valley View Avenue to the East and Bloomfield Avenue to the west, approximately $\pm 13,000$ lineal feet). The Commission's findings and recommendations were incorporated in Resolution 33-2012.

At a duly noticed hearing, before the City Council, on November 8, 2012, Ordinance No. 1036 was introduced. The second reading of Ordinance 1036 occurred on November 20, 2012. It became effective thirty (30) days after its second reading. *Pursuant to section 155.384(A), of Ordinance 1036, billboards are allowed only after a valid Conditional Use Permit has first been obtained and a Developer Agreement has been approved.* As a result, the applicant applied for and was granted approval on February 2013, by the Planning Commission, of Conditional Use Permit Case Nos. 739 and 740, to construct, operate and maintain the two billboards.

At the City Council meeting of February 14, 2013, Ordinance No. 1040 was introduced. The second reading of Ordinance 1040 occurred on February 28, 2013. It became effective thirty (30) days after its second reading. Ordinance No 1040 was an ordinance of the City of Santa Fe Springs adopting a Development Agreement (Development Agreement 01-2013) by and between the City of Santa Fe Springs and Platinum Billboards LLC. The Development Agreement set forth the terms of the agreement for the billboards.

On November 15, 2013, the applicant obtained a building permit to construct the billboards and subsequently applied for a permit from Caltrans to construct the billboards. Under the authority of the Business and Professional Code section 5415, the director of Caltrans has the authority to prescribe and enforce regulations for the erection and maintenance of advertising displays. Under section 5271, a Caltrans permit is required for a display located within 660 feet from the edge of a right-of-way and which is visible from an interstate.

Caltrans reviewed the permit application and denied the application. The applicant appealed Caltrans decision before an Administrative Law Judge who ruled in favor of Caltrans. The judge concurred with Caltrans that the location of the proposed signs were in an active construction zone and the requested permits could not be granted while this situation exists. Caltrans correctly "denied the two applications because they were premature, insofar as construction activity on or near the public highway in question was not completed" and that Caltrans had the authority under the California Code of Regulations to not permit placement of display signs "until construction on the site is completed."

The judgment further stated: *When the construction project is completed, it is anticipated that the contractor will issue to Caltrans a Certificate of Sufficiency. Upon completion, it is expected that Caltrans will "accept" the project, acknowledging that the contractor has performed all of the obligations of the highway contract. Neither has occurred yet. Both are expected to occur in late 2015.*

Accordingly, the applicant is unable to construct the signs at this time and enjoy the privileges granted under Conditions Use Permit Case Nos. 739 and 740 and Development Agreement No. 01-2013. Pursuant to section 155.721 of the Zoning Regulations, (EXPIRATION), *Unless otherwise specified in the action granting a conditional use permit, said conditional use permit which has not been utilized within 12 months from the effective date shall become null and void. Also the abandonment or nonuse of a conditional use permit for a period of 12 consecutive months shall terminate said conditional use permit and any privileges granted thereunder shall become null and void. However, an extension of time may be granted by Commission or Council action.*

As a result, the applicant is requesting an extension of Conditions Use Permit Case Nos. 739 and 740. It should be noted that the 12-month period begin on the date, November 15, 2014, the applicant obtained a building permit to construct the billboards. Staff is recommending a one (1) year extension of Conditional Use Permits Nos. 739 and 740, until November 15, 2015.

NOTE: The conditions of approval contained within this report are identical to the conditions of approval contained within the original staff report.

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

1. That a grading plan shall be submitted showing elevations and drainage pattern of the site. The improvements shall not impede, obstruct or pond water onsite. The grading plan shall be submitted for drainage approval to the City Engineer. The owner shall pay drainage review fees in conjunction with this submittal.

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

2. 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 owner/developer or their representative any time, 24 hours a day.
3. That the cylindrical support post of the billboards shall be treated with a graffiti-proof paint finish and the billboards 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.
4. That the Applicant shall not plant trees, shrubs or other type of foliage, or install any structures or appendages that would allow individuals to scale the billboards.

WASTE MANAGEMENT:**(Contact: Teresa Cavallo 562.868.0511 x7309)**

5. 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.
6. 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: Wayne Morrell 562.868-0511 x7362)

7. That the billboards shall be in conformance with Ordinance No. 1036, an ordinance of the City of Santa Fe Springs relating to the standards for the installation of billboards on certain properties in the City. *Notwithstanding anything else contained herein, in the event that any condition set forth below is in conflict with Ordinance No. 1036 (the recently adopted Billboard Ordinance of the City of Santa Fe Springs), then the provisions of Ordinance No. 1036 shall prevail.*
8. That in addition to the conditions of approval contained herein, the billboards shall be subject to all conditions, terms and provisions of Development Agreement 01-2013.
9. That the maximum area of the billboards shall be seven hundred square feet per sign area (e.g., 14 feet x 48 feet).
10. That the maximum height of the billboards shall be fifty feet, measured from the finished grade at the base of the sign.
11. That there shall be no more than two billboards, either digital or static, but not both of the same type, on the subject property.
12. That the minimum distance between the two billboards shall be five hundred feet as measured from the vertical centerline of each billboard.
13. That the minimum distance from either of the two billboards from another billboard on the same side of the freeway shall be one thousand feet, as measured from the vertical centerline of each billboard.
14. That the minimum setback distance of the column support post of the two billboards shall be at least 25 feet from any property line and at least 25 feet from and building. Notwithstanding, no portion of the billboards shall project over the width of any street, highway, or other public right-of-way.
15. That the minimum size of any property on which a billboard can be located shall be five acres, unless a variance is granted to allow a billboard on a smaller property.
16. That none of the billboards shall have more than two (2) faces. (A face shall be considered the display surface upon which an advertising message is displayed). (No V-shape billboards shall be allowed).

- a. The two faces of two-sided billboards shall be identical in size.
 - b. The two sign faces shall be attached directly and be parallel to each other.
 - c. The top, bottom, and sides of the two sign faces shall be in alignment, and no portion of either face shall project beyond the corresponding portion of the other face.
17. That none of the billboards shall have more than one (1) face (display surface) oriented in the same vertical plane.
 18. That each billboard shall plainly display the name of the person or company owning or maintaining it and the identifying number of the billboard.
 19. That all billboards, if projecting over a driveway or driving aisle, shall have a minimum clearance of sixteen feet (16') between the lowest point of the sign and the driveway grade.
 20. That all billboards, if projecting over a pedestrian walkway shall have a minimum clearance of eight feet (8') between the lowest point of the sign and the walkway grade.
 21. That all billboards shall have a minimum clearance of eight feet (8') between the lowest point of the sign and ground level so as not to provide an attractive nuisance for graffiti and vandalism.
 22. That the back or rear portions of each billboard, when visible from a public right-of-way or other public or private property, shall be screened, encased, or otherwise suitably covered. The screening shall cover all structural members of the sign, not including the pole supports.
 23. That prior to issuance of a building permit for the billboards, the Applicant shall provide the following:
 - a. The telephone number of a maintenance service to be available twenty-four (24) hours a day, to be contacted in the event that a billboard becomes dilapidated or damaged.
 - b. Proof of lease demonstrating a right to install the billboard on the subject property.
 - c. A list of locations of all billboards in the City owned or managed by the entity that will own or manage the subject billboard. This information also shall be provided on a map. The intent of this requirement is to facilitate analysis of

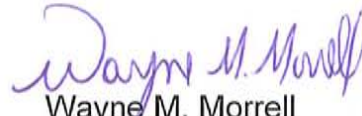
the proposed billboard's compliance with the spacing and location requirements.

24. That the billboards shall be designed to have a single (steel) cylindrical column support post.
25. That the billboard structures shall be free of any bracing, angle iron, guy wires, cables, microwave dishes, etc.
26. That the installation of the billboards shall not require the removal of trees or other on-site landscaping or the reduction of any required on-site parking spaces.
27. That the proposed billboards shall be constructed within a landscape planter area, where applicable.
28. That each billboard shall be constructed to withstand a wind pressure of 20 pounds per square feet of exposed surface.
29. That none of the billboards shall display any statement or words of an obscene, indecent, or immoral character.
30. That none of the billboards shall display any advertising of: any drugs, including but not limited to marijuana; or tobacco products; or adult-type uses, including but not limited to nude or topless bars or nightclubs, or establishments that feature nude or topless dancing or mud wrestling, or businesses featuring the sales of adult novelty items, books, magazines, videos, DVDs, or tapes.
31. That none of the billboards shall display flashing, shimmering, glittering, intermittent, or moving light or lights. Exceptions to this restriction include time, temperature, and smog index units, provided the frequency of change does not exceed four (4) second intervals.
32. That none of the billboards shall include any illumination or message change that is in motion or that change or expose a message for less than four seconds. (Messages are to remain static for a minimum of 4 seconds prior to next message appearing (no blank in-between messages)); Continuous motion, including full motion video, shall not be permitted. Message transition shall be instantaneous or 1-2 seconds if fading.
33. That the utilities of each billboard shall be underground.
34. That each digital billboard shall be tied into the National Emergency Network and provide emergency information, including child abduction alerts (i.e., "Amber Alerts").

35. That the billboards shall comply with all applicable federal, state, and local laws and regulations, including but not limited to the Highway Beautification Act of 1965 (23 U.S.C. 131), the California Outdoor Advertising Act (Cal. Bus. & Prof. Code, 5200 et. seq.), and the California Vehicle Code, Section 21466.5.
36. That the digital billboard shall be provided with an ambient light sensor that automatically adjusts the brightness level of the electronic sign based on ambient light conditions, so that on overcast or poor weather days, the sign would automatically adjust to the ambient light level.
37. That the digital billboard shall be designed to either: freeze the display in one static position, display a full black screen, or turn off in the event of a malfunction.
38. That none of the billboards shall utilize technology that would allow interaction with drivers, vehicles, or any device located in vehicles, including, but not limited to a radio frequency identification device, geographic positions system, or other device.
39. That walls or screens at the base of the billboards shall not create a hazard to public safety or provide an attractive nuisance.
40. That none of the billboards shall emit audible sound, odor, or particulate matter.
41. That none of the billboards shall simulate or imitate any directional, warning, danger, or information sign, or any display likely to be mistaken for any permitted sign intended or likely to be construed as giving warning to traffic, by, for example, the use of the words "stop" or "slow down."
42. That none of the billboards shall involve any red or blinking or intermittent light likely to be mistaken for warning or danger signals nor shall its illumination impair the vision of travelers on the adjacent freeway and/or roadways. Illuminations shall be considered vision impairing when its brilliance exceeds the values set forth in Section 21466.5 of the Vehicle Code.
43. That within one week after the sign is activated; a qualified lighting consultant/electrical engineer shall measure the sign intensity at the sign face and ensure compliance with Section 21466.5 of the Vehicle Code. Written verification of compliance shall be provided to the Planning Department within one week following sign activation. All cost shall be the responsibility of the Applicant.
44. That the Applicant shall comply with the City's "Heritage Artwork in Public Places Program" in conformance with City Ordinance No. 909, if applicable.

45. That the Applicant shall be responsible for reviewing and/or providing copies of the required conditions of approval to his/her architect, engineer, contractor, etc. Additionally, the conditions of approval contained herein, shall be made part of the construction drawings. ***Construction drawings shall not be accepted for Plan Check without the conditions of approval incorporated into the construction drawings.***
46. That the Applicant shall require and verify that all contractors and sub-contractors have successfully obtained a Business License with the City of Santa Fe Springs prior to beginning any work associated with the subject project. A late fee and penalty will be assessed to any contractor or sub-contractor that fails to obtain a Business License and a Building Permit final or Certificate of Occupancy will not be issued until all fees and penalties are paid in full. Please contact Cecilia Pasos, Business License Clerk, at (562) 868-0511, extension 7527 for additional information. A business license application can also be downloaded at www.santafesprings.org.
47. That all plans, such as, but not limited to, the site plan, elevations, landscape, and civil drawings, submitted to the Building Department for permits shall be coordinated for consistency by the Applicant prior to the issuance of any permits. Any change or modification to one particular plan shall require the corresponding revisions on all other applicable plans. The Applicant shall be responsible for correcting any inconsistencies that may occur through error or omission during plan preparation or construction.
48. That the billboards shall be installed substantially in accordance with the site plan and elevations submitted by the Applicant and on file with the case.
49. That Conditional Use Permit Case Nos. 739 and 740 shall be subject to a compliance review in ten (10) years, until January 12, 2023.
50. That in the event Conditional Use Permit Case Nos. 739 and 740 are not utilized within a period of 12 consecutive months following the issuance of this approval, this approval shall become null and void pursuant to Sections 155.745 of the City Zoning Regulations, unless an extension is granted per City code and ordinances.
51. That the final site plan and elevations for the proposed billboards and all other appurtenant improvements, shall be subject to the final approval of the Director of Planning or his designee.

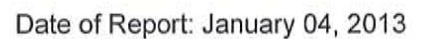
52. That all other requirements of the City's Zoning Ordinance, Building Code, Property Maintenance Ordinance, State and City Fire Code and all other applicable County, State and Federal regulations and codes shall be complied with.
53. That the Applicant, Freeway Springs, LLC agrees to defend, indemnify 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 Conditional Use Permit Case Nos. 739 and 740, 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.
54. It is hereby declared to be the intent that if any material provision of this Approval is adjudicated to have been violated or held to be invalid, this Approval shall be void and the privileges granted hereunder shall lapse.

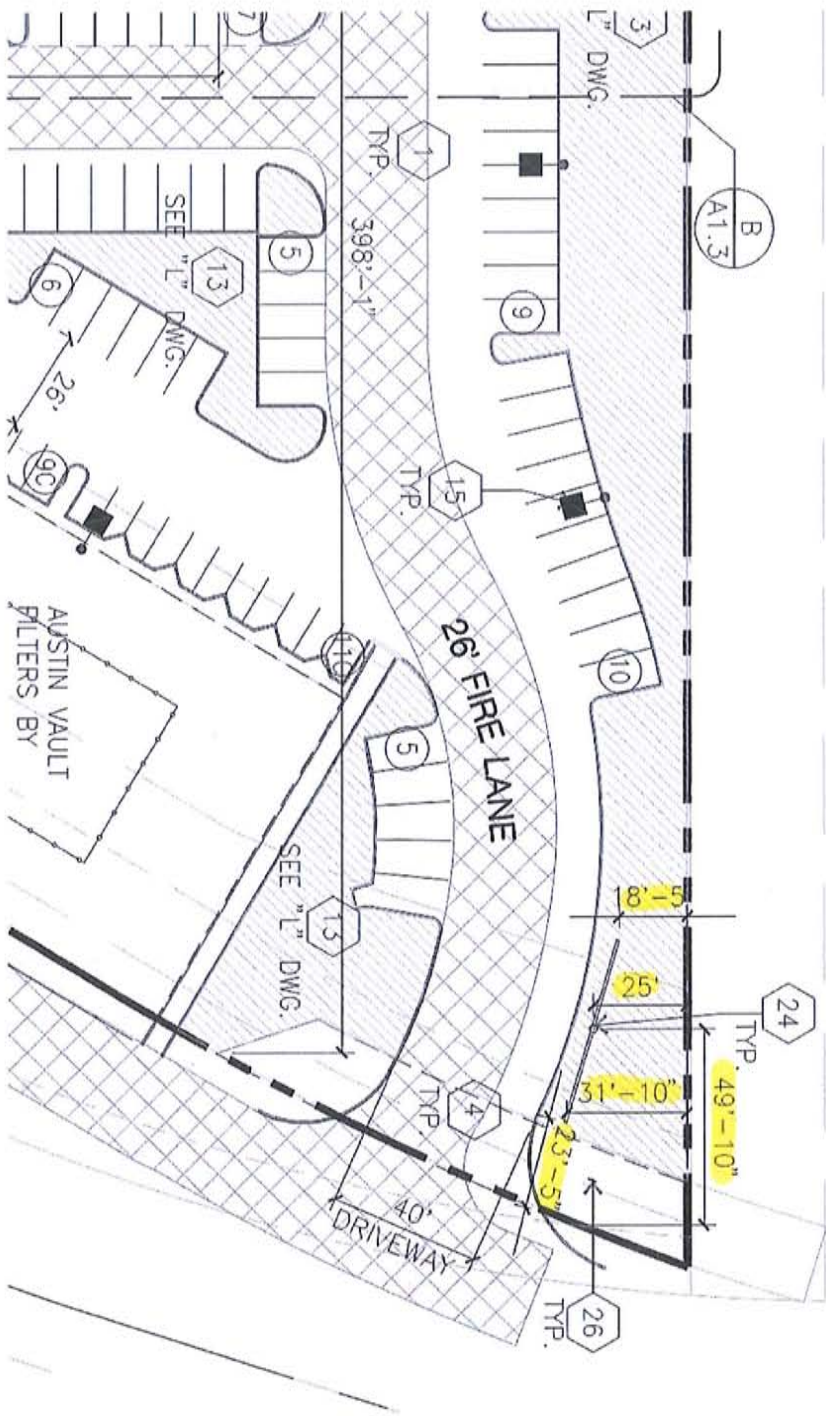

Wayne M. Morrell
Director of Planning

Attachments:

1. Location Aerial
2. Overall Site Plan-Sheet A1.1
3. Enlarged Site Plan (Billboard East @ Freeway Drive)
4. Enlarged Site Plan (Billboard West @ Freeway Drive and Marquardt Avenue)
5. Elevations-Sheet SK-1 Digital Billboard)
6. Elevations-Sheet SK-2 Static Billboard)
7. Time Extension Request E-Mail

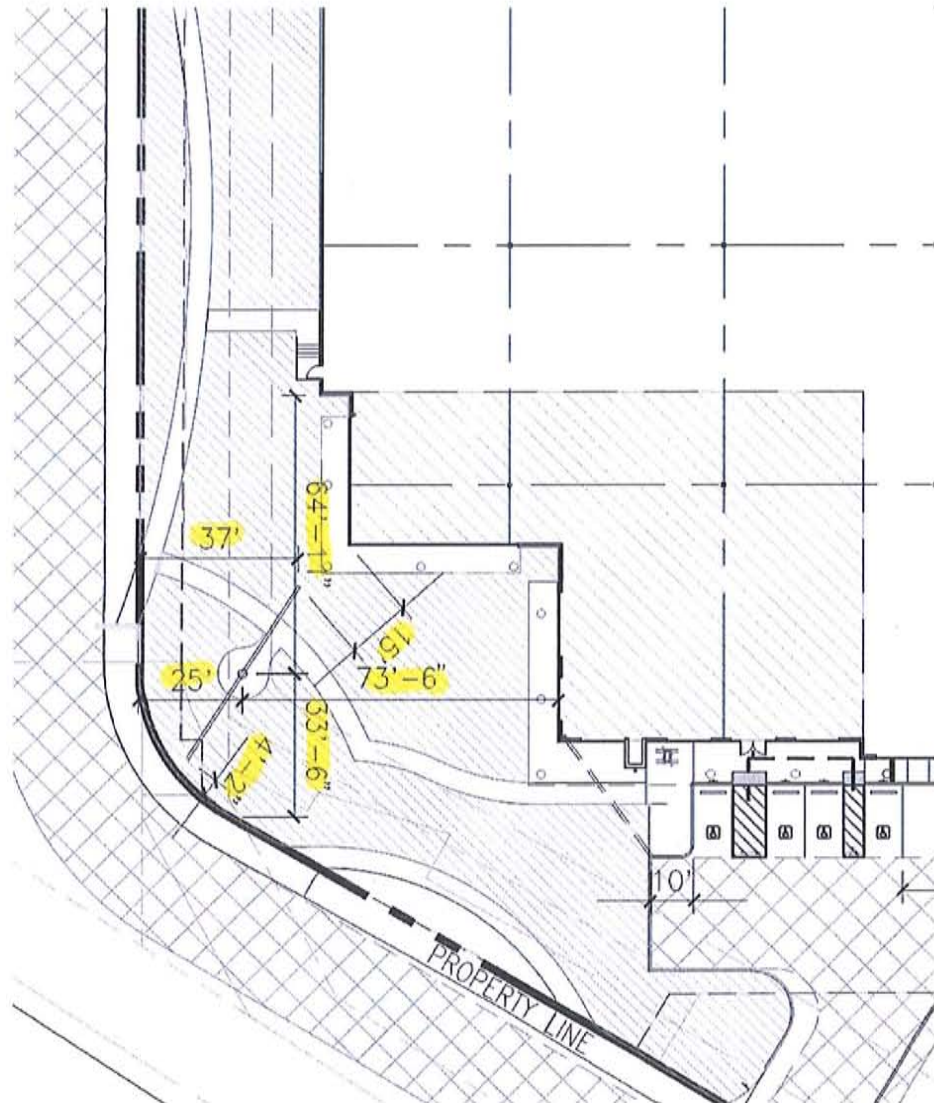


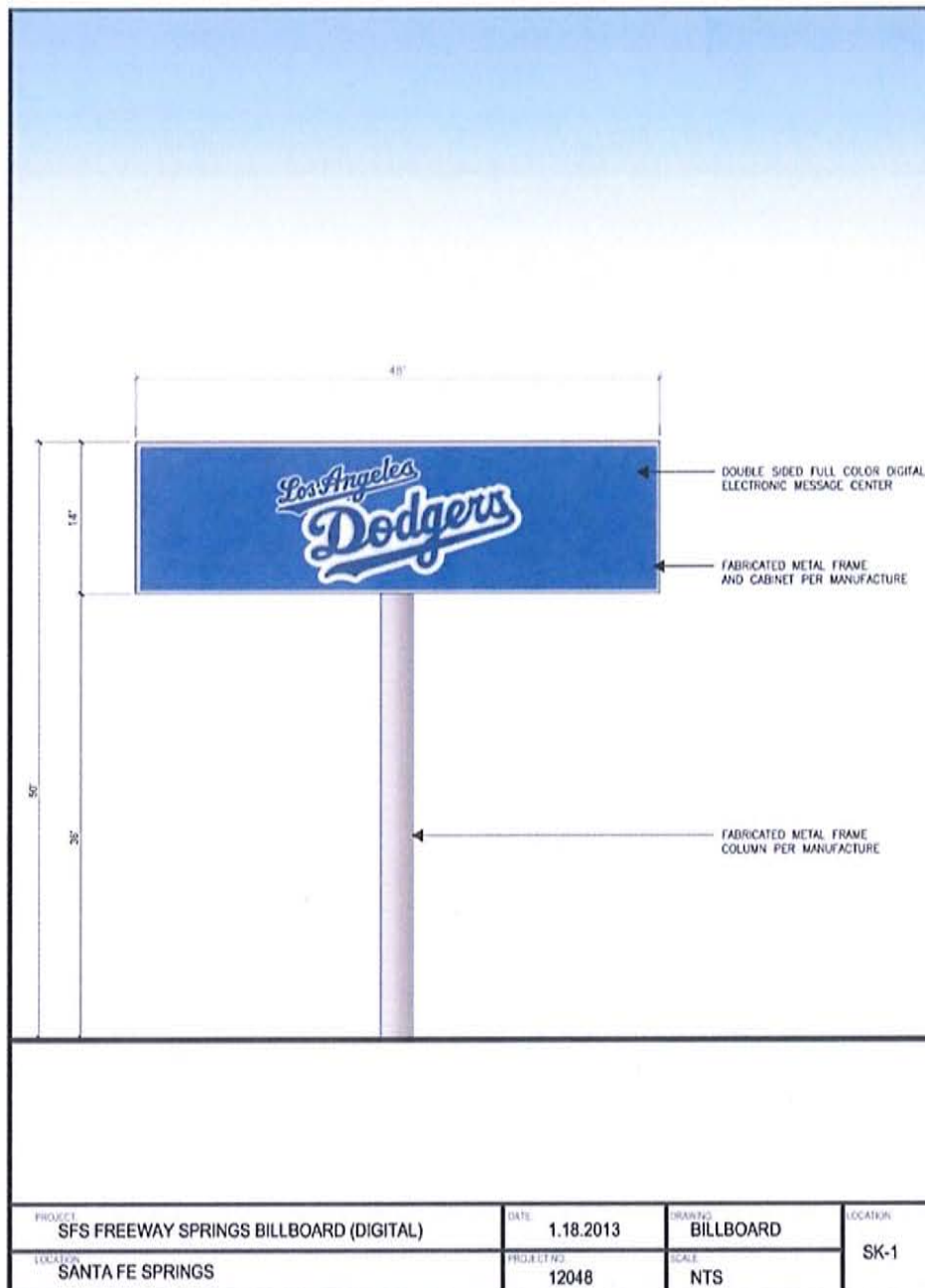


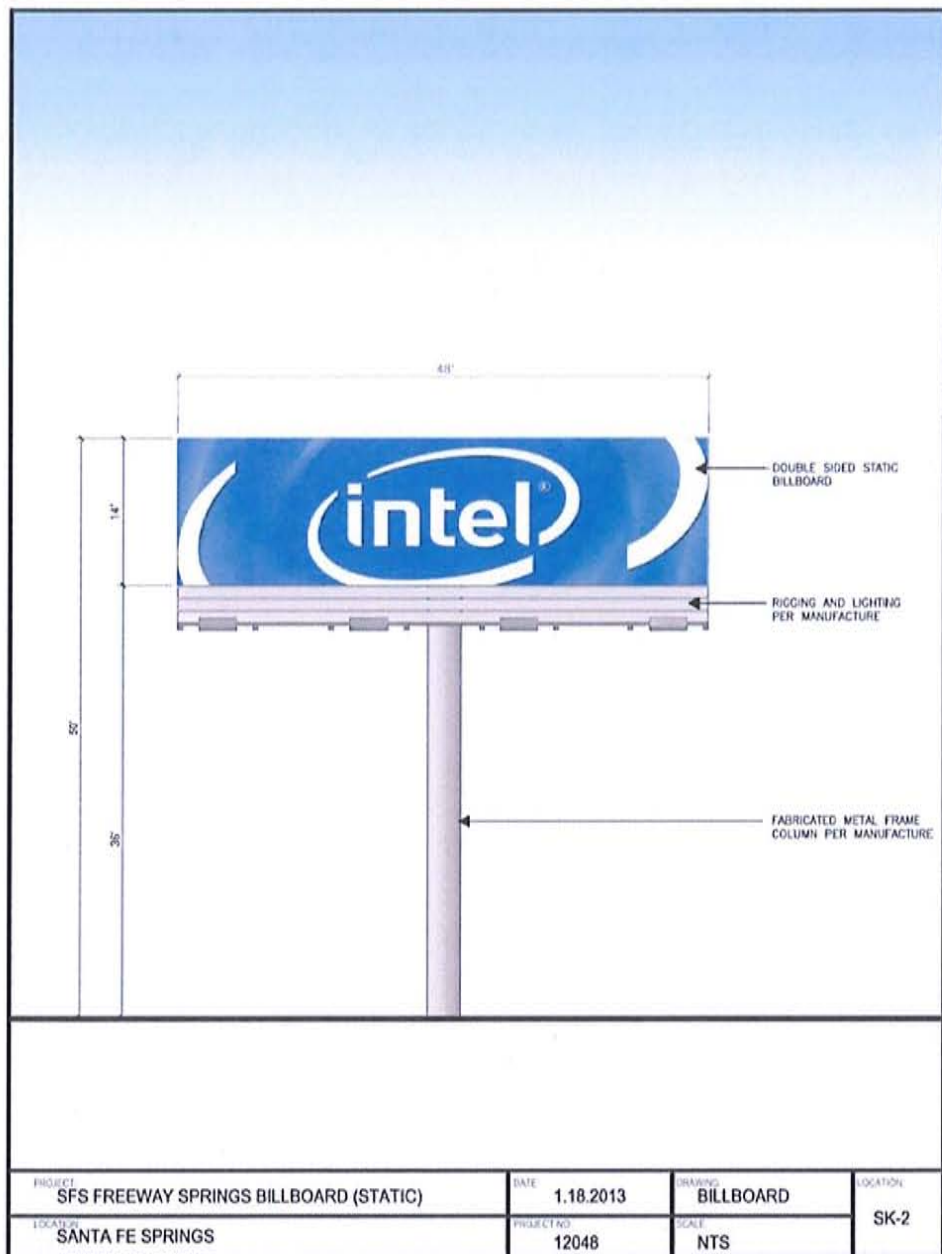


SFS Freeway Springs: Billboard @
Freeway Drive

SFS Freeway Springs: Billboard @
Marquart / Freeway Drive







Wayne M. Morrell

From: Moshe Sassover <sassover@ThriftyOil.com>
Sent: Monday, November 03, 2014 1:01 PM
To: Wayne M. Morrell
Subject: Billboard Extension Request

Dear Wayne:

As you know, we have been prevented from building the billboard by Caltrans. Caltrans has taken the position that construction of the billboards cannot commence as long as Caltrans is working on the Interstate 5 expansion. We have written several letters to Caltrans in an effort to commence construction of the billboards. Unfortunately, we have not yet succeeded in getting Caltrans to agree.

In addition, with our support, the billboard company filed an action before an administrative law judge to decide whether Caltrans exceeded its legal authority in refusing to allow the billboards to be constructed. A hearing was held before the administrative law judge in July, 2014, including testimony by representatives from our company as well as the City of Santa Fe Springs. We have not yet received a decision from the administrative law judge.

Our company very much desires to build the billboards, but given Caltrans unwillingness to permit the construction, we are requesting an extension from the City of Santa Fe Springs. Thank you for your consideration.

Moshe